Gender Integration

in Democracy, Human Rights, and Governance (DRG)

Acknowledgements

DISCLAIMER

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I. Glossary of Acronyms

ADS	Automated Directives System
APWLD	Asia Pacific Forum of Women, Law and Development
ASEAN	Association of Southeast Asian Nations
AU	African Union
AWID	Association for Women's Rights in Development
BPfA	Beijing Platform for Action
BWCC	Bangladesh Women's Chamber of Commerce
CBO	community-based organizations
CDCS	Country Development Cooperation Strategy
CDP	Congress for Democracy and Progress
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CERD	Committee on the Elimination of Racial Discrimination
CIPE	Center for International Private Enterprise
CLADEM	Latin American and Caribbean Committee for the Defense of Women's Rights

COE	Council of Europe
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
CSO	civil society organizations
CSW	Commission on the Status of Women
CTIP	countering trafficking in persons
DAW	Division for the Advancement of Women
DCAF	Geneva Centre for the Democratic Control of Armed Forces
DDR	disarmament, demobilization, and reintegration
DESA	Department of Economic and Social Affairs
DFID	Department for International Development
DO	Development Objective
DPO	disabled people's organization
DRG	Democracy, Human Rights, and Governance
EAD	Electoral Assistance Division
EMB	electoral management body

EOM	election observation mission	**IJRC**	International Justice Resource Center
FEMNET	African Women's Development and Communications Network	**iKNOW**	International Knowledge Network of Women in Politics
FIDA	Association of Women Lawyers	**ILO**	International Labour Organization
FIMI	International Indigenous Women's Forum	**INL**	International Narcotics and Law Enforcement Affairs
FOWODE	Forum for Women in Democracy	**INSI**	International News Safety Institute
FWLD	Forum for Women, Law and Development	**INWWD**	International Network of Women with Disabilities
GBV	gender-based violence	**IPU**	Inter-Parliamentary Union
GLRD	Gender and Land Rights Database	**IREX**	International Research & Exchanges Board
GRB	gender-responsive budgeting	**IWMC**	International Women's Media Center
GSDRC	Governance and Social Development Resource Centre	**IWRAM**	International Women's Rights Action Watch
GWG	Gender Working Group	**IWRAW-AP**	International Women's Rights Action Watch – Asia Pacific
HAI	Heartland Alliance International	**J-PAL**	Abdul Lateef Jamal Poverty Action Lab
IAWJ	International Association of Women Judges	**LGBT**	Lesbian, Gay, Bisexual, Transgender
ICCPR	International Covenant on Civil and Political Rights	**LGBTI**	Lesbian, Gay, Bisexual, Transgender, Intersex
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination	**M&E**	monitoring & evaluation
		MEI	Fundación Mujeres en Igualdad
ICESCR	International Covenant on Economic, Social and Cultural Rights	**NANNM**	National Association of Nigerian Nurses and Midwives
ICGLR	International Conference on the Great Lakes Region	**NDI**	National Democratic Institute
ICHRP	International Council on Human Rights Policy	**NGO**	non-governmental organization
		NHRI	National Human Rights Institutions
ICJ	International Commission of Jurists	**NOREF**	Norwegian Peacebuilding Resource Center
ICT	information and communications technologies	**OAS**	Organization of American States
IDEA	International Institute for Democracy and Electoral Assistance	**ODIHR**	Office for Democracy Institutions and Human Rights
IDRC	International Development Research Centre	**OHCHR**	Office of the High Commissioner on Human Rights
IFES	International Foundation for Electoral Systems	**OSAGI**	Office of the Special Advisor on Gender Issues and the Advancement of Women

OSCE	Organization for Security and Cooperation in Europe	**USAID**	US Agency for International Development
PAD	Project Appraisal Document	**USG**	United States Government
PMO	parliamentary monitoring organizations	**UWOPA**	Uganda Women Parliamentary Association
PMP	Performance Management Plan	**VAW**	violence against women
PPL	Bureau of Policy, Planning and Learning	**WBI**	World Bank Institute
PROGATI	Promoting Governance, Accountability, Transparency, and Integrity	**WHRD**	women human rights defenders
ROL	rule of law	**WHRDIC**	Women Human Rights Defenders International Coalition
SCR	Security Council Resolution	**WLUML**	Women Living under Muslim Laws
SGBV	sexual- and gender-based violence		
SIGI	Social Institutions and Gender Index		
SMS	Short Message Service		
SOGI	sexual orientation and gender identity		
SSR	security sector reform		
TAG	Tech Age Girls		
TCC	Thuthuzela Care Center		
TIP	trafficking in persons		
UCLG	Global Network of Cities, Local and Regional Governments		
UCOFEM	Congolese Union of Women in the Media		
UDHR	Universal Declaration of Human Rights		
UEC	Union Election Commission		
UNDP	United Nations Development Programme		
UNFPA	United Nations Population Fund		
UNICEF	United Nations Children's Fund		
UNIFEM	United Nations Development Fund for Women		
UNSCR	United Nations Security Council Resolution		

II. Foreword

ANY COUNTRY THAT FAILS TO ENGAGE half its population meaningfully in political life can not be considered fully democratic. Ensuring women and men, and those who are third gender or gender non conforming, have equal opportunities to participate in the civic and political life of their countries is consistent with universal human rights, democratic principles, and USAID's goal of fostering resilient, democratic societies. Ensuring gender equality in political participation builds more transparent, accountable governments that are more likely to reflect the interests of all citizens, contributing to the greater well-being of all members of society. At the same time, elevating human rights, by definition, means that we must support efforts around the world to advance and protect the rights of men, women, boys, and girls, and those outside of the gender binary. We can not achieve the goal of USAID's Strategy on Democracy, Human Rights, and Governance—to "support the establishment and consolidation of inclusive and accountable democracies to advance freedom, dignity, and development" —without reducing gender gaps and empowering all individuals as full participants in building democratic societies.

Since the adoption of the 2012 Gender Equality and Female Empowerment Policy, USAID has expanded its efforts and requirements for incorporating gender integration into and across program design. In addition, USAID's LGBT Vision for Action seeks to improve the lives of LGBT citizens around the world by becoming more inclusive in our development efforts. The Vision aims to ensure that LGBT persons have access to and reap the benefits of our programming, and in so doing, are instrumental in the transformation of their own societies, with the end result that each and every citizen is recognized and equally valued.

The DRG Center strongly supports the implementation of quality gender analysis in the work of the DRG Center and our DRG Offices in the field to identify areas of opportunity to better advance gender equality and female empowerment. The goal of this toolkit is to provide a practical, straightforward, and user-friendly guide to DRG officers as a means to better integrate gender equality and female empowerment in project conceptualization and design. The toolkit contains key questions to guide gender analysis in program design across specific DRG sub-sectors, illustrative activities to overcome barriers to the full and equal participation of men, women, and intersex/gender non-conforming/third gender persons in democratic governance, and illustrative examples from USAID and external programs successfully integrating gender.

We look forward to working with our colleagues in the field and Washington, DC to use this toolkit and ensure that the results we achieve in our democracy, human rights, and governance work have an equally meaningful impact on men, women, boys, and girls; and also achieve better results in advancing gender equality and women's empowerment within the DRG sector.

NEIL LEVINE
Director
Center of Excellence on Democracy, Human Rights,
and Governance
Bureau for Democracy, Conflict, and Humanitarian Assistance
United States Agency for International Development

III. Introduction

THE CENTER OF EXCELLENCE ON DEMOCRACY, HUMAN RIGHTS AND GOVERNANCE (DRG Center) has developed this toolkit as a practical guide for USAID staff to better integrate gender into DRG programming. Gender integration furthers both the objectives of USAID's Strategy on Democracy, Human Rights and Governance (DRG Strategy) and the Agency's policies regarding gender equality, women's and girls' empowerment, and the rights and political participation of all people.

> Gender equality and female empowerment are core development objectives, fundamental for the realization of human rights and key to effective and sustainable development outcomes. No society can develop successfully without providing equitable opportunities, resources, and life prospects for males and females so that they can shape their own lives and contribute to their families and communities.
>
> —*USAID Gender Equality and Female Empowerment Policy (Gender Policy)*

Background and Context

Since 2011, USAID has taken dramatic steps to advance gender equality and women's and girls' empowerment more effectively throughout its work. This effort builds upon an architecture of U.S. government policies and strategies released between 2011 and 2015, including the USAID Gender Equality and Female Empowerment Policy (Gender Policy), the United States Strategy to Prevent and Respond to Gender-based Violence Globally, and the LGBT Vision for Action.

Incorporating gender analysis into USAID's work in Washington and in the field allows the Agency to identify opportunities to advance gender equality and women's and girls' empowerment and helps to ensure that all of our work takes gender-based differences, constraints, and opportunities into account. Gender analysis is required for strategies and projects, but the scope of analysis will differ depending on the level of focus.[1]

Effective gender integration is particularly critical to our work in the field of democracy, human rights, and governance. If USAID's work does not ensure that women, men, transgender, and gender non-conforming people have equal opportunities to participate in and benefit from its programs and in the political life of their societies, then we are failing in our efforts both to promote participatory, representative and inclusive political processes and government institutions[2] and to foster

greater accountability of institutions and leaders to citizens and to the law[3]. Similarly, promoting and protecting universally recognized human rights includes, by definition, protecting and advancing the equal rights[4] of men, women, boys, girls, and transgender people and responding to gender-based human rights violations.

USAID, Automated Directives System (ADS) 205.3.1

Gender analysis is a subset of socio-economic analysis. It is a social science tool used to identify, understand, and explain gaps between males and females that exist in households, communities, and countries. It is also used to identify the relevance of gender norms and power relations in a specific context (e.g., country, geographic, cultural, institutional, economic, etc.). Such analysis typically involves examining:

- Differences in the status of women and men and their differential access to assets, resources, opportunities, and services;

- The influence of gender roles and norms on the division of time between paid employment, unpaid work (including subsistence production and care for family members), and volunteer activities;

- The influence of gender roles and norms on leadership roles and decision-making; constraints, opportunities, and entry points for narrowing gender gaps and empowering females; and

- Potential differential impacts of development policies and programs on males, females, and intersex persons including unintended or negative consequences.

The domains of gender analysis include:
- Laws, Policies, Regulations, and Institutional Practices;
- Cultural Norms and Beliefs;
- Gender Roles, Responsibilities, and Time Used;
- Access to and Control over Assets and Resources; and
- Patterns of Power and Decision-making.

Integrating Gender into DRG Programming

For DRG officers, gender analysis is a foundation of "thinking and working politically" and supporting our colleagues to do so. Gender analysis reveals how gender-based power—both privilege and domination and marginalization and subordination—is socially constructed and, as such, can be changed or even wholly transformed. From country-level to activity-level, gender analysis illuminates how political actors and other stakeholders exercise power in gendered ways and which stakeholders are disempowered by dominant gender norms and gender relations among stakeholders. Gender analysis of legal and policy frameworks, state institutions, influential faith and cultural institutions, and civil society organizations helps to identify areas for reform and opportunities to support coalition-building, dialogue, and organizing.

Together with the aforementioned Agency policies and strategies, USAID's Automated Directives System (ADS) 200 series explains how to implement these new policies and strategies across the Program Cycle. Specifically, ADS 205 elaborates on the requirements for integrating gender equality and women's empowerment in all phases of programming, budgeting, and reporting. ADS 205 applies to all operating units, both in Washington and the field.

Both the intrinsic and instrumental values of gender equality are highlighted by the DRG Strategy's objective of participatory, representative, and inclusive political processes and government institutions. The DRG Strategy prioritizes empowering reformers and citizens from the bottom up, so they can have a greater say in how they are governed, are better represented throughout the process, and have a stake in the process. The DRG Strategy recognizes that citizen voice and participation are essential to build and sustain democratic societies. Yet, in many countries, large groups of people are excluded from involvement in the political processes that define their opportunities and quality of life. Traditionally marginalized groups face even greater and particularly challenging barriers to participation and representation. While advancing universal principles of human rights protection and promotion, and the prevention of human rights abuses, USAID also places particular emphasis on addressing the barriers to political participation and other freedoms for women, persons with disabilities, internally displaced persons, LGBTI persons, indigenous peoples, and other traditionally marginalized populations, including ethnic and religious minorities. The characteristics that can lead to marginalization differ among and within countries and include geography, ethnicity, race, religion, creed, age, class, caste, disability, education, sexual orientation, and gender identity.

Key Definitions:

Sex is the classification of people as male, female or intersex. At birth, infants are assigned a sex based on a combination of bodily characteristics including chromosomes, hormones, internal reproductive organs, and genitalia.

Gender is the socially defined set of roles, rights, responsibilities, entitlements, and obligations associated with being women and men in societies. The social definitions of what it means to be feminine or masculine, and sanctions for not adhering to those expectations, vary among cultures, change over time, and often intersect with other factors such as age, class, caste, (dis)ability, ethnicity, race, religion, and sexual orientation. The concept of gender also includes the expectations held about the characteristics, aptitudes, and likely behaviors of both women and men.

Gender equality concerns fundamental social transformation, working with men and boys, women and girls, to bring about changes in attitudes, behaviors, roles and responsibilities at home, in the workplace, and in the community. Genuine equality means expanding freedoms and improving overall quality of life so that equality is achieved without sacrificing gains for males or females.

Gender identity is a person's deeply felt internal and individual experience of gender, which may or may not correspond with sex assigned at birth. Gender expression is the external display of one's gender, through a combination of appearance, disposition, social behavior, and other factors generally measured on a scale of masculinity and femininity.

Gender integration involves identifying, and then addressing, gender inequalities during strategy and project design, implementation, and monitoring and evaluation. Since the roles and power relations between men and women affect how an activity is implemented, it is essential that project managers address these issues on an ongoing basis.

Gender justice is commonly used to refer to the ending of inequalities between women and men that result in women's subordination to men and the creation of judicial and quasi-judicial accountability mechanisms to ensure this. The term is often used to refer to programs, initiatives or activities that seek to create a context in which equitable entitlements and choices exist for women and men in the absence of discrimination and in the presence of positive rights. Gender justice efforts also seek to promote truth, justice and accountability for gender-based human rights violations committed in the context of large-scale or systematic abuse.

When to use the Toolkit

Gender analysis can inform DRG programming, design, evaluation, and research from county-level down to activity-level analysis. Therefore, the following entry points are suggested for use of this toolkit to strengthen gender analyses, and therefore DRG activities, across the program cycle.

Toolkit Design and Overview

This toolkit draws on existing Agency resources and was developed in coordination with the DRG Center's Gender Working Group (GWG), input from field staff, and other Agency gender champions. It provides a practical and concise resource to assist DRG officers in Washington and the field to integrate gender equality and women's and girls' empowerment into program conceptualization, design, and implementation. As the toolkit is intended for use in program design, the modules are consistent with current USAID guidance on program design and gender analysis. It is not prescriptive, but rather should be used as a tool to help guide thinking within a specific country or regional context.

Entry Points for Integrating Gender during the Program Cycle
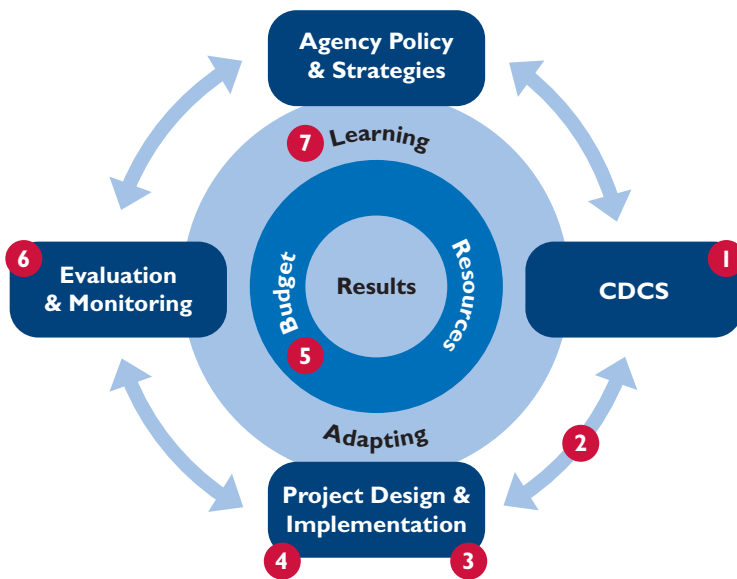
1 The toolkit modules' illustrative analysis questions can be referenced during CDCS development, including for the gender analysis and consultation with stakeholders and partners.

2 The toolkit modules' illustrative analysis questions can directly inform the development of DRG-specific DOs under the CDCS Results Framework.

3 The toolkit is intended to inform project design. The modules, including sectoral program examples, can be used to inform the design of and conduct a PAD-level gender analysis.

4 The toolkit modules, including illustrative analysis questions and sectoral program examples, can be used to directly inform activity-level design, PMPs, M&E plans, and to assess whether ongoing projects could be adapted to achieve greater impact.

5 The toolkit modules may help define activity level PMPs and budgets, and may illustrate that specific budget line items may be required to meet gender-specific program objectives.

6 The toolkit modules can be used to develop evaluation questions as well as indicators to help measure the real impact of the programming.

7 The toolkit modules can be utilized when designing DRG sectoral research and learning activities.

While the toolkit focuses on gender analysis, it is not exclusively about gender. Wherever possible, it seeks to highlight the ways in which power dynamics around gender and disability, gender and sexual orientation, and gender and age intersect. The intersections of these power dynamics and identities tend to multiply the effects of privilege, discrimination, and marginalization. Interventions aimed at reducing vulnerability and inequality must take these intersections of multiple identities into account in order to be effective. Effort has been made to demonstrate the broad applicability of the guiding questions, ideas, and approaches contained within the toolkit to other groups and types of programs, even where not explicitly noted.

USAID works to promote gender equality and female empowerment through a two-pronged approach: first, through integrating gender into programs not specifically designed as gender equality promotion programs; and secondly, through the implementation of standalone programs, or programs designed with a specific focus on advancing gender equality. As such, the toolkit discusses strategies for both program approaches. The clearest successes are usually evident when a combination of these two approaches is used.

The toolkit contains modules on how to integrate gender effectively into the following ten DRG sub-sectors[5]:

1. **Human Rights Protection and Promotion**

2. **Civil Society**

3. **Rule of Law and the Justice Sector**

4. **Legislative Strengthening**

5. **Local Governance and Devolution**

6. **Political Party Development**

7. **Electoral Processes**

8. **Anti-Corruption and Accountability**

9. **Reconciliation, Peacebuilding, and Transitional Justice**

10. **Media and Information and Communication Technologies (ICTs)**

While the modules are complementary and contain many areas of overlap, they are designed for ease of use and, as such, to be used individually or as a whole. Each module is structured similarly and contains four sections:

1. An overview of the issues related to gender and gender integration that are most relevant to the sub-sector;

2. A list of guiding questions for integrating gender analysis into design of programs and activities in the sub-sector;

3. A series of challenges and opportunities in integrating gender into the sub-sector, including illustrative programming approaches; and

4. A selection of key resources on gender integration within the topic.

The toolkit concludes with two appendices, one featuring selected additional external resources on gender and DRG and one highlighting relevant USAID resources. As the field of democracy, rights, and governance changes, and as USAID policy and practice evolves, the DRG Center will update the toolkit.

INTRODUCTION ENDNOTES

[1] USAID Automated Directives System (ADS) 205.3.

[2] Development Objective 1, USAID DRG Strategic Framework.

[3] Development Objective 2, USAID DRG Strategic Framework.

[4] Development Objective 3, USAID DRG Strategic Framework.

[5] These sub-sectors represent the areas in which DRG officers dedicate significant attention and were determined through consultation with relevant USAID staff and DRG Center technical teams, including the Gender Working Group, and through an anonymous online survey of DRG officers in the field and Washington.

IV. Gender Integration in Democracy, Human Rights, and Governance Programming Modules

MODULE 1: INTEGRATING GENDER INTO HUMAN RIGHTS PROGRAMMING

Human rights are "rights inherent to all human beings, regardless of nationality, **gender,** sexual orientation, national or ethnic origin, religion, language, or any other status."[1] Several conventions and protocols comprise what is referred to as the **International Bill of Human Rights,** which outlines universal legal guarantees from the rights to be free from discrimination and violations of physical integrity to the right to due process of law and the collective right of peoples to self-determination.[2]

International human rights law is grounded in the premise that states have obligations to respect, protect, and fulfill human rights. States institutionalize respect for and protection of human rights through laws that regulate both public practices and private behaviors impacting individuals' and communities' enjoyment of their rights. Although there are differences among states, there are three core principles that define how states should reaffirm human rights in their legal systems:

1. **Universal and inalienable.** All human beings are born with human rights that can not be taken away and they can not be given up.

2. **Indivisible and interdependent.** The protection of one right is likely to protect other rights. Denying one right may violate another right or rights.

3. **Equal and non-discriminatory.** Universality has been affirmed and specified by human rights conventions, such as the **Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).**

SECTION I. Guiding Questions for Gender Analysis in Human Rights Programming

State Obligations under International Human Rights Law

- Which international human rights conventions has the state ratified?

- What reservations, if any, has the state placed on its ratification of CEDAW? What kinds of women and men are most likely to be excluded from CEDAW's protections by each reservation and in what kinds of circumstances?

- Has the state ratified the relevant regional conventions supporting women's rights and gender equality and condemning sexual and gender-based violence?[3] If not, what are the stated reasons for not doing so?

- What role has the state played in discussions about sexual orientation and gender identity (SOGI) within the United Nations Human Rights Council and human rights treaty bodies, and what has been its voting record on SOGI resolutions?[4]

- What constitutional guarantees, laws and policies has a state affirmed and is thereby bound to uphold with regards to its gender and sexual minorities? The Yogyakarta Principles are a universal guide to human rights that aim to provide a consistent understanding about application of international human rights law in relation to sexual orientation and gender identity and affirm binding international legal standards with which all States must comply.

Beijing Platform for Action

While the 1995 *Beijing Platform for Action* is not a legally binding human rights treaty, it details steps needed to comply with CEDAW and is a fundamental part of the international policy framework for women's rights and gender equality. It recognizes that gender power dynamics are at stake in all domains of life and that women face barriers to full equality and advancement.

States report on their implementation of the platform at the annual meetings of the *United Nations Commission on the Status of Women (CSW)*, and reports are another important source of data for understanding women's rights and progress toward gender equality in particular countries.

Normative Frameworks and National Strategies for Human Rights Protection

- What provisions does the constitution contain that reference non-discrimination, gender, gender equality, women's rights and empowerment, or sexual orientation? In which areas, if any, does the constitution differentiate rights for women and men?[5] Does it make any guarantees for bodily integrity of intersex persons? If the country has a national human rights strategy, how does it address gender equality, women's rights, gender-based violence, sexuality, and gender identity?

- Does the country have a National Action Plan specific to issues such as gender and women's rights (e.g., those related to UN Resolution 1325)? If so, what are the specific protections or commitments that it offers?

- What are the legal frameworks related to family definition, nationality and citizenship, property ownership and inheritance, affirmative action and employment rights, and reproductive and sexual rights? How are men's and women's rights addressed within them?

- Are domestic violence and marital rape criminalized? What other forms of gender-based violence are criminalized? How does the state define its obligations to prevent, investigate, and prosecute various forms of gender-based violence and how do these obligations compare to those to prevent and prosecute torture, for example?

- How does state law deal with contradictions between formal law and religious and customary laws? Which communities are most likely to rely on customary and religious law to address women's rights related to land tenure, marriage practices, inheritance, widowhood, and domestic violence, and what are those normative frameworks?

- What national, provincial, and local laws and regulations exist that explicitly discriminate against LGBTI people? What are the laws, regulations, and policies regarding gender recognition and self-determination particularly for trans men and trans women, LGBTI people's military service and employment rights, same-sex parenting, consensual same-sex behavior, partnership benefits, and marriage equality? Does the state prohibit medically unnecessary surgery and procedures on the sex characteristics of intersex children, protect their physical integrity and respect their autonomy?

- What national, provincial, and local laws and regulations exist that explicitly discriminate against women and girls with disabilities? What are the laws, regulations, and policies regarding right to family, reproductive health, and legal guardianship?

- In decentralized systems, what is the extent of national oversight of local regulations and by-laws to ensure that they conform to national law, especially regarding women's rights?

National Human Rights Institutions (NHRIs) and Competent Authorities for Human Rights

Human rights promotion:
- How have ombud offices and rights commissions publicized their mandates and conducted human rights education about non-discrimination and equality, women's and LGBTI rights, gender-based violence, and gender issues among people with disabilities and minority communities?

Human rights protection:
- What are prosecutors' and the judiciary's records of gender sensitivity or bias in dealing with cases? For example, what proportion of gender-based violence and women's inheritance rights cases reach courts, and what proportion of cases end in judgments for plaintiffs?

- How do NHRIs and relevant independent bodies address enforcement of non-discrimination and equality laws and policy? How do they monitor and resolve complaints of sex and gender discrimination by state actors?

- How do NHRIs and relevant independent bodies monitor, investigate, and report on police, military, and prosecutors' handling of sexual assault, domestic violence, violence against LGBTI people, and other gender-based violence?

- How are customary and religious laws enforced in the communities that respect them? What opportunities are there for appeal to formal law and how is the judicial system dealing with rights violations against women from communities that typically rely on customary law?

GENDER AND DISABILITY RIGHTS

Persons with disabilities are the largest minority group in the world, constituting more than 15% of the world's population, with 80% living in developing countries. Men and women with disabilities are less likely than people without disabilities to have access to basic services, including education and healthcare, because of stigma, discrimination, and inaccessibility. Women with disabilities face an increased risk of sexual and other types of physical violence, including forced sterilization and forced institutionalization.

The UN Convention on the Rights of Persons with Disabilities (CRPD) entered into force in 2006 and is the first comprehensive global disability rights treaty. A total of 159 member states have ratified the CRPD since 2015. The Convention ensures the right to non-discrimination and equality for women and girls with disabilities (Article 6) and their right to be free from exploitation, violence and abuse (Article 16). Country reports and shadow reports from civil society groups on the CRPD can be good sources of information with regard to the situation of women and girls with disabilities in particular countries.

PROGRAM SNAPSHOT

The Wellesley Centers for Women, with support from the Open Society Foundation, partnered with the Forum for Women, Law and Development (FWLD) in Nepal to conduct a gender-sensitive legal review to assess compliance with the Convention on the Rights of Persons with Disabilities (CRPD). The review sought to identify laws which discriminated against persons with disabilities either by intent or by effect. One such example was found in the civil code, which entitled a man, but not a woman, to enter into a second marriage if his wife has been rendered blind or physically or mentally disabled, thereby discriminating on the basis of both gender and disability. Based on this review, FWLD drafted and presented to the Constituent Assembly a blueprint for addressing disability rights in the constitution-drafting process. Recommendations included: recognizing the multiple forms of discrimination faced by women; equal pay for equal work for men and women with disabilities; equal participation of all persons with disabilities in civil and political life; the right to access social security for persons with disabilities and their care givers; and accessible hospital facilities, including labor and delivery rooms. From: http://www.wcwonline.org/Archived-Projects/accessing-the-convention-on-the-rights-of-persons-with-disabilities-to-empower-women

- Are there special prosecutors, courts, tribunals, or independent commissions set up to monitor, investigate, report on, and prosecute human rights violations or to recommend protective, rehabilitative, and restorative services? If so, to what extent do they consider how men's and women's experiences, needs, and preferences might be different among various categories of victims and survivors? Do they include women, men, and survivors of human rights abuses among their staff and decision-makers?

Human rights monitoring and data collection
- Have NHRIs or independent bodies conducted reviews of legislation and state compliance with human rights obligations related to women and girls, LGBTI people, or gender equality? On which categories of law have they focused, and what were the findings?

- What are the systems in place for data collection regarding incidence and reports of gender-based violence, trafficking, and other human rights violations with specific gender dynamics? To what extent is the information collected by police, health institutions, and other state institutions uniform or compatible?

Human Rights Defenders and Organizations that Protect and Promote Human Rights

- Who are the individuals and organizations speaking out against gender-based violence, discrimination against women and girls, and targeting of ethnic and religious minority and indigenous women and men, people with disabilities, and LGBTI people? Are women and girls visible as human rights defenders?

- How do anti-rights forces target women human rights defenders?[6] What are the particular kinds of rights violations directed disproportionately at men activists? For example, are men activists more likely than women to be targeted by police for arbitrary detention?

- How is gender-based violence used to threaten and attack human rights defenders and communities in conflict-affected areas?

- What are the gender stereotypes about indigenous and ethnic and religious minority women and men and how do these contribute to the ways that activists from those communities are targeted for human rights violations?

LGBTI RIGHTS

Around the world, lesbian, gay, bisexual, transgender, and intersex (LGBTI) people are subject to discrimination in the labor market, education, and health care, ostracism from their families and communities, and beatings, sexual assault, torture, and murder. Laws criminalizing cross-dressing and aspects of consensual same-sex relationships are used to target LGBTI people for harassment, imprisonment, and even death. Many governments and individuals justify these rights violations based on their disapproval or fear of the ways they perceive LGBTI people to threaten the gender norms embedded within national or religious culture. Yet, despite facing common threats, experiences vary greatly among LGBTI individuals, and all human rights analysis should consider differences, for example, between LGBTI people living in rural and urban areas and among

LGBTI people from various ethnic and religious communities. The challenges faced by lesbian women are often very different than those faced by gay men, who may enjoy male privilege despite their sexual orientation. The USAID LGBT Vision for Action covers USG policy and programming principles that ensure the rights and well-being of LGBTI individuals.

PROGRAM SNAPSHOT

To help advance equality and promote the inclusion of marginalized groups in civic and political life, the National Democratic Institute (NDI) worked in Colombia with a coalition of civic groups, including those representing LGBTI interests, Afro-Colombian minorities, and women's groups, to advocate for a landmark anti-discrimination law that imposes prison sentences for acts of discrimination on the basis of ethnicity, race, gender,

nationality and sexual orientation. NDI also supported several political parties to create secretariats for women's and ethnic affairs, which strengthened congressional support for passing the anti-discrimination bill and broadening its coverage beyond its initial focus on racial discrimination. On the day of the vote, more than 60 women, Afro-Colombian, and LGBTI leaders lobbied together for the legislation, culminating in its passage. From "Colombian President Signs Anti-Discrimination Law," National Democratic Institute, December 20, 2011. https://www.ndi.org/Colombian-president-signs-antidiscrimination-law

- To what extent are "general" human rights organizations and other civil society organizations (CSOs) working to advocate for gender equality and promote and protect the rights of women, girls, and LGBTI people? Are women leading or playing prominent roles in these organizations?

- To what extent do prominent women's rights organizations advocate for the rights of women and girls with disabilities, rural women, and minority women? Does their membership and activist reach extend beyond the national capitals or major urban centers?

- What role are women and men in religious and faith-based communities playing to defend women and girls' rights?

Human Rights Issues and the Record on Human Rights Protection

- Which actors and institutions—state, corporate, political, religious, and social—are perpetrating systematic human rights violations and abuses? What are the similarities and differences in how they target men and women? How do homophobia and gender stereotypes and norms about "good" and "bad" women and men play a role in their propaganda and in media reporting (or silence) about the crimes?

- What do women's rights, LGBTI rights, and minority rights organizations, along with unions and farmers' associations, report as the most pressing women's rights and gender-based challenges in the country?

- To what extent do gender-based human rights violations, such as forced sterilization, forced marriage, systematic denial of public health services to poor or disabled women, or failures of police protection for sexual assault, domestic violence, and gay bashing receive media coverage or investigation, due process from the legal system, or any form of government redress?

- To what extent does the state—either via services or the formal legal system—protect people from gender-based human rights abuses justified by ethnic or religious culture and tradition?

- How do land grabbing and violations of indigenous people's rights affect men and women in different and similar ways?

- To what extent are laws against child marriage, dowry, and domestic violence and laws guaranteeing women's inheritance and property rights enforced?

- What, if any, protections are in place for women agricultural, factory, office, and domestic workers? If women workers file charges of trafficking, assault, or abuse, are the cases likely to be prosecuted and given a fair hearing?

- What measures are in place to uphold the rights of adults and children with disabilities and to ensure that women and girls with disabilities receive equitable treatment?

- How do restrictive gender norms contribute to the ways traffickers coerce and manipulate women, girls, men, boys, and gender non-conforming people? What are the patterns and differences in how traffickers profit from the forced labor of women, girls, men, and boys?

SECTION II. Integrating Gender into Human Rights Programming: Challenges and Opportunities

1. Environment Building

Challenge: Ensuring normative frameworks, institutions, and actors are strengthened to help safeguard against human rights violations and abuses and linking the promotion of cultures of tolerance and respect for human rights with the prevention of human rights violations and abuses.

Opportunities:

- **Participation in international advocacy.** Fund and facilitate opportunities for LGBTI people and diverse women, including women with disabilities and ethnic and religious minority women, to attend treaty body meetings and to participate in annual CSW meetings and international exchanges, trainings, workshops, and high-level meetings with policymakers.

- **Coalition-building.** Facilitate and support connections between organizations and activists focused on women's rights and on political and religious rights, for example, to facilitate gender mainstreaming in national human rights discourse and programs and to strengthen understanding of and activism related to the interconnectedness of human rights.

- **Sharing the evidence base.** Provide workshops for CSOs, media, law enforcement, government officials, NHRIs, the judiciary, and other stakeholders, both to strengthen their understanding of the evidence on and causes of gender-based discrimination and violence and to share examples of effective methods of dealing with the gender norms and prejudice that make remedy more challenging.

- **Legislative analysis and advocacy.** Provide technical assistance to legislators and CSOs to review and revise existing laws and policies or draft new ones to prevent gender-based violence, guarantee non-discrimination in nationality laws, and protect the rights of women, girls, and LGBTI people, including the rights of workers and indigenous and ethnic and religious minority women. Support the adoption of legislation that is congruent with international human rights treaties and that codifies rights such as accessible services in the justice system for people with disabilities.

- **Land and Inheritance rights.** Partner with non-state adjudicators as part of programs to assist with the amicable resolution of land disputes. Past practices indicate that a useful entry point may be addressing procedural issues to ensure all parties feel the process is fair and using improved procedures to increase transparency and accountability to these institutions. Often donors have entered into Memoranda of Understanding with non-state justice institutions and actors and set up administrative offices to work with them to improve their management of community lands. This may include introducing written records and procedures and/or having decisions reviewed by the courts to ensure compliance with national law and women's rights.

- **Research and reporting.** Provide technical assistance to strengthen CEDAW shadow reports and the gender analysis in reports to other treaty bodies. Support documentation of patterns of gender-based rights abuses and research and reporting on the ways that narrow norms about women's roles, masculinity, and sexuality contribute to justification and acceptance of those abuses. Support the use of this data to shape human rights promotion carried out by NHRIs, national gender machineries, CSOs, and the media.

- **Human rights education and public awareness campaigns.** Initiate and support efforts that improve public understanding of measures that ordinary people, including men and boys, can take to prevent and respond to child and forced marriage, gender-based violence, and rights violations against women workers, women and girls with disabilities, and trafficking survivors. Include information about how they can report violations and what services and legal measures are available. Also consider support to independent media for specialized and in-depth reporting on these issues.

- **Community-based programs.** Support CSOs and CBOs, including faith-based organizations and traditional leaders, to develop dialogue, education, and advocacy programs aimed both at reducing acceptance of gender-based violence and

GENDER AND COUNTERING TRAFFICKING IN PERSONS

Trafficking in Persons (TIP) is a crime that involves sex or labor exploitation, or both, with people being bought and sold as property. It victimizes tens of millions of women, men, and children worldwide. Armed conflict, institutionalized discrimination and disempowerment, gender-based violence, and lack of legal protection and/or weak rule of law are all factors that create a hospitable climate for human traffickers. Gender roles, expectations, and norms play a role in all forms of trafficking; for example, expectations placed on men to support their families economically may make them vulnerable to labor trafficking and may make it difficult for their families to accept their return following escape or rescue with "nothing to show." Please refer to USAID's Countering Trafficking in Persons Policy for more information.

PROGRAM SNAPSHOT

Human trafficking remains prevalent throughout Iraq, despite a national anti-trafficking law and training for law enforcement. Heartland Alliance International (HAI)'s research found that most victims of trafficking were trafficked for purposes of commercial sexual exploitation, and most were initially forced into prostitution by family members, either directly or via arranged, forced, or temporary marriages. To address this, HAI and its partners developed a project to link law enforcement with human rights and women's organizations in a new anti-trafficking protection network. The project also trained staff of NGO and government shelters to assist male and female victims of trafficking without discrimination, provided technical assistance to women's organizations to integrate responses to human trafficking into their existing gender-based violence programs, and built NGO and government capacity to provide better legal and protective services. The project also involved public service announcements, newspaper reporting, and educational materials. From: https://www.heartlandalliance.org/index-3/directory/ntac/what-is-human-trafficking/

discrimination against women and gender non-conforming people and increasing acceptance and adoption of gender-equitable behaviors in families, resource distribution, and decision-making.

- **Engaging men and boys.** Consider stand-alone programs using existing models and good practices to engage men and boys in opposing violence against women and other gender-based violence and to support their adoption of "positive masculinities," such as sharing parenting responsibilities and resolving conflict non-violently.

2. Response

Challenge: In contexts where widespread or systematic human rights violations or abuses are ongoing, mitigate the impact of those violations or abuses, regardless of our ability to end them or "set them right."

Opportunities:
- **Consultations with human rights defenders.** Conduct listening sessions with women's human rights defenders, women-led organizations and women's rights organizations from diverse communities to hear about their experiences and gather input on what forms of support might be welcome and helpful, as well as what might be unhelpful. Conduct listening sessions with transgender human rights organizations, whose members often bear the "double" stigma whether as trans men or as trans women. Conduct listening sessions with LGBTI organizations or HIV/AIDS service providers that focus on key populations—men who have sex with men (MSM), transgender women, injecting drug users, and sex workers, as well.

- **Early warning systems.** Follow good practices for addressing gender-specific issues when planning, implementing, and evaluating early warning systems to prevent atrocities and prompt timely response.

- **Technology.** Ensure that women's organizations and women in community groups have access to and proficiency with timely information and communications technology to contribute to early warning systems and mapping of human rights violations.

- **Security.** Provide training for women human rights defenders and CSOs on digital security and other forms of security, tailored to the distinct risks they face. Help ensure that information related to evidence and documentation collected about VAW and GBV is safeguarded, and that it is only shared when individuals provide informed consent.

- **Media.** Facilitate media connections with women human rights defenders and accurate, gender-sensitive reporting on human rights violations and patterns of abuse.

- **VAW and GBV.** Support government and NGO hotlines, shelters, health services, evidence kits, legal aid, and counseling for survivors. Assist existing programs to offer services in survivors' own languages and to make services accessible and appropriate for women with disabilities.

3. Remedy

Challenge: Focus on assisting individual victims to access justice and efforts that help societies recover from past violations or abuses. This may include both judicial and non-judicial measures to provide redress to individual victims, and may play a role in broader accountability and transitional justice efforts.

Opportunities:
- **Supporting Women Human Rights Defenders (WHRDs) and LGBTI activists.** Support CSOs led by women human rights defenders and LGBTI activists to campaign for justice for survivors of rights violations and for accountability of perpetrators, especially in cases of entrenched gender discrimination and abuse by state actors.

- **Strengthening governance and accountability.** Support training, exchanges, technical assistance, and technology and systems upgrades to strengthen central and local government institutions' abilities to implement existing laws and mandated programs for adult and children survivors of gender-based violence and trafficking. Fund efforts to make these services and programs accessible to and appropriate for people with disabilities, especially in response to evidence of patterns of abuse against women and girls with disabilities.

- **Funding legal aid and justice system monitoring.** Fund legal aid and access to justice programs with emphasis on women, girls, and gender non-conforming people, especially women with disabilities and rural and minority women, who are likely to face compound and intersecting discrimination and difficulties both accessing police and courts and understanding the processes. Fund justice system monitoring to document gender bias against women and gender non-conforming plaintiffs, which remains widespread, and support justice system reform based on the evidence.

- **Developing programs to address women's rights in customary courts.** Build on programs and research in southern Africa, Latin America, and South and Southeast Asia that recommend: identification of customary laws

and community-based dispute resolution mechanisms; review and oversight of customary courts by the state and dialogues among state bodies and customary leaders; establishing clear demarcations of jurisdiction between customary and statutory laws and raising public awareness of which crimes and conflicts fall under each; establishing codes of conduct for customary courts; and supporting WHRDs to monitor customary courts and support survivors.

- **Integrating human rights in reproductive health and education programs.** Rights to equal access, non-discrimination, and freedom from violence are critical, especially for women, girls, and LGBTI people.

- **Building government CTIP capacity.** Provide technical assistance to customs and border officials, human rights commissions, and the justice sector, including police, lawyers, and judges, to strengthen coordination and improve prevention, investigation, and prosecution of TIP. This should include networking with CSOs dealing with trafficking and strengthening their capacities to recognize the gender-specific ways that traffickers ensnare women, girls, men, and boys and profit from their forced labor.

- **Designing gender-sensitive TIP survivor programs.** Design CTIP programs and activities for survivors that identify and address the specific ways that women, girls, men, and boys are coerced and exploited by human traffickers, as well as the gender-specific factors that may affect people's abilities to get help, access survivor services, or reintegrate into their communities. For example, entrenched ideas about sexual agency often lead to men and boys being less likely to be seen as victims of trafficking, particularly sex trafficking, making it more difficult to get help or secure support services.

- **Supporting human rights education for farmers and other workers.** Support human rights education about women's rights, including the areas covered by CEDAW, key ILO conventions, and related national laws, for women and men in unions, farmers' associations, and cooperatives. Support them to eliminate internal gender discrimination, protect their members from gender discrimination and abuse, and demand accountability from state institutions to fulfill their rights by providing public goods and services equitably and prosecuting businesses and other actors accused of gender-based rights violations.

- **Facilitating justice for girls.** Develop programs to provide school-based and community- and faith-based restorative programs, scholarships, mentoring, and other support for girls who are victims of human rights violations, such as early

and forced marriage, trafficking, sexual abuse, confinement to their homes (especially in the case of girls with disabilities), and denial of education, health care, and inheritance rights. Since girls are unlikely to enter the legal system or be able to leave their families, pair direct work with girls with attitude change and income generation programs for their families, who are often the perpetrators of violations.

SECTION III. Selected Resources

Human Rights Treaties and Conventions

The international human rights legal framework relevant to the work of USAID includes, but is not limited to:

- Universal Declaration of Human Rights (UDHR), which is not a legally binding instrument;

- International Covenant on Economic, Social and Cultural Rights (ICESCR), to which the United States is not a party;

- International Covenant on Civil and Political Rights (ICCPR);

- Convention against Torture;

- Convention on the Rights of Persons with Disabilities (CRPD), to which the United States is not a party;

- Convention on the Rights of the Child (CRC) and its Optional Protocols, to which the United States is not a party;

- Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), to which the United States is not a party; and

- Convention on the Elimination of All Forms of Racial Discrimination.

- In instances where the U.S. Government has not ratified a particular instrument (e.g., the ICESCR, CEDAW, CRC, and CRPD), USAID can still provide technical support to assist countries with the fulfillment of their own obligations under those instruments.

Other human rights treaties that specifically deal with gender-based rights violations include:

- The Rome Statute of the International Criminal Court, which defines rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, and sexual violence as crimes against humanity if they are "committed as part of a widespread or systematic attack directed against any civilian population;"

- The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol) to the United Nations Convention against Organized Crime;

- The International Labour Organization's Equal Remuneration Convention 1951 (No. 100) and Discrimination (Employment and Occupation) Convention 1958 (No. 111), which are considered two of the eight "fundamental" conventions of the ILO; and

- The Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women "Convention of Belem Do Para" (1994) and the Council of Europe Convention on preventing and combating violence against women and domestic violence (2011).

State Obligations under International Human Rights Law

International Justice Resource Center (IJRC). No Date. *Overview of the International Human Rights Framework*. San Francisco: IJRC. http://www.ijrcenter.org/ihr-reading-room/overview-of-the-human-rights-framework/.

International Justice Resource Center (IJRC). No Date. *Women's Human Rights*. San Francisco: IJRC. http://www.ijrcenter.org/thematic-research-guides/womens-human-rights/. This is a one-stop shop for (1) lists of international/regional human rights instruments addressing women's rights, (2) summaries of CEDAW and critical regional treaties, (3) how international law addresses gender equality and discrimination (limited to men/women), (4) key women's rights issues and compound discrimination against minority women, (5) women's rights in international humanitarian, criminal, and international labor law, and (6) the ways these laws are monitored.

United Nations Office of the High Commissioner for Human Rights (OHCHR). 2014. *Status of Ratification Interactive Dashboard*. http://indicators.ohchr.org/. Ratification status for 18 human rights conventions and optional protocols can be searched by country or treaty.

ILO List of Ratifications by Country. http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11001:0::NO::: Classifies conventions by the eight (8) fundamental conventions, governance conventions, and technical conventions.

CEDAW and Beijing Platform for Action

UN Women. 2009. *Convention on the Elimination of All Forms of Discrimination against Women*. Full text of CEDAW in English. http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm.

UN Women 2009. *Convention on the Elimination of All Forms of Discrimination against Women: Reservations to CEDAW*. http://www.un.org/womenwatch/daw/cedaw/reservations.htm.

Freeman, Marsha. 2009. *Reservations to CEDAW: An Analysis for UNICEF*. New York: United Nations Children's Fund (UNICEF), Gender, Rights and Civic Engagement Section, Division of Policy and Practice. Available at http://www.unicef.org/gender/files/Reservations_to_CEDAW-an_Analysis_for_UNICEF.pdf

United Nations Office of the High Commissioner for Human Rights (OHCHR). *State party reports to CEDAW*. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=3&DocTypeID=29. This webpage is searchable by country and date, and reports are available in English, French, Spanish, Arabic, Russian, and Chinese and in Word, PDF, and html versions. For any given country, it's also critical to compare state party CEDAW reports to NGO shadow reports.

International Women's Rights Action Watch (IWRAW). No date. *Producing Shadow Reports to the CEDAW Committee: A Procedural Guide*. http://www1.umn.edu/humanrts/iwraw/proceduralguide-08.html

UN Women. 2015. *Fourth World Conference on Women and Beijing Platform for Action*. http://www.un.org/womenwatch/daw/beijing/platform/ This page includes the full text of the BPfA and links to national, regional, and global appraisals of implementation at plus five, ten, and 15 years.

Sexual Orientation and Gender Identity (SOGI)

International Commission of Jurists. 2015. *SOGI UN Database*. Geneva: ICJ. http://www.icj.org/sogi-un-database/. The database includes documents from the treaty bodies and special procedures of the Human Rights Council and its predecessor, the Commission on Human Rights.

The Yogyakarta Principles: The Application of Human Rights Law in Relation to Sexual Orientation and Gender Identity. http://www.yogyakartaprinciples.org/ In 2006, 29 international human rights experts developed the principles as a call to action from the UN human rights system and national governments.

United Nations Office of the High Commissioner for Human Rights (OHCHR). 2012. *Born Free and Equal: Sexual Orientation and Gender Identity in International Human Rights Law*. New York: OHCHR. Available at http://www.ohchr.org/Documents/Publications/BornFree AndEqualLowRes.pdf. In 60 pages, this document addresses states' five core legal obligations in current human rights law with respect to protecting LGBT people's human rights. It also includes examples of actions to bring national laws, policies and practices into line with applicable international human rights standards.

Fact Sheet: Intersex. United Nations Office of the High Commissioner for Human Rights. http://www.ohchr.org/Documents/Issues/Discrimination/LGBT/FactSheets/UNFE_FactSheet_Intersex_EN.pdf

Disability Rights and Gender

UN Enable website: contains the UN Convention on the Rights of Persons with Disabilities, a list of member states and specific information on women and girls with disabilities. http://www.un.org/disabilities/convention/about.shtml

United Nations Office of the High Commissioner for Human Rights (OHCHR). *State party reports to CRPD*. http://www.ohchr.org/EN/HRBodies/CRPD/Pages/CRPD Index.aspx

UN Thematic Study on the Issue of Violence Against Women and Girls with Disabilities: Report of the Office of the United Nations High Commissioner for Human Rights, 2012: http://www2.ohchr.org/english/issues/women/docs/A.HRC.20.5.pdf

Normative Frameworks and National Strategies for Human Rights Protection

Food and Agriculture Organization of the United Nations (FAO). *Gender and Land Rights Database (GLRD)*. http://www.fao.org/gender-landrights-database/background/en/. The database includes 83 regularly updated country profiles with facts about gender and land rights in constitutions, family law, succession law, land law, customary and religious law as well as policies and programs.

International Commission of Jurists. 2015. *SOGI Legislative Database*. Geneva: ICJ. http://www.icj.org/sogi-legislative-database/. The SOGI Legislative Database is a collection of laws covering issues of concern to LGBT people around the world. Legal text is presented either the original language or in English, and the database is searchable by both country and topic.

OECD. 2014. *Social Institutions and Gender Index (SIGI)*. http://genderindex.org/countries. The SIGI is based on qualitative and quantitative data on discriminatory social institutions for 160 countries. A detailed profile for each country compiles information on laws, social norms and practices related to the five SIGI sub-indices: (1) discriminatory family code,(2) restricted physical integrity, (3) son bias, (4) restricted resources and assets, and (5) restricted civil liberties.

UN Women. 2013. *Constitutional Database*. http://constitutions.unwomen.org/en. The website compiles all provisions related to gender in the constitutions of 195 countries, both in the original language and in English translation. It covers 17 themes, from citizenship and nationality, to education, to religious and customary law, and can be searched by keywords, provisions, regions or countries.

World Bank. 2015. *50 Years of Women's Legal Rights Database*. http://wbl.worldbank.org/data/timeseries The database documents the evolution of gender parity in property rights and legal capacity in 100 economies from 1960 to 2010, via 14 indicators covering property ownership, marital regimes, inheritance, legal status and capacity, rights of equality and non-discrimination, and the treatment of legal pluralism.

National Human Rights Institutions (NHRIs) and Competent Authorities for Human Rights

International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC). *Global Directory of NHRIs* http://nhri.ohchr.org/EN/Contact/NHRIs/Pages/Global.aspx This site links to NHRIs around the world. In turn, the websites of individual NHRIs often link to their human rights reports and recommendations.

Human Rights Defenders and Organizations that Protect and Promote Human Rights

African Women's Development and Communication Network (FEMNET). http://femnet.co/. FEMNET is a pan-African network of national women's networks, consortia, and umbrella organizations in over 30 countries in Africa to advance African women's development, equality, and other human rights.

Asia Pacific Forum on Women, Law and Development (APWLD). http://apwld.org/. The 180 members of APWLD represent groups of diverse women from 25 countries in the region.

Association for Women's Rights in Development (AWID). http://www.awid.org/. AWID is one of the larger international, feminist, membership organizations and is committed to achieving gender equality, sustainable development, and women's human rights.

International Indigenous Women's Forum/Foro Internacional de Mujeres Indígenas. http://www.fimi-iiwf.org/ Best known by its Spanish initials, FIMI is a network of Indigenous women leaders from Asia, Africa, and the Americas.

International Network of Women with Disabilities (INWWD). http://www.internationaldisabilityalliance.org/en/international-network-women-disabilities INWWD is comprised of about 200 women from international, regional, national or local organizations, groups or networks of women with disabilities, as well as individual women with disabilities and their allies.

Latin American and Caribbean Committee for the Defense of Women's Rights (CLADEM). www.cladem.org (website in Spanish). CLADEM is a network of women's organizations and individuals united to achieve the effective defense of women's rights in Latin America and the Caribbean.

OutRight Action International formerly known as the *International Gay and Lesbian Human Rights Commission (IGLHRC).* http://iglhrc.org/

Promundo. http://promundoglobal.org/ Promundo works globally with men and boys to transform harmful gender norms and unequal power dynamics, believing that redefining what it means to be a man is critical to achieving gender equality and ensuring human rights, including freedom from violence.

Women Human Rights Defenders International Coalition (WHRDIC). http://www.defendingwomen-defendingrights.org/about/ WHRDIC is a global network of 32 organizations working to defend those defending human rights.

Women Living under Muslim Laws (WLUML). www.wluml.org WLUML is an international solidarity network that provides information, support and a collective space for women whose lives are shaped, conditioned or governed by laws and customs said to derive from Islam. The network demands for women's equality and their rights, especially in Muslim contexts.

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United States Department of State. *Trafficking in Persons Report*. http://www.state.gov/j/tip/rls/tiprpt/

USAID and UNDP. 2014. *Being LGBT in Asia*. http://www.asia-pacific.undp.org/content/rbap/en/home/operations/projects/overview/being-lgbt-in-asia.html

Banda, Fareda and Christine Chinkin. 2004. *Gender, Minorities and Indigenous Peoples*. London: Minority Rights Group International. Available at http://minorityrights.org/publications/gender-minorities-and-indigenous-peoples-august-2004/

De Silva de Alwis, Rangita. 2008. *Disability Rights, Gender, and Development: A Resource Tool for Action*. Wellesley, MA: Wellesley Centers for Women, with the Secretariat for the Convention on the Rights of Persons with Disabilities of the Department of Economic and Social Affairs, and UNFPA. Available at http://www.un.org/disabilities/documents/Publication/UNWCW%20MANUAL.pdf

DFID. *What Works to Prevent Violence Against Women and Girls*. http://www.whatworks.co.za/ Includes case studies and the results of impact evaluations, as well as links to evidence reviews such as "Effectiveness of interventions to prevent violence against women and girls and Effectiveness of response mechanisms to prevent violence against women and girls."

Galindo, Andrea, Kambel, Ellen-Rose, and Valerie Couillard, eds. 2015. *Toolkit on the Inter-American Human Rights System for Indigenous Women*. Moreton-in-Marsh, UK: Forest People's Program. Available in English and Spanish at http://www.forestpeoples.org/topics/inter-american-human-rights-system/publication/2015/toolkit-inter-american-human-rights-syste

Haki. 2011. *Combatting Gender-Based Violence in the Customary Courts of South Sudan*. https://static1.square space.com/static/53f7ba98e4b01f78d142c4l4/t/53ffdb13 e4b0bf4098a1194d/1409276691505/Combatting+GBV+ in+South+Sudan_Haki.pdf Recommendations relevant to other countries.

Heinrich Böll Foundation. 2014. *Perspectives Africa: Women, Custom and Access to Justice*. Available at https://www.boell.de/en/2014/01/22/perspectives-312

International Labour Organization. 2007. *ABC of women workers' rights and gender equality*. Second edition. Geneva: International Labour Office. Available at http://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/publication/wcms_087314.pdf

MenEngage Alliance in collaboration with UN Women. 2015. *Men, Masculinities, and Changing Power: A Discussion Paper on Engaging Men in Gender Equality from Beijing 1995 to 2015*. MenEngage. Available at http://menengage.org/wp-content/uploads/2014/11/Beijing-20-Men-Masculinities-and-Changing-Power-MenEngage-2014.pdf

United Nations. 2014. *Reparations for Conflict-Related Sexual Violence*. Secretary-General's Guidance Note. http://www.ohchr.org/Documents/Issues/Women/WRGS/PeaceAndSecurity/ReparationsForCRSV.pdf

UN Women. 2012. *Gender-Responsive Early Warning: Overview and How-to Guide*. Available at http://www.unwomen.org/~/media/headquarters/attachments/sections/library/publications/2012/10/wpssourcebook-04e-genderresponsiveearlywarning-en.pdf

MODULE 1 ENDNOTES

[1] "What are human rights?" United Nations Human Rights, Office of the High Commissioner on Human Rights (OHCHR), http://www.ohchr.org/EN/Issues/Pages/What areHumanRights.aspx. Accessed August 28, 2015.

[2] See **Section III. Human Rights Treaties and Conventions** for more information.

[3] These could include the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol) and conventions under the African Union (AU), Association of Southeast Asian Nations (ASEAN), Council of Europe (COE), International Conference on the Great Lakes Region (ICGLR), Organization of American States (OAS), and the Organization for Security and Cooperation in Europe (OSCE).

[4] Although there is no international law on sexual orientation and gender identity (SOGI) rights, human rights treaty bodies and special rapporteurs regularly discuss SOGI and the rights of LGBTI and gender non-conforming people; these discussions are a critical location of international advocacy and norm setting.

[5] Even in countries that guarantee equality between women and men, constitutions may build in discrimination, especially in areas of family law and considerations of citizenship and nationality.

[6] Women human rights defenders (WHRDs) are both female and any other human rights defenders who promote and protect women's rights and gender equality, including women working on any issue related to human rights and fundamental freedoms, individually and in association with others in any region of the world. According to the Women Human Rights Defenders International Coalition (WHRDIC), the term WHRDs encompasses both women active in human rights defense who are targeted for who they are, as well as all those active in the defense of women's rights who are targeted for what they do.

MODULE 2: INTEGRATING GENDER INTO CIVIL SOCIETY PROGRAMMING

Civil society plays a critical role in aggregating and representing citizen interests and needs and in holding governments accountable.

In addition, civil society provides an arena for citizen engagement and influence on political issues and processes. It is therefore vital that all citizens are equally empowered and have equitable opportunities to participate in civil society. While in many cases civil society organizations (CSOs) are leading the fight for universally recognized human rights, civil society may also be a space in which gender inequality and other forms of discrimination are reproduced. CSOs that are women-led or focused on gender and gender equality are often seen by other governance stakeholders as "niche" or minority organizations and face challenges inserting their issues and perspectives into political discourse, even when they advocate on "general" and non-minority issues. Female and transgender women human rights defenders and other activists face far higher rates of gender-based violence and threats than do male activists, in addition to discrimination and other challenges. While some segments of civil society have provided much-needed leadership opportunities for women, women have also often stalled there, blocked from transferring their leadership skills to other sectors. By failing to be inclusive or gender-sensitive in their approach, CSOs may also perpetuate gender inequality and other forms of discrimination, thereby weakening the democratic culture they seek to strengthen. Despite these challenges, civil society remains one of the most important sectors in which to cultivate inclusive participation in support of our objectives under USAID's DRG Strategy.

SECTION I. Guiding Questions for Gender Analysis in Civil Society Programming

Participation, Representation, and Leadership

- What is the status of women's and LGBTI people's participation in civil society, including non-governmental organizations (NGOs), membership organizations, student and youth groups, faith-based organizations, trade unions, farmers associations, and trade/business and professional associations? Which types of organizations tend to have strong participation from women?

- What types of organizations tend to have the highest levels of female leadership?

- What are the most common barriers and constraints to women's participation in civil society and formal CSOs? What differences exist in terms of opportunities and barriers among women of varying ages, ethnic or religious groups, or urban/rural backgrounds? How does this differ for poor, disabled, indigenous or LGBTI individuals? What differences in participation and barriers exist between the local and national level?

- What unique risks and dangers do female activists and civil society members face? To what extent do CSOs and activists have adequate safety and security plans? Are gender-sensitive security trainings provided within CSOs? How is their effectiveness assessed?

- To what degree are prominent women's organizations representative of diverse groups of women? For whom do they speak? Are there certain groups of women that are not represented by existing women's organizations?

- Do CSOs' internal policies and practices foster a supportive workplace for women and men? For example, do recruitment and hiring practices or leave and flexible work policies take gender differences into account? Are there sexual harassment policies in place and procedures for dealing with grievances? Within democratically run organizations, are there affirmative efforts to encourage women to hold leadership positions?

- What percentage of leadership positions do women and minority group members occupy among CSOs in Mission or program-specified target areas and among key stakeholder CSOs?

- What public perceptions about women's leadership abilities are most prevalent?

Activities, Advocacy, and Policy Influence

- What roles have women- and minority-led CSOs played in government policy making?

- What role have other civil society organizations played in advocating for gender equality and women's or LGBTI rights issues? Is this advocacy carried out primarily by women-led or women's rights-focused organizations, or are there diverse CSOs supporting these issues?

- Is there a national action plan for gender in place? If so, how is it being implemented? How does civil society participate in the plan?

- What role is civil society playing in monitoring implementation of any international or regional agreements related to gender equality and harmonizing their principles with domestic law? Which organizations are working on this, and what processes and tactics are they using?

- Is there a ministry of gender equality or related ministry? If so, which civil society organizations interact with it and how?

- Which civil society organizations use gender-responsive budgeting (GRB) as an analytical and advocacy tool? Does the government use or mandate GRB at any level, and, if so, how does civil society engage those efforts?

- Among CSOs with missions that do not focus on women's rights or gender equality, which, if any, routinely incorporate gender analysis and gender equality and or women and girls' empowerment objectives into their work? How did they arrive at that point and how do they think it's changed their outcomes?

- To what degree (and in what ways) are civic and voter education campaigns designed to reach men and women, given differences in literacy, language, access, etc., among diverse communities? Do civic and voter education campaigns accurately reflect the communities they are trying to reach? Do they incorporate examples of gender equality and women's leadership?

Funding and Sustainability

- To what degree do women- and minority-led CSOs have equal access to secure funding streams? Training and capacity building? Policy and decision makers? International exchange opportunities?

- Which donors are actively supporting and funding gender equality and women's rights NGOs and women's caucuses within other kinds of civil society groups?

- What kinds of challenges do local organizations working for women's rights and gender equality face and how do they compete or cooperate with national organizations for funding and campaign and program planning and implementation?

- In what ways are women and traditionally marginalized group leaders able to translate their skills and experiences into leadership in other sectors?

SECTION II. Integrating Gender into Civil Society Programming: Challenges and Opportunities

1. CSO Membership, Governance, and Organizational Structure

Challenge: Helping CSOs practice gender equality in their own organizations.

Opportunities:

- **Institutionalizing non-discrimination.** Support CSOs in incorporating language on equal opportunity and non-discrimination in their statutes, by-laws, and other formal governance procedures. Encourage CSOs, particularly membership organizations representing large numbers of women, such as trade unions, cooperatives, or farmers' associations, to consider proportional representation of women and men in their leadership.

- **Tailored capacity building.** Design capacity building activities to help CSOs become more inclusive and to integrate gender equality principles more consistently into their internal policies and practices so that they are better able to model gender equality. This may include implementing an internal gender audit, reviewing and revising human resources practices, including recruitment and promotion, conducting sexual harassment training, or providing training on gender awareness and analysis.

- **Gender audits.** As part of efforts to build local capacity, support CSOs to institute the use of gender audits. Gender audits are participatory tools to identify roadblocks to integrating gender equality in an organization's systems, operations, and programs. Ensure that these audits reflect the different experiences of men and women, persons with disabilities, LGBTI individuals, indigenous persons, youth, rural-urban distinctions, class divisions, and religious and ethnic groups. Help organizations to use the results of this audit to create an action plan that strategically builds on an organization's strengths and sets forth concrete steps to address its areas of weakness.

- **Codes of conduct.** Support CSOs in establishing workplace codes of conduct that foster a safe and supportive working environment, including the creation of sexual harassment policies and mechanisms for reporting and responding to cases of sexual harassment. Such policies should acknowledge that both men and women experience sexual harassment, and ensure responses are tailored to their distinct needs. Facilitate efforts within the broader CSO community to create codes of conduct that include principles on non-discrimination, inclusion, and empowerment.

- **Recruitment and hiring.** Work with CSOs to ensure that their policies and processes for recruitment and hiring do not contain implicit biases (e.g., prioritizing advanced degrees in a country with an educational gender gap), and are flexible enough to bring in people with a variety of experiences and perspectives and to create opportunities for traditionally marginalized people. Support the development of internal mentoring programs for new and younger staff members.

- **Family-friendly policies.** Support CSOs to enact policies and practices that are sensitive to the demands of domestic and family responsibilities and supportive of men playing a bigger role in such work. For example, CSOs can provide childcare during meetings and schedule meetings/events for times when women are not required to be home caring for the family to better enable women to more fully participate in the organization's activities.

- **Internships.** Support CSOs to establish volunteer and/or internship programs to bring in young women or members of traditionally marginalized groups to gain valuable skills and experience and entry into the civil society sector.

- **Budgeting and resource allocation.** When training organizations in budgeting and financial planning, include analysis of how targeted programs and spending are likely to involve women and men. For example, in a human rights organization, support assessment of resources dedicated to calling attention to the jailing of LGBTI and women human rights defenders compared to the jailing of men political activists. Consider the proportion of resources committed to recruiting traditionally marginalized and rural women activists or providing childcare in relation to the organization's rhetorical support for gender equality.

2. Supporting Gender Equality and Empowering Women in Civil Society

Challenge: Increasing women's participation and leadership in civil society.

Opportunities:

- **Participation at events.** Ensure that an equitable or representative proportion of women- and minority-led CSOs participate in meetings, activities, and training events by identifying and addressing potential barriers to their engagement prior to organizing events. Potential barriers might involve factors like timing and location of meetings and participants' access to and need for transportation and childcare. Adolescents and young women, as well as women with disabilities, may face particular barriers. Recognize that many women's sphere of activity may be very small, and meetings or activities may need to go to them where they are, in their homes or close community.

- **Capacity building.** Provide targeted training and skills building for emerging and established women leaders within civil society, as well as of leaders from minority populations, if these groups identify training or skill gaps. Inclusive trainings for both men and women CSO activists should take into account the particular challenges women civil society members may face, and should also provide opportunities for women to meet separately to facilitate networking and coalition building.

- **Access to resources and professional development.** Facilitate equal access to funding opportunities, conferences and international exchanges, meetings with decision makers, and training and capacity building opportunities for CSOs led by women and traditionally marginalized groups.

- **Mentoring.** Create and support both formal and informal mentoring and internship programs for women activists—including those from traditionally marginalized communities—and men advocating for gender equality. Create mentorship opportunities specifically for girls and young women, linking them to female role models across civil society.

- **Supporting transitions to political leadership.** Encourage and guide women civil society members to get involved in political parties and to run for office using the skills and experiences they have developed as activists in their own organizations.

- **Using data.** Commission polling, survey research, or focus group studies to identify perceptions and attitudes towards various aspects of gender norms and equality, such as: household decision-making, balancing household and family responsibilities with community activities, women's leadership in politics and civil society, issues advocated by women's rights and gender equality CSOs, norms about fatherhood and men's rights to decision-making, and men's advocacy for gender equality and changing gender norms. Use the information to inform programming and guide program implementers in selecting the most effective strategies and tactics.

- **Public campaigns to change gender norms.** Support public/civic education and media efforts that tackle gender stereotypes and work to build a positive perception of women's leadership abilities and more active caring and domestic roles for men.

Challenge: Ensuring the safety and security of female and minority civil society leaders and activists.

Opportunities:

- **Identifying threats.** When designing civil society programs, identify potential threats or risks in order to tailor activities accordingly. Consult with activists in the kinds of civil society groups your program targets to identify the types of threats they face and the politics involved. For example, activists in women's faith-based organizations who challenge extremism and narrow readings of religious doctrine are likely to face threats from different actors than indigenous women advocating for land rights within indigenous people's organizations.

- **Raising awareness about violence.** Train organizations to better understand the ways in which women and members of traditionally marginalized groups, such as ethnic minorities and LGBTI or disabled individuals, may be vulnerable to identity-based targeting and violence and to create effective plans to address this.

- **Security training.** Build the capacity of CSOs to design and implement effective safety and security plans to help prevent gender-based targeting, protect victims, and punish perpetrators. Specific training and security planning may be necessary for activists who face unique threats, such as school-age women, and blind, deaf and hard of hearing women.

- **Strengthening security.** Support efforts to ensure that safety and security plans for meetings, events, and projects are widely communicated and broadly understood by an organization's members and reviewed and revised as needed.

PROGRAM SNAPSHOT

Despite constituting the overwhelming majority of members of the National Association of Nigerian Nurses and Midwives (NANNM), women have been poorly represented in union activities and decision-making. To address this issue, the Solidarity Center held a series of leadership trainings for female members to enhance their confidence and skills to actively participate and hold union leadership positions.

Additionally, training on gender and equitable representation was held for all union members. Following this capacity-building work, the union: developed its own gender policy; established a National Women's Committee; instituted a budget line for gender in the union's annual activity budget; established a childcare facility at their national secretariat; and held the first gender conference in its 36-year history. Three women achieved top leadership positions in the nine-member executive committee, up from one woman in 2009. Additionally, 114 more women were elected to hold leadership positions at union offices across 37 States in Nigeria.

Source: Odinukwe, Nkechi. "Nigeria: Union Women Moving Gender Issues to Forefront," Solidarity Center, 2015. http://www.solidaritycenter.org/nigeria-union-women-moving-gender-issues-to-forefront/

3. CSO Activities and Outreach

Challenge: Helping CSOs integrate a gender perspective into their work.

Opportunities:

- **Gender analysis training.** Build the capacity of CSOs to institutionalize the use of gender analysis and a gender perspective in their work so that their programs are accessible to and inclusive of men and women.

- **Building communities of practice.** Facilitate partnerships and information sharing between CSOs with varying levels of experience in integrating gender and operationalizing inclusive policies and practices.

- **Accessible activities.** Support CSOs in enacting policies and practices that are sensitive to formal and informal restrictions on mobility and association so that all people are equally able to participate fully in the organization's activities. For example, changing when and where meetings and activities are held, making accommodations for travel concerns, and ensuring that adequate safety and security measures are in place are all essential elements in making sure that women and members of traditionally marginalized populations are able to participate meaningfully. In some environments, holding separate events for men and women or for youth and elders may be necessary to facilitate equitable participation.

- **Coalition building.** Support the development of diverse civil society coalitions to advance gender equality as well as broader inclusion goals. For example, health or environmental organizations may also have a stake in furthering gender equality objectives. Facilitate and support partner-ships among organizations that promote issues of importance to women, indigenous groups, persons with disabilities, and LGBTI individuals, in order to widen and deepen the reach of their efforts.

- **Girls and young women.** Support programs and activities that focus specifically on building the capacity and participation of girls and young women, a group sometimes overlooked in both youth programming and programming for women. At the same time, support efforts to make existing organizations, programs, and activities more sensitive to and inclusive of the specific needs and interests of young women.

- **Literacy and language.** Work with CSOs to develop civic and voter education campaigns that are sensitive to differences in oral and written literacy and do not utilize technical jargon or terms of art. Build the capacity of CSOs to utilize existing data regarding varying levels of literacy among, as well as between, certain groups. For example, while women and men in an indigenous community may not read the dominant language, women within that community may not even read the indigenous language. Where feasible, promote civic education campaigns that are integrated with literacy training and other forms of basic education, as this may engage a broader range of people.

- **Media and communication.** Prioritize the use of varied means of communication appropriate to the target audience, including drama, performance, door-to-door canvassing, radio, television, SMS, and the Internet, including social media. Make sure that the people and images portrayed in these campaigns reflect the target audience.

PROGRAM SNAPSHOT

Prior to 2010, just one human rights group from Burkina Faso had submitted a shadow report to the UN Committee on the Elimination of all Forms of Discrimination Against Women (CEDAW) to provide a civil society assessment of the country's progress advancing gender equality in accordance with its treaty obligations. The National Democratic Institute (NDI) convened a broad coalition of 19 Burkinabe CSOs, including women's rights groups, women's legal and professional associations, and human rights groups, and provided training on the requirements and procedures for submitting a shadow report. Participants then formed a committee of eight members, who were charged with drafting the report for submission. The coalition collected the necessary data, drafted the report, and presented it to the CEDAW Committee. The report provided an overview of the status of women and girls in Burkina Faso and described the existing challenges and gaps to full enforcement of the convention. At the same time, NDI and the coalition partnered with the National Assembly to deepen parliamentarians' understanding of CEDAW and to identify ways in which they could to contribute to its implementation.

Source: "Burkina Faso Women Detail Discrimination Against Women in UN Report," National Democratic Institute, February 25, 2010. https://www.ndi.org/node/16078

4. Advocacy and Policy Influence

Challenge: Supporting civil society to ensure more inclusive and responsive public policy.

Opportunities:

- **Knowledge of domestic policy processes.** Build the capacity of civil society to utilize existing government processes and mechanisms to promote gender equality and human rights agendas.

- **Human rights education.** Conduct activities that raise awareness among civil society of the national, regional, and international mechanisms and opportunities that exist to promote gender equality and human rights.

- **Using gender policies and human rights instruments.** Support the creation or strengthening of civil society coalitions to participate effectively in drafting, advocating for, and monitoring implementation of national gender frameworks and regional or international treaties that promote gender equality, such as the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), the Protocol to the African Charter on Human Rights and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol), or the Convention on the Rights of People with Disabilities (CRPD). See Module 1 on Integrating Gender into Human Rights Programming for more information.

- **Expanding policy discourse about gender.** Create opportunities to discuss potentially controversial public policy issues about gender norms and women's rights within the context of existing groups or gatherings focused on less sensitive topics such as health, microfinance, or education. This may be particularly important in more closed or restrictive societies in which opportunities for women to discuss certain topics may be limited.

- **Linking service provision and advocacy.** Train and support women- and minority-led service-providing CSOs to engage in policy or legal advocacy.

SECTION III. Selected Resources

Democracy and the Challenge of Change: A Guide to Increasing Women's Political Participation. National Democratic Institute http://www.ndi.org/files/Democracy _and_the_Challenge_of_Change.pdf

Gender Audit: A Tool for Organizational Transformation InterAction. http://www.interaction.org/document/gender -audit-overview

BRIDGE – Institute of Development Studies reports:
Gender and Citizenship – http://www.bridge.ids.ac.uk/reports/ citizenship-report.pdf
Gender and Participation – http://www.bridge.ids.ac.uk/reports/ CEP-part-rep.pdf
Gender and Social Movements – http://www.bridge.ids.ac.uk /vfile/upload/4/document/1310/FULL%20REPORT.pdf

Producing Shadow Reports to the CEDAW Committee: A Procedural Guide. International Women's Rights Action Watch (IWRAW) http://www1.umn.edu/humanrts/iwraw/ proceduralguide-08.html

UN Women Gender-Responsive Budgeting Training Manual – http://www.unwomen.org/en/digital-library/ publications/2010/1/gender-responsive-budgeting-in -practice-a-training-manual#viewpage

Written Out: How Sexuality is Used to Attack Women's Organizing. International Gay and Lesbian Human Rights Commission and the Center for Women's Global Leadership http://www.cwgl.rutgers.edu/gender-based-violence/ 301-written-out-how-sexuality-is-used-to-attack-womens -organizing-2005

MODULE 3: INTEGRATING GENDER INTO RULE OF LAW AND JUSTICE SECTOR PROGRAMMING

The rule of law (ROL) is a key element of democracy and good governance. It requires the promulgation, dissemination, and implementation of laws and systems to guarantee human rights, regulate accountability of individuals and institutions, and create and reinforce new norms.

USAID identifies five key elements of the rule of law: order and security, legitimacy, checks and balances, fairness, and effective application. The justice sector operationalizes the rule of law through both the legal framework and justice sector institutions and actors, such as the police, prosecutors, judiciary, and legal practitioners. Even when the law is neutral in theory, in practice laws often reflect and reinforce inequality. Citizens' experience with the justice sector and access to justice is often deeply influenced by their identities. The most vulnerable members of society, including women, ethnic and religious minorities, lesbian, gay, bisexual, transgender, and intersex (LGBTI) individuals, people with disabilities, youth, and the poor, are more likely to be marginalized within the justice sector and have the least access to justice. Justice systems—and society as a whole—may be completely transformed when rule of law and justice sector programs integrate gender and take into account the barriers that women and men face, including discrimination, inequality, poverty, and lack of education or rights awareness. Gender-responsive ROL and justice sector programming, both within formal and informal or customary justice systems, fosters greater equality and empowerment, access to justice, and promotion of human

rights, which in turn helps further inclusive democracy in support of our objectives under USAID's DRG Strategy. In many countries, such as Afghanistan, Bangladesh, and Burundi the majority of local disputes are addressed through traditional, informal justice systems.

SECTION I. Guiding Questions for Gender Analysis in Rule of Law and Justice Sector Programming

Legal Framework, Policies, and Justice Systems

- What is the legal framework governing rights, responsibilities, and access to justice? To what degree is domestic law fully harmonized with international and regional treaty obligations with particular regards to women's rights and gender equality?

- How are women's rights and gender equality represented in the constitution? How are key legal areas such as family and marital law, inheritance and property law, and laws related to gender based violence (GBV) addressed?

- Are there legal protections against abuses of power such as sexual harassment or sexual exploitation, sometimes referred to as "sextortion"[1], a form of corruption in which a person in a position of authority makes an implicit or explicit demand to engage in any form of unwanted sexual activity in a quid pro quo exchange?

- How widely understood and enforced are women's legal rights and policies related to family law, inheritance, property, and GBV?

- What is the minimum legal age to marry for boys and girls? And, what are the traditional practices regarding marriage?

- Are there specialized courts or other judicial mechanisms with jurisdiction to address violence against women and girls or other matters of primary concern to the rights of women?

- How are children's best interests given primary consideration, such as in actions taken by courts of law, administrative or other authorities, including non-state actors?

- What informal justice systems, such as customary, tribal, religious, or traditional law, exist? To whom and under what circumstances do these informal systems apply? Do they treat women, youth, and traditionally marginalized groups

equally to other groups? Are non-state justice institutions so tainted by patronage, gender, or other biases that the system is fundamentally unfair?

- To what extent are policies and practices in place within justice sector and law-making bodies, including the police and judiciary, gender-sensitive or effective at advancing gender equality?

- To what degree do justice sector and law-making bodies engage in self-assessment, monitoring, and reporting of their strengths and weaknesses related to gender equity and inclusion?

- Are there national human rights institutions or gender commissions that address women's rights? What role(s) do these bodies play in promoting and upholding gender equality within the law and justice sector? See Module 1 on Integrating Gender into Human Rights Programming for more information.

Access to Justice

- What gender-related barriers exist—formal or informal— to accessing the justice system? What additional barriers to access do youth, children, persons with disabilities, or other groups face?

- What laws, mechanisms, or policies exist to address inequality or unequal access to justice? For example, rights awareness campaigns, specialized police units, mobile legal clinics, or anti-domestic violence legislation and services.

- Are the standards and procedures governing bureaucratic decision-making and the delivery of public services fair? Are minority groups able to assert their rights through a regulatory and appeal process by specifying the standards

and procedures by which services are supposed to be carried out?

Gender-Based Violence

- How gender-sensitive are security and justice actors —police, lawyers, judges, etc.—in handling cases of gender-based violence?

- What barriers to reporting GBV or seeking justice exist?

- How easily are survivors able to access services? To what extent are these services accessible to persons with disabilities, LGBTI individuals, girls or young women, and other groups who may face additional barriers?

- To what extent are perpetrators held accountable?

Representation and Leadership

- How are women and minorities represented within the justice and security sectors? For example, what percentage of police officers, attorneys, or judges are women?

- What leadership positions do women hold within justice and security sector institutions?

Conflict and Transitional Justice

- In post-conflict contexts, do women have equal access to justice (accountability) and reparations mechanisms? What role(s) do they play in designing transitional justice and reparations programs?

- How do transitional justice measures address gender issues? How does transitional justice address sexual and gender based violence?

- Is the use of sexual- and gender-based violence as a weapon of war criminalized?

- How are males and females affected differently as victims of violence? What are the differences between males and females as perpetrators of violence?

(See Module 9 on Integrating Gender into Reconciliation, Peacebuilding, and Transitional Justice for more information.)

SECTION II. Integrating Gender into Rule of Law and Justice Sector Programming: Challenges and Opportunities

1. Within the Formal Legal Framework

Challenge: Create and implement gender-sensitive laws and legal mechanisms.

Opportunities:
- **International treaties.** Support civil society efforts to encourage governments to ratify international and regional human rights treaties, such as the Convention to Eliminate all forms of Discrimination Against Women (CEDAW) and International Convention on the Elimination of all forms of Racial Discrimination (ICERD), and to allocate adequate resources to implement them fully through domestic law, administrative acts, and judicial decisions. Provide technical assistance on harmonizing domestic law with states' treaty obligations.

- **Legislative reform.** Provide support to legislators, legislative staff and advocates to create, revise, and amend laws to make them more inclusive and gender-sensitive in

accordance with international human rights standards. See Module 4 on Integrating Gender into Legislative Strengthening Programming for more information.

- **Administrative law reforms.** Support administrative law reforms, which could include: (1) Limitation of discretion (agency rule changes, second appeal process, establish precedent setting decisions to ensure consistency, judicial review to compare action with law and control arbitrariness), (2) increasing administrative due process (notice of rules, opportunity to be heard, impartial decisions, appeals), or (3) increasing information (publish rules, public allowed to provide commentary to rule changes).

- **Gender analysis.** Build the capacity of local CSOs, think tanks and legislative staff to conduct gender analysis of draft legislation and to provide relevant resources and analysis to legislators.

- **Training and raising awareness.** Raise awareness of gender (in)equality among government officials across all levels and sectors. Ensure that trainings of government staff or leaders build their capacity to apply a gender perspective to the laws, policies, and practices within their competency.

- **Gender-responsive budgeting.** Train government officials on how to implement gender-responsive budgeting[2] and integrate gender-responsive budgeting into programming.

- **Monitoring.** Support the creation of government, cross-sectoral, and civil society bodies to monitor and oversee the inclusive and gender equitable implementation of laws.

- **Civil society capacity building.** Enhance the ability of civil society organizations (CSOs) to monitor and advocate for legal changes on rule of law and justice sector issues and to integrate fully gender into these efforts.

PROGRAM SNAPSHOT

When Turkey ratified CEDAW in 1985, the women's movement began lobbying for reform of the civil code, noting that it violated Turkey's own constitutional guarantee of gender equality and its commitments under CEDAW. When the government prepared a more gender-equitable draft civil code in 2000 it was blocked by conservative parliamentarians who claimed that the proposed equal division of matrimonial property was a threat to Turkish

society. In response, the women's movement built a coalition of over 120 NGOs from around the country and representing differing ideological viewpoints to campaign on a common platform in support of the reforms. The coalition successfully gained the attention of the media, leading to a public debate about women's rights and gender roles in society. In 2001, a new civil code was passed that was "based on the principle of equal rights and responsibilities within the household." The civil society

coalition then advocated successfully for a new penal code, passed in 2004, which criminalized marital rape and workplace sexual harassment, and banned lenient sentencing in cases of "honor" killings and rape.

Source: UN Women, "Progress of the World's Women 2011–2012: In Pursuit of Justice," 2011, p. 31. http://www.unwomen.org/en/digital -library/publications/2011/7/progress-of -the-world-s-women-in-pursuit-of-justice

- **New National Gender Strategy.** Support the host government work with gender CSOs to create a National Gender Policy.

- **Gender-based violence.** Initiate and support efforts to eliminate GBV through legislation, direct service, education and rights awareness, the media, full implementation of existing laws, changing cultural norms and attitudes, and economic, social, and political empowerment. Experiencing GBV and facing a lack of access to justice for may severely hinder women's ability to participate fully in society and should be addressed through a multi-sector approach.

2. Within Informal Justice Systems

Challenge: Increase gender equality and respect for women's rights within informal justice systems.

Opportunities:

- **Harmonizing legal systems.** Build the capacity of the formal legal system to harmonize formal and informal legal systems and establish a level of oversight and regulation of informal justice systems.

- **Trust building.** Facilitate relationship building between customary justice leaders and stakeholders (both governmental and non-governmental) working to advance gender equality in order to develop trust and establish a foundation through which to advocate for increased human rights and gender equality.

- **Women's participation.** Support efforts to increase the number of women in decision-making positions within both local governance units and informal justice systems.[3]

- **Civil society capacity building.** Provide capacity building to CSOs working to advance gender equality and justice sector reform in order to monitor informal justice systems and engage with traditional leaders.

- **Engaging informal systems.** Provide training and awareness raising to traditional leaders and informal justice system adjudicators on gender (in)equality and human rights, including procedural due process. Create opportunities for community dialogue with traditional leaders on gender, justice, inclusion, human rights, and equality.

- **Media outreach and education.** Engage with local actors to support community-based public education campaigns addressing gender, equality, justice, and rights that aim to change people's perceptions about gender roles in society. This may take the form of radio or television programs, performing arts, public fora, media coverage, and/or billboards and signs.

3. Within Justice Sector Institutions and Actors

Challenge: Create more gender-sensitive and inclusive justice and security sector institutions.

Opportunities:

- **Gender analysis training.** Support training on conducting and using gender analysis for staff and leadership within the justice and security sectors, in order to increase their ability to apply a gender perspective to laws, policies, and practices within their purview.

- **Capacity building.** Build the capacity of the police and the judiciary to identify inequality and gaps in the system and develop appropriate measures to close these gaps and improve protection, enforcement, investigation, and adjudication of the law to better serve women, children, and traditionally marginalized groups.

- **Gender-responsive budgeting.** Train justice and security sector professionals on why and how to implement gender-responsive budgeting within their agencies or departments to better target justice sector spending to advance equality and meet citizen needs.

- **Legal revisions.** Where applicable, provide support to justice and security sector leaders and professionals, including relevant researchers and academics, to support the creation and/or amendment of laws to make them more inclusive and gender-sensitive.

- **Gender audits.** Build the capacity of justice and security sector institutions to conduct gender audits to assess their internal policies and standard operating procedures with regard to gender equality and inclusion and to develop an action plan to address areas of weakness and build on areas of strength. Such an assessment should include a review of recruitment, retention, promotion, leadership, and human resources policies, including salaries, benefits, and sexual harassment policies.

- **Affirmative measures.** Encourage the creation and/or strengthening of affirmative measures to increase the participation of women and minority groups within the justice and security sectors as attorneys, judges, prosecutors, and police officers.

- **Exchanges.** Provide regional and international exchange opportunities for justice sector actors to share challenges, best practices, and lessons learned in creating more inclusive, gender-sensitive institutions.

- **Grievance and oversight mechanisms.** Support the creation of clearly defined and well-publicized administrative law grievance procedures for citizens to better ensure

equality under the law and in practice for all people. The use of translation services (including sign language), accessible locations and hours, and mobile units are tools that may be used to ensure that grievance procedures and oversight mechanisms are transparent and accessible to all, including children. To ensure accessibility, girls and boys may be consulted using safe and ethical methods to identify adequate children-sensitive grievance procedures.

- **Coalition building.** Facilitate coalition building between CSOs working on justice or security sector reform and CSOs working to advance gender equality and human rights. These coalitions can serve as key resources and partners for justice sector institutions to improve responsiveness and inclusivity.

- **Training.** Work with professional organizations, such as bar, judges, or police associations, to offer training to their members on identity-based discrimination, gender equality, and barriers to justice for women and minority groups.

- **Identity-based associations.** Support the creation of women's caucuses and other identity-based entities within the police force, bar association, judges association, etc., to advocate for women and minority members within these institutions and for increased inclusivity and gender sensitivity. Additionally, support the establishment of women judges, police, and lawyers' associations.

- **Legal education.** Sponsor efforts to make legal education, training curricula, and professional development and orientation programs for justice and security sector professionals more accessible, inclusive and gender-sensitive.

- **Community dialogue.** Support safe and accessible community dialogue and efforts to gather feedback from diverse communities on their experiences with the justice and security sectors. Young men, for example, may experience particularly hostile interactions with security forces, especially in countries where gang activity or violent extremism is prevalent. Facilitate the sharing of this information between civil society and justice and security sector actors and institutions.

- **Specialized units.** Build the capacity of justice and security sector institutions to develop specialized units/focal points to liaise with and respond to the particular needs of women, people with disabilities, LGBTI individuals, children, and other minority groups, as appropriate.

- **Informal Adjudication.** Support informal institutions adjudicating GBV and family law issues (e.g., divorce), including pro bono legal aid available for women.

4. Access to Justice

Challenge: Increase access to justice for women and minority group members.

Opportunities:

- **Legal education.** Support legal education programs and rights awareness campaigns that appropriately target men and women and address gender-related barriers in access to justice. Utilize a variety of media, including television, radio, drama, social media, SMS, and written materials, to make the information accessible to as many people as possible. Minimize technical jargon, employ local languages and dialects, and use spokespeople who are representative of the target audience.

- **Community relations.** Work with relevant CSOs and/or local governance units to develop and train specialized community groups to liaise with local police.

PROGRAM SNAPSHOT

South Africa suffers from high rates of gender-based violence. In response, USAID programs have helped increase access to justice and integrated support services (medical, legal, and psychosocial counseling) for survivors of sexual assault through the TCC network and assistance for specialized sexual offences courts to increase rates of prosecutions and increase access to justice. USAID and the South African Government are working to address women's rights and increase their access to justice through two programs: support to the South African Government's Thuthuzela Care Center (TCC) network, which provides comprehensive support for survivors of sexual assault including emergency medical care, post-exposure prophylaxis, counseling and legal preparation. USAID has supported more than 40 TCCs in public hospitals in all 10 provinces in South Africa. USAID supports the South African Government's public awareness campaign regarding services provided at TCCs; provides grants to NGOs for after-hours care, and HIV-related services; supports specialized sexual offences courts.

Source: "Democracy, Human Rights, and Governance," USAID/South Africa, January 3, 2014. https://www.usaid.gov/south-africa/democracy-human-rights-and-governance

- **Civil society exchanges.** Provide regional and international exchange opportunities for community leaders and CSOs working to increase access to justice and improve the responsiveness and inclusivity of the justice sector to share challenges, best practices, and lessons learned.

- **Advocacy.** Build the capacity of civil society actors and organizations to advocate for improved access to justice, justice and security sector reforms, enhanced legislation, and strengthened implementation of the law.

- **Oversight mechanisms.** In coordination and agreement with the government, support efforts to enhance accountability and oversight, such as community scorecards that monitor service delivery and transparency or treaty monitoring efforts to track a state's compliance with its international or regional treaty obligations.

- **Rights education.** Build the capacity of CSOs to provide rights education and direct services to women and traditionally marginalized populations, particularly in the key areas of family and marital law, GBV, and property and inheritance law.

- **Gender-responsive budgeting.** Enhance the capacity of local governance units to engage in gender-responsive budgeting and to better provide services to its most vulnerable citizens to improve their access to justice.

- **Gender-based violence.** Initiate and support efforts to eliminate GBV through legislation, direct service, education and rights awareness, the media, full implementation of existing laws, changing cultural norms and attitudes, and economic, social, and political empowerment. Individuals who experience GBV and are unable to access justice may be unable to participate fully in society. This should be addressed through a multi-sector approach.

- **Transitional justice.** Support efforts to ensure gender equality and women's participation in transitional justice bodies and mechanisms, including reparations programs. Documentation of abuses, for example, should reflect international best practices in including attention to sexual violence, and diverse voices should be included in the design of transitional justice processes. See Module 9 on Integrating Gender into Reconciliation, Peacebuilding, and Transitional Justice for additional information.

- **Law school legal clinics on gender rights.** Create pro bono legal clinics that teach future lawyers how to represent marginalized women on gender issues while simultaneously increasing women's access to justice.

SECTION III. Selected Resources

Equal Rights, Equal Justice: Toolkit for Addressing Gender-based Violence through Rule of Law Projects. United States Agency for International Development (USAID) https://www.usaid.gov/sites/default/files/documents/1865/Toolkit_GBV%20and%20RoL_final_Web_14SEP10.pdf

Guide to Rule of Law Country Analysis: The Rule of Law Strategic Framework, A Guide for USAID Democracy and Governance Officers. (USAID) http://pdf.usaid.gov/pdf_docs/PNADT593.pdf

A Woman's Guide to Security Sector Reform. Geneva Centre for Democratic Control of Armed Forces (DCAF) http://www.dcaf.ch/Publications/A-Women-s-Guide-to-Security-Sector-Reform

Gender Equality and Good Security Sector Governance: Gender equality for state and human security. DCAF http://dcaf.ch/Publications/Gender-Equality-and-Good-Security-Sector-Governance-Gender-equality-for-state-and-human-security

Informal Justice Systems: Charting a Course for Human Rights-Based Engagement. United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), United Nations Children's Fund (UNICEF), and United Nations Development Programme (UNDP) http://www.undp.org/content/dam/undp/library/Democratic%20Governance/Access%20to%20Justice%20and%20Rule%20of%20Law/Informal-Justice-Systems-Charting-a-Course-for-Human-Rights-Based-Engagement.pdf

INL Guide to Gender in the Criminal Justice System. United States Department of State Bureau for International Narcotics and Law Enforcement Affairs (INL) http://www.state.gov/documents/organization/222034.pdf

Progress of the World's Women (2011–2012): In Pursuit of Justice. UN Women http://www.unwomen.org/en/digital-library/publications/2011/7/progress-of-the-world-s-women-in-pursuit-of-justice and http://progress.unwomen.org/en/2015/

Primers in Gender in Democratic Governance #2—
Gender Equality and Justice Programming: Equitable
Access to Justice for Women. UNDP http://www.undp.org/
content/dam/aplaws/publication/en/publications/democratic
-governance/dg-publications-for-website/gender-equality-and
-justice-programming-equitable-access-to-justice-for-women/
GenderGovPr_Justice_2.pdf

Stopping the Abuse of Power through Sexual Exploitation:
Naming, Shaming, and Ending Sexploitation. International
Association of Women Judges (IAWJ) http://www.iawj.org/
IAWJ_International_Toolkit_FINAL.pdf

Child Rights Toolkit: Integrating Child Rights in Development
Cooperation. UNICEF http://www.unicef.org/eu/crtoolkit/
downloads/Child-Rights-Toolkit-Web-Links.pdf

Promoting Gender Equality: An Equity-Focused Approach
to Programming. UNICEF http://www.unicef.org/gender/files/
Overarching_Layout_Web.pdf

MODULE 3 ENDNOTES

[1] The International Association of Women Judges (IAWJ) defines sextortion as a form of corruption in which sex, rather than money, is the currency of the bribe. This abuse of power to obtain a sexual benefit or advantage is distinguished from other types of sexually abusive conduct in that it has both a sexual component and a corruption component and has three distinct features: (1) abuse of authority, (2) a quid pro quo exchange, and (3) psychological coercion rather than physical coercion.

[2] Gender-responsive budgeting (GRB) is a tool used to analyze public spending from a gender perspective to identify the impact of government revenue and expenditures on women and men, boys and girls. GRB identifies gaps between policy statements and the resources committed to their implementation and serves as an important method of enhancing transparency and advancing gender equality. See Glossary of key terms for further information.

[3] **In Bangladesh,** the Improving Women's Access to Justice program of Nagorik Uddyog (NU) assists in the formation of alternative *shalish* committees, on which one-third of all members are women. *Shalish* is a community-based, non-state dispute resolution technique commonly; *shalish* rulings that are illegal under statutory law have been eliminated in project areas, and persons presiding over traditional *shalish* are aware that extra-legal verdicts can and will be challenged.

MODULE 4: INTEGRATING GENDER INTO LEGISLATIVE STRENGTHENING PROGRAMMING

Legislative bodies are the primary mechanism through which public policy is shaped and the economic and social course of a democratic country is charted. The degree to which legislatures[1] function freely and effectively is an important measure of democracy.

Similarly, the extent to which legislatures are gender-sensitive and representative may be understood as a measure of inclusive democracy. While parliaments may be arenas that replicate entrenched inequalities, they also present a critical opportunity to advance gender equality and human rights. Taking steps to empower women legislators and to ensure that legislatures are gender-sensitive in both their work and as institutions is critical in creating stronger, more inclusive legislative bodies. Legislatures that are gender- sensitive and whose membership, leadership, structure, rules of procedures, and practices are inclusive are better able represent their constituents, operate effectively, and advance inclusive democracy. Supporting such efforts supports our objectives under USAID's DRG Strategy.

SECTION I. Guiding Questions for Gender Analysis in Legislative Strengthening Programming

Legal Framework

- What is the legal framework that relates to legislative institutions? How are gender equality and women's participation addressed within this framework? Are there quotas or other affirmative measures in place, and if so, how effective are they?

- To what degree is domestic legislation in compliance with a country's international and regional treaty obligations related to gender equality?

Participation, Representation, and Leadership

- How are women, youth, and marginalized populations represented within the legislature, as legislators, staff, and in leadership positions? How are they represented on and in leadership of committees?

- Is there a women's or gender equality caucus? Are there caucuses for indigenous groups, religious or ethnic minorities, LGBTI members, or members with disabilities? How active and influential are these caucuses?

Legislative Procedures, Policies, and Environment

- What potential barriers to gender equality exist within legislative rules of procedures, structures and practices?

- To what degree are the legislature's rules of procedure and operating policies gender-sensitive? For example, with regard to sitting hours, the session calendar, proxy voting (whereby a legislator may designate her vote to another member), etc.?

- What is the working environment within the legislature like for women and members of traditionally marginalized groups? To what degree do women feel free to speak openly on different issues? How prevalent are harassment and intimidation? What policies are in place to prevent and address such issues? To what degree are they effectively implemented and perpetrators held accountable? Are there parental leave policies? Are there proxy voting policies, whereby women may designate their vote to another legislator when they are unable to be present for voting? What policies does the legislature have on non-discrimination?

- To what extent are legislative buildings physically accessible? Are there adequate facilities for women? Are there child-care opportunities, lactation rooms, etc.?

- What training and professional development opportunities exist for legislators in general and specifically for women legislators?

- How equitably are resources, such as training, research, support staff, offices, and supplies, allocated? What research bodies exist to support parliament with data and expertise on gender equality and women's rights issues?

According to the Inter-Parliamentary Union, a gender-sensitive parliament is one that:

1. Promotes and achieves equality in numbers of women and men across all of its bodies and internal structures.

2. Develops a gender equality policy framework suited to its own national parliamentary context.

3. Mainstreams gender equality throughout all of its work.

4. Fosters an internal culture that respects women's rights, promotes gender equality and responds to the needs and realities of MPs—men and women —to balance work and family responsibilities.

5. Acknowledges and builds on the contribution made by its men members who pursue and advocate for gender equality.

6. Encourages political parties to take a proactive role in the promotion and achievement of gender equality.

7. Equips its parliamentary staff with the capacity and resources to promote gender equality, actively encourages the recruitment and retention of women to senior positions, and ensures that gender equality is mainstreamed

Source: "Plan of Action for Gender Sensitive Parliaments, International Parliamentary Union, 2012. http://www.ipu.org/pdf/publications/action-gender-e.pdf

Legislation and Policy Development

- Does the legislature engage in gender-responsive budgeting? Are there national efforts or mandates related to gender-responsive budgeting? How effective are these efforts?

- How is the legislature engaged in promoting gender-sensitive and inclusive public policy?

- How does the legislature monitor and evaluate progress and implementation of gender equality-related laws, policies, and procedures?

Outreach and Consultation

- What mechanisms does the legislature have for soliciting public input? How, if at all, are these mechanisms designed to facilitate equal opportunities for participation by women and men? Equal participation by youth, children, LGBTI individuals, persons with disabilities, or minority groups?

- To what extent are civil society organizations engaged in monitoring the legislature? If so, do they have measures of representatives' effectiveness to help track the influence of female representatives? Do they track the degree to which elected representatives address gender issues in their discussions of legislation or the budget?

SECTION II. Integrating Gender into Legislative Strengthening Programming: Challenges and Opportunities

1. Legal Framework

Challenge: Enshrining equality in the legal framework related to parliament.

Opportunities:
- **Identifying legal barriers to participation.** Train stakeholders, including CSOs, political parties, and government officials, to conduct a gender analysis of the laws and policies related to elections and parliament to identify any barriers to the full participation of women in the political process. For example, is the equality of all people enshrined in the constitution? Do all citizens have the right to run for elected office? Do voter registration or identification laws have a disproportionate or negative impact on the ability of women or minority groups to vote? Are there any special measures in place to strengthen voting among traditionally marginalized groups?

- **Advocacy.** Build the capacity of stakeholders to advocate for new or revised laws that promote more gender-sensitive and inclusive representative institutions. Provide comparative analysis and technical assistance on options to achieve this goal, for example, temporary special measures such as quotas or government funding for female candidates.

2. Institutional/Structural Changes

Challenge: Facilitating institutional and structural changes within the legislature to make it a gender-sensitive institution.

Opportunities:
- **Gender audits.** Train stakeholders, including CSOs, government representatives, legislators, and legislative staff to conduct a gender audit of the legislature to identify where gender inequality exists within the institution and what barriers exist to women's full participation. Such a process should examine leadership, committee work, resource allocation, the legislative agenda, and rules of procedure, as well as the enabling environment, for example by utilizing questions provided in Section I. Support stakeholders to utilize the results to develop a concrete plan to implement the formal and informal changes necessary to make parliament more gender-sensitive and inclusive. This may include changes to the rules of procedure, resource allocation, and/or physical changes to the parliament building.

- **Gender-responsive budgeting.** Train MPs and parliamentary staff on gender-responsive budgeting for both their internal budgets as well as for the national budget so that public funds may be utilized in more efficient and gender-sensitive ways.

- **Gender analysis.** Raise awareness among legislators and staff —both male and female—of the utility of gender analysis and build their capacity to engage routinely in gender analysis as part of drafting legislation and advocacy.

- **Inclusive public consultations.** When supporting the creation of mechanisms for soliciting public input, ensure they are designed to enable equal opportunities for participation by women and men, and that they are also accessible to youth, LGBTI individuals, persons with disabilities, and minority groups.

3. Promoting Female Legislators and Staff

Challenge: Increase the representation of women in the legislature.

Opportunities:
- **Leadership and candidate training.** Conduct leadership and candidate training for women and girls from a variety of backgrounds to help prepare them to run for office. Targeting girls and young women in particular is critical to foster interest in running for office and confidence to do so.

- **Party recruitment.** Collaborate with political parties to recruit, train, and support female members to run in elections and compete effectively for leadership positions within the legislature. For a fuller discussion of this topic, please see Module 6: Integrating Gender into Political Party Development Programming.

- **Media training.** Provide trainings to journalists to foster equal treatment of female candidates by the press and ensure gender-sensitive coverage of female candidates.

PROGRAM SNAPSHOT

Gender-Responsive Budgeting (GRB) is an effective technique to advance gender equality, promote accountability, and help ensure public funds are used effectively. Beginning with the 2012–2013 budget, the Ugandan Parliament was tasked with creating a gender-sensitive budget in order to promote equitable development. To help achieve this, the Forum for Women in Democracy (FOWODE), in partnership with the Office of the Speaker of Parliament, and Uganda Women Parliamentary Association (UWOPA), provided technical assistance to a parliamentary task force to advocate for gender-responsive budgeting within parliament. FOWODE and UWOPA held a workshop to train MPs from committees including finance, social services, agriculture, and budget on how to analyze a budget and integrate gender considerations into budget planning and allocations. FOWODE continued to provide technical assistance to the legislators through research and the development of a gender checklist for four priority budget sectors. FOWODE also supported a group of parliamentarians in calling for the creation of an independent gender and equity monitoring unit to advise parliamentary committees on auditing compliance with the budget's gender-responsiveness mandate.

Sources: "Enhancing parliament's capacity in gender analysis," fowode.blogspot.com/2012/03/enhancing-parliaments-capacity-in.html Mary Kusambiza. A Case Study of Gender Responsive Budgeting in Uganda, Commonwealth Secretariat, 2013: https://consultations.worldbank.org/Data/hub/files/grb_papers_uganda_updf_final.pdf

Support civil society to conduct media monitoring for gender differences in treatment of candidates.

- **Affirmative Measures.** Provide technical assistance to political parties, legislators, staff, and government representatives on the creation and/or implementation of quotas or other affirmative measures that help remedy historic marginalization and facilitate greater representation of women in parliament.

- **Internships and mentoring.** Support legislative internship, mentoring, and exchange programs to provide staff for youth and women members. Internships for university students to staff women legislators can help fill vital staffing gaps and expose young people to positive women role models.

- **Networking.** Provide support for efforts to increase networking and professional development opportunities for women and others who may lack access and connections to existing networks.

- **Political Violence.** Study and combat politically motivated violence perpetrated against female candidates.

Challenge: Enhance the skills and influence of women in the legislature.

Opportunities:
- **Orientation.** Include training on gender (in)equality and gender analysis as a regular component of orientation and training sessions for all newly elected legislators and newly hired staff. Include a breakout or additional session(s) for newly elected women, who often have different or additional needs than their male counterparts.

- **Training and professional development.** Provide ongoing training and professional development opportunities for women and minority group members of parliament. Developing expertise in areas that may be viewed as "non-traditional" for women, such as defense and finance, is often a path to powerful committee assignments. Experience has also shown that women in particular appreciate ongoing capacity building opportunities in skills such as public speaking, leadership, political management and communication, networking, and fundraising.

- **Women's caucuses.** Support efforts to create or strengthen women's caucuses, particularly multi-party caucuses. Such caucuses provide important networking and mentoring opportunities, help consolidate and leverage the power of women in parliament, and often provide a venue for skills development and advancing legislation on issues of particular concern to women. Provide capacity building support for women's caucuses or other identity-based groups to draft and advocate for legislation on a range of issues.

- **Coalition-building.** Support the development of coalitions that support gender equality, including both male and female legislators. Engaging and supporting male allies can help garner broader support for issues related to gender equality and female empowerment, and may also contribute to shifting institutional culture.

- **Public outreach.** To mobilize support for women's caucuses and gender equality issues, develop the capacity of women's caucuses to engage in public outreach including, but not limited to: participating in radio and TV programs; hosting events; engaging in charitable activities; and creating

PROGRAM SNAPSHOT

The Inter-Parliamentary Union (IPU), with support from USAID, is implementing the Gender Equality in Politics Program. In 2012, the IPU began a global research project on women's parliamentary caucuses. It mapped existing structures, identified good practices, and produced a set of guidelines for women members of parliament (MPs) who wish to set up a caucus or improve an already existing one. Based on the research carried out, the IPU Handbook on Women's Caucuses was produced

with information from more than 72 parliaments and 60 women's caucuses collected. Additionally, they conducted a regional seminar that brought together 40 men and women MPs from eight countries in East and Southern Africa. The meeting endorsed a set of priority steps for parliaments to take in order to secure a robust response to violence against women (VAW), including: adopting comprehensive legislation; allocating budgetary resources to ensure adequate funding and long-term sustainability of programs; and establishing a

monitoring system to periodically assess the implementation and effectiveness of legislation on VAW. Most recently, the IPU conducted workshops and seminars in several countries, including Cote d'Ivoire and Burundi, bringing together MPs, government officials, and civil society activists to discuss issues such as gender based violence, gender and land reform, and women's caucuses.

Source: "Guidelines for Women's Caucuses," Inter-Parliamentary Union, 2013.

individual or caucus websites, newsletters, and social networks to disseminate information about activities.

- **Exchanges.** Provide regional and international exchange opportunities for female and minority group legislators and legislative staff in order to share best practices, lessons learned, and effective strategies with their colleagues in other countries.

4. Legislative Agenda

Challenge: Create legislatures that engage in more gender-sensitive and inclusive legislating.

Opportunities:

- **Capacity building.** Build the capacity of both male and female legislators and staff to draft and pass gender-sensitive legislation by providing training in gender analysis and gender-responsive budgeting. Enhance the capacity of women's and other identity-based caucuses to draft and advocate for inclusive, gender-sensitive legislation in a strategic manner.

- **Exchanges.** Provide regional and international exchange opportunities for both male and female legislators and staff to share best practices, lessons learned, and effective strategies to promote gender-sensitive legislation and to advance gender equality.

- **Engaging male allies.** Support efforts that strengthen the relationship between male and female legislators and civil society organizations working to advance gender equality or inclusion that can act as subject matter resources and advocates on inclusive, gender-responsive legislation.

- **Committee membership.** Support efforts to ensure that committees are diverse and that women and minority group members are represented on all of them, as well as efforts to ensure that all committees and committee staff are versed in how to apply a gender lens to the legislative issues within their purview.

- **External monitoring.** Support parliamentary monitoring organizations (PMOs) to integrate attention to gender in their analysis of legislatures. For example, in monitoring the budget process, PMOs could track whether or not legislators discuss the gender implications of funding levels or recommend dedicated funding to address GBV or other gender-related issues.

SECTION III. Selected Resources

Agora: Portal for Parliamentary Development. United Nations Development Programme (UNDP), World Bank Institute (WBI), National Democratic Institute (NDI), International Institute for Democracy and Electoral Assistance (IDEA), http://www.agora-parl.org/resources/aoe/parliamentandgender

Democracy and the Challenge of Change: A Guide to Increasing Women's Political Participation. NDI http://www.ndi.org/files/Democracy_and_the_Challenge_of_Change.pdf

Gender and Governance Overview Report. BRIDGE-Institute of Development Studies http://www.bridge.ids.ac.uk/reports/Governance_OR_final.pdf

Gender Audit: A Tool for Organizational Transformation. InterAction http://www.interaction.org/document/gender-audit-overview

Gender-Sensitive Parliaments: A Global Review of Good Practices. Inter-Parliamentary Union (IPU) http://ipu.org/pdf/publications/gsp11-e.pdf

Guideline for Women's Caucuses. IPU http://www.ipu.org/pdf/publications/caucus-e.pdf

One Size Does Not Fit All: Lessons Learned from Legislative Gender Commissions and Caucuses. NDI and International IDEA http://www.ndi.org/files/One_Size_Does_Not_Fit_All_eng_0.pdf

Plan of Action for Gender-sensitive Parliaments. IPU http://www.ipu.org/pdf/publications/action-gender-e.pdf

The Quota Project: A Global Database of Quotas for Women. International Institute for Democracy and Electoral Assistance (IDEA), Stockholm University, and Inter-Parliamentary Union (IPU) http://www.quotaproject.org/

MODULE 4 ENDNOTE

1 This toolkit uses the generic term "legislature" to refer to legislatures, parliaments, and congresses, as well as other legislative bodies, to avoid confusion between types of legislative systems.

MODULE 5: INTEGRATING GENDER INTO LOCAL GOVERNANCE AND DEVOLUTION[I] PROGRAMMING

Devolution brings local government structures to the fore and increases the amount of power and responsibility that local entities have in governance, budgeting, and service provision. Local governance is also the point at which connections between DRG and other sectors are most salient.

Such a redistribution of power has the potential to empower citizens by stimulating greater participation in the political process, more effective provision of public services, and more responsive government. However, persistent gender inequality and discrimination against women and traditionally marginalized groups, including youth, people with disabilities, lesbian gay, bisexual, and transgender (LGBTI) people, indigenous persons, and members of ethnic or religious minorities, may have the effect of reinforcing inequitable power structures and further marginalizing certain groups within the context of devolution. Barriers to equality within local governance and devolution processes include pervasive gender discrimination, unequal distribution of labor, low literacy levels, closed political parties, corruption, and lack of transparency within local governance. Integrating gender into devolution and local governance programming to address these barriers creates powerful opportunities to help further inclusive democracy and equitable service delivery in support of our objectives under USAID's DRG Strategy.

SECTION I. Guiding Questions for Gender Analysis in Local Governance and Devolution Programming

Access, Participation, and Representation

- What formal or informal barriers exist that prevent women and traditionally marginalized groups from participating in decision-making at the local level?

- To what extent are women and members of traditionally marginalized communities represented in decision-making and local governing bodies? At what levels are they represented?

- What gender discrepancies exist in access to and use of public services like water, sanitation, health centers, land management, and education? What discrepancies exist in access to and use of services among traditionally marginalized groups such as LGBTI, indigenous persons, and persons with disabilities, and what gender-based differences exist within those groups?

- What mechanisms and legislation, if any, are in place for citizen consultation and input in local planning and budgeting processes, and around the provision and delivery of public services? Are these mechanisms gender equitable and accessible to all members of the community?

- What processes, if any, are in place to ensure transparency and efficiency in service delivery?

- What grievance and complaint processes exist? To what extent are they accessible to all community members?

- What civil society organizations (CSOs) advocate for greater accountability and transparency, gender equality, and civic participation in local governance?

- Within traditional justice or governance systems, are women equitably represented in leadership positions? Are these systems fair and equitable in their treatment of women, LGBTI individuals, and other marginalized groups?

Legal Framework and Governance Structures

- What is the legal framework that exists around local governance and devolution? What responsibilities do local governments have? In what ways does the legal framework promote or discourage the participation of women, youth, persons with disabilities, members of ethnic or religious minorities, lesbian, gay, bisexual, transgender, and intersex (LGBTI) or indigenous people?

- What policies, such as anti-discrimination policies or affirmative measures, including quotas, do local governance units have in place to encourage diversity and inclusion? How are they working?

- What mandates or responsibilities exist at the local level for gender-responsive budgeting (GRB)? How do local governments engage in gender-responsive or participatory budgeting?

- What mechanisms do political parties have in place to encourage gender equality and inclusion at the local level? How are women and traditionally marginalized groups represented within political party structures and leadership at the local level?

- How is gender-based violence (GBV) being addressed at the local level?

SECTION II. Integrating Gender into Local Governance and Devolution Programming: Challenges and Opportunities

1. Within the Legal Framework

Challenge: Creating laws and frameworks that guide and encourage gender equitable and inclusive devolution and local governance.

Opportunities:
- **National level capacity building.** Build the capacity of national-level elected and appointed government officials responsible for budgeting, devolution, and local governance processes to engage in gender analysis and bring a greater awareness of gender inequality to their work. Support them in drafting and/or revising laws, policies, and frameworks related to local governance and devolution to ensure that they fully integrate gender.

- **Gender-sensitive implementation of national policies.** Strengthen the capacity of local government officials to utilize gender analysis, public opinion data, and citizen input to implement national mandates and policies in gender equitable and inclusive ways.

- **Coalition building.** Foster coalitions and relationships between civil society organizations working on devolution and local governance issues and those working on gender equality and women's rights issues. Build the capacity of governance-focused organizations to integrate gender equality into their work, and build the capacity of women's organizations to advocate on governance issues.

- **Meeting human rights obligations.** Support efforts to ensure that devolution programs are in compliance with the government's international and regional human rights treaty obligations.

- **Gender-responsive budgeting.** Support efforts to institutionalize gender-responsive budgeting at the national and local levels. For example, support civil society to advocate for the creation of national level legislation and/or local ordinances that require gender-responsive budgeting, regular public budget hearings with broad civic participation, or the creation of monitoring and oversight bodies to evaluate how effectively public expenditures are meeting citizen needs.

2. Service Provision and Delivery

Challenge: Ensuring that the voices and priority concerns of women and traditionally marginalized populations are heard in the design and delivery of public services.

Opportunities:
- **Inclusive public consultations.** Initiate and support regular public fora and consultations on public services. Strengthen the capacity of organizers to ensure that these sessions are gender equitable, accessible to all citizens, and provide a safe environment for expressing feedback. For example: schedule consultations at times when women are not required to be at home caring for their families; hold sessions in locations that are safe and accessible for women and persons with disabilities; provide childcare; have a diverse group of people hosting and facilitating the sessions; and if necessary, create a variety of closed consultations for women with female facilitators, or for people with disabilities, etc.

- **Inclusive feedback mechanisms.** Support the creation of transparent and accessible complaints mechanisms and grievance procedures that give people different options for how to provide feedback. For example, anonymous complaints or suggestion boxes, SMS or websites to log complaints or service problems, radio or television events for citizens to pose question to local leaders, and publicly displayed reports on spending, legislation, or services.

- **Civil society and government linkages.** Foster relationships between CSOs working to advance gender equality and minority rights, service-provision organizations, and government entities in order to help create and maintain open lines of communication regarding public service provision, delivery, and use.

- **Building local capacity for gender integration.** Train local officials and government service providers in gender analysis and gender-responsive budgeting, in order to better align community needs with resources and improve the efficacy of public spending.

- **Participation of civil society.** Build the capacity of local women's organizations and CSOs representing marginalized communities to more actively engage in official and unofficial consultation, planning, and implementation processes around public services.

- **Civil society monitoring of local government.** Strengthen CSOs' capacity to monitor public services and hold local government accountable. Such efforts may include community scorecards, public surveys, and direct solicitation of user feedback.

3. Decision-making and political participation

Challenge: Creating gender equitable and inclusive decision-making bodies.

Opportunities:
- **Affirmative measures.** Support efforts to conduct analysis and identify options with regard to affirmative measures (for example, quotas or reserved seats) to increase the number of women and traditionally marginalized communities in local decision-making bodies.

- **Supporting elected women at the local level.** Provide training and capacity building to local elected women to enhance their ability to effectively legislate, negotiate, advocate, provide oversight, raise their public profile, and better represent their constituents.

- **Gender audits.** Provide training to local governments to conduct gender audits to assess where strengths and weaknesses exist with regard to gender equality and inclusion. Build their capacity to take concrete steps to address areas of weakness and to create more inclusive governance bodies. This may include changing meeting locations, meeting times, revising recruitment and hiring policies, and/or instituting anti-sexual harassment policies and procedures.

Challenge: Increasing women's participation in local governance.

Opportunities:
- **Political parties.** Work with political parties to recruit, train, and support women as candidates, campaign managers, and party poll watchers. Support political parties in creating or revising policies to enact quotas or other special measures to promote gender equity and inclusion among their leadership and candidates. Build the capacity of political parties to engage in self-assessment and take action to create more equitable and diverse parties at the local level.

- **Supporting women to run for office.** Hold trainings or campaign schools for women and girls interested in running for local office. Trainings might target young women,

PROGRAM SNAPSHOT

In Cambodia, commune councils play an important role in local governance, resource management, public security, and public services. While the number of women commune councilors has increased in each of the three commune council elections since 2002, the overall percentage of women holding these positions remains very low. With support from the European Union, the Asia Foundation and Women for Prosperity have worked to build the capacity and confidence of women commune councilors from 106 communes so that

they are able to increase their effectiveness and influence on decision-making in their districts.

Through a series of participant-led fora on topics including land conflicts, divorce, violence against women, maternal health, and education, women councilors were able to share best practices and institutionalize a peer support network of women leaders. The project has also helped to strengthen the women's capacity to advance policies and secure resources critical to the needs of women and children in their communes.

Prior to the fora, only 60 percent of the participants reported having the confidence to express their opinions during council meetings. Afterwards, 97 percent said they were more confident and reported receiving additional committee assignments as the commune chiefs recognized their increased effectiveness.

Source: Samneang, Moul. "Cambodia's Local Women Leaders Take Charge," The Asia Foundation, March 6, 2013. http://asiafoundation.org/2013/03/06/cambodias-women-local-leaders-take-charge/

minority women, and/or women involved in community leadership or civil society, and could be complemented by public education campaigns encouraging greater civic participation among women and traditionally marginalized groups.

- **Mechanisms for inclusion and voice.** Promote the creation and/or strengthening of entities within local government to recruit, network, and promote women and traditionally marginalized groups. For example, identity-based caucuses, networking groups, or task forces.

- **Fostering inclusive public participation.** Support efforts by local governments and CSOs to create more open, transparent, and inclusive opportunities for diverse communities to participate in governance. This may include public fora, public hours in government offices, weekly radio or television programs with local officials, regular public meetings, and user surveys. As women may be disproportionately heads of household, particularly in poor urban areas, as well as the primary consumers of public services, they are well-placed to identify critical community development needs and develop appropriate responses. Launch initiatives that create a pipeline of future local government officials through mentoring or internship programs that are inclusive of or specifically target young women and girls.

- **Reduce gender-based barriers to participation.** Encourage the creation of local government-led programs to train and build the capacity of women, including those representing traditionally marginalized groups, to participate in local governance. Such programs should take into consideration differences in women's income, access to employment, literacy, education level, and time use in order to overcome barriers to women's participation in local governance.

- **Political Violence.** Study and combat politically motivated violence perpetrated against female candidates.

4. The Budget Process

Challenge: Creating gender-responsive budgets.

Opportunities:

- **Build capacity for gender-responsive budgeting (GRB).** Train national and sub-national government officials on why and how to implement GRB initiatives. Build the capacity of CSOs to engage in GRB initiatives and monitor government-led budget processes.

Challenge: Increasing citizen participation in the budget process.

Opportunities:

- **Building capacity for participatory budgeting.** Build capacity to launch and/or strengthen participatory budgeting processes at the local level. Train local governments and citizens on how to engage in participatory budgeting. Enhance the capacity of CSOs to engage actively in participatory budgeting initiatives and monitor government budgets. Support CSO efforts to raise public awareness and facilitate public participation in participatory planning and budgeting processes, with a particular focus on ensuring the participation of women, youth, and others who may face barriers to participation.

PROGRAM SNAPSHOT

In 2002, the city council of Cebu City and the provincial council of Cebu Province issued an anti-domestic violence ordinance. The ordinance was the first of its kind in the Philippines and enabled a victim residing in Cebu to file a case in court and have her abuser arrested. It also provided for protection orders to be implemented by the village officials. In an effort to close the gap between the newly enacted policy and its implementation, a network of women's groups in Cebu organized sessions across the province to raise public awareness of the law and its benefits, facilitate discussion among stakeholders about implementing the ordinance, and increase coordination between lawmakers, police, village officials, community leaders, women's groups and the judiciary.

As a result of the implementation of this locally-enacted ordinance, domestic abusers in Cebu are regularly held accountable, in contrast to much of the rest of the country. As a result of this success, other local authorities in the Philippines have adopted and implemented similar ordinances.

Source: UN-Habitat, Gender in Local Government: A Sourcebook for Trainers, Nairobi, Kenya, 2008, p. 108. http://www.un.org/womenwatch/directory/pdf/Source_BK_9-May.pdf

5. Safety and security

Challenge: Ending gender-based violence.

Opportunities:

- **Building local governance capacity to address GBV.** Enhance the capacity of local governments to take concrete steps to end gender-based violence (GBV). This may include: increased funding for anti-GBV efforts, training for police, judges, and healthcare workers; infra-structure changes to enhance safety and security; policies and procedures to identify and root out perpetrators of GBV within the context of public service provision; and strong legislation to prevent, investigate, and punish GBV.

- **Connecting government and CSOs to address GBV.** Foster relationships between local governments and CSOs working to end GBV to increase communication and better position these CSOs to inform and advocate on GBV issues.

- **GBV awareness raising.** Support local government initiatives to raise awareness of GBV, change attitudes about gender roles in society, and educate women about their rights and the services available to victims and survivors of GBV. Such initiatives may include television or radio programs, signs and billboards, or performing arts.

- **Supporting anti-GBV strategies at the local level.** Initiate and support efforts to develop and strengthen government-wide strategies to end GBV which may include coordinating efforts between the justice sector (including police, prosecutors, and judges), healthcare workers, legislators, public service providers, and government functionaries.

- **Building civil society capacity.** Build the capacity of CSOs working to advance gender equality and end GBV to advocate more effectively with local government. This may include monitoring local government compliance with national and international legal obligations, lobbying for increased funding for anti-GBV efforts, or pressing for accountability and transparency within the provision of public services.

SECTION III. Selected Resources

Ain't No Stopping Us Now: Women as Policy Makers. Abdul Lateef Jamal Poverty Action Lab (J-PAL) of the Massachusetts Institute of Technology https://www.povertyactionlab.org/sites/default/files/publications/43_Policy_Briefcase_1.pdf

Decentralization, local power, and women's rights: Global trends in participation, representation, and access to public services. Policy recommendations from the international conference, Mexico City, 2008. International Development Research Centre (IDRC) http://www.idrc.ca/EN/Documents/policy-recommendations-on-decentralization.pdf

Grassroots Women and Decentralised Governance: Change through Partnership. Huairou Commission http://huairou.org/sites/default/files/Grassroots%20Women%20and%20Decentralised%20Governance.pdf

Paris Local and Regional Governments' Global Agenda for Equality of Women and Men in Local Life (Paris Agenda). The Global Network of Cities, Local and Regional Governments (UCLG) Conference of Local Elected Women http://www.uclg.org/en/media/news/paris-agenda-asserts-role-women-local-policy-decision-making

State of Women in Cities 2012–2013: Gender and the Prosperity of Cities. United Nations Human Settlements Programme (UN Habitat) http://mirror.unhabitat.org/pmss/listItemDetails.aspx?publicationID=3457

MODULE 5 ENDNOTE

[1] For the purposes of this module, we use the most widely recognized and broadly encompassing term devolution to describe the range of processes and changes that entail a level of redistribution of responsibility from national to sub-national government units. It is important to note, however, that decentralization may take three main forms: deconcen-tration, delegation, and devolution. **Deconcentration** occurs when the national government reassigns responsibilities to the field offices of national ministries without placing these offices under the control of subnational governments. **Delegation** shifts responsibility for specifically defined functions to subnational governments or administrative units and can be used as a means of building the capacity of units in preparation for subsequent moves toward devolution. **Devolution**, the most expansive form of decentralization in which citizens have the greatest opportunity to participate in decision-making, requires subnational governments to hold defined spheres of autonomous action, which typically means the use of subnational elections. For a more in-depth analysis of forms of decentralization, please see USAID's Democratic Decentralization Handbook.

MODULE 6: INTEGRATING GENDER INTO POLITICAL PARTY DEVELOPMENT PROGRAMMING

Political parties are the primary mechanism through which women and men access political leadership and a key mechanism through which they engage in the political process and influence public policy.

The development of democratic, transparent, inclusive political parties is a vital element in building democratic societies in which diverse voices are heard and all people have an opportunity to meaningfully participate in electoral politics. However, while political parties are usually the gateway to political leadership, formal and informal barriers often exist that shut out and marginalize women and minority groups. When parties fail to be inclusive or gender sensitive in their policies and practices, they perpetuate inequality and sacrifice potentially important electoral advantages. When all people are fairly represented within the political system it provides a peaceful means to express concerns and preferences and ensures that government is responsive to all citizens. Important opportunities to foster such inclusion exist within parties' internal organization and governance structures as well as before, during, and after elections. This section looks at internal party structure. As political parties are largely focused on elections, and for the purpose of clarity, this section is divided into pre-electoral, electoral, and post-electoral periods. While some challenges and opportunities may be unique to one of these periods, many of them are relevant across all three and are most successfully implemented through consistent and continued effort throughout the electoral cycle.

SECTION I. Guiding Questions for Gender Analysis in Political Party Development Programming

Participation, Representation, and Leadership

- What is the history and current status of women's and LGBTI people's participation and leadership in political parties and the party system collectively? What differences exist in terms of opportunities and barriers among women of varying ages, ethnic or religious groups, or urban/rural backgrounds? How does this differ for poor, disabled, indigenous or LGBTI individuals? What differences in participation and barriers exist at different levels of decision-making, including between the local and national level of party structures? What role do women's wings play within the parties where they exist?

- To what degree do parties actively encourage the participation of women in meetings and other activities? For example, is childcare provided? To what extent are meetings held in locations that are both safe and (formally and informally) accessible for all members? Are meetings scheduled for times that generally do not interfere with family obligations such as caretaking, meal preparation, etc.? How do parties address security around their meetings and activities?

- Do female party members and activists face particular security challenges and/or distinct forms of discrimination?

Internal Policies and Practices

- Are there gender quotas or other affirmative measures, either mandated by law or voluntarily instituted by parties? How do these function? How well do parties adhere to them? How well are they enforced by government?

- What, if any, formal policies or practices exist within political parties and the party system that might create barriers to the meaningful participation of women or members of traditionally marginalized groups, such as discriminatory nomination criteria or the candidate selection process? What informal barriers exist, such as access to resources or training?

- What, if any, formal policies or practices exist within political parties and the party system as a whole that enable the meaningful participation of women or members of traditionally marginalized groups? What informal policies or practices exist?

- To what extent do the parties engage in self-assessment or review processes to gauge their level of internal equity and inclusion? To gauge the party's effectiveness in attracting and retaining diverse members?

- To what extent do parties have clear plans for identifying, promoting, and supporting female and/or LGBTI candidates? How well are these plans being implemented?

- To what degree do female and LGBTI members have equal access to training and international exchange opportunities?

Policy Platforms and Public Outreach

- What, if any, are the public positions of the parties on gender equality, human rights, and other related issues?

- What mechanisms do parties have in place to ensure they solicit and respond to the opinions of all of their constituents?

SECTION II. Integrating Gender into Political Party Development Programming: Challenges and Opportunities

1. Internal Party Structure

Challenge: Support the development of formal and/or informal policies and practices that enable women's equal participation and leadership and ensure parties are responsive to all constituents.

Opportunities:

- **Training and raising awareness.** Conduct sessions with party leaders to enhance their understanding of gender, discrimination, and inequality. Sponsor activities that deepen understanding of how women's participation and leadership benefits political parties and the potential electoral benefits of being more inclusive and supporting more female candidates. These could include meetings with party leaders from other countries, or briefings on public opinion surveys regarding support for female candidates.

- **Gender analysis.** Train party members and leaders to utilize gender analysis and conduct gender audits.

- **Internal assessments.** Work with parties to conduct comprehensive and systematic reviews of their formal and informal policies and practices to determine where they may be explicitly or implicitly discriminatory and how to revise them to be more equitable. Such an assessment should examine leadership, membership, recruitment, training, meetings and activities, policy position development, safety and security, etc.

- **Exchanges.** Create opportunities for international exchange and peer learning between like-minded parties to share experiences and strategies on increasing gender equality and inclusive participation.

PROGRAM SNAPSHOT

In 2003, the National Democratic Institute for International Affairs (NDI) convened an international working group of women political party leaders from 27 countries to identify how best to establish mechanisms within political parties that enhance opportunities for women. This global forum examined political party structures that have encouraged more active leadership roles for women, candidate recruitment and training programs, successful outreach efforts, fundraising and communication opportunities, and avenues for influencing government policies. From this forum, and in recognition that the meaningful inclusion of women is integral to vibrant democratic development and strong political parties, NDI launched the Win with Women Global Initiative to promote strategies for increasing women's political leadership worldwide. The anchor of this initiative is the Global Action Plan (GAP), a document that outlines practical recommendations for political parties to broaden their appeal by addressing women's role as voters, candidates, party activists and elected officials. The GAP, which includes the experiences and advice of women political party leaders from around the world, offers practical recommendations on policies and practices which parties can adopt to promote women's participation and establish more representative, credible, and relevant organizations. The Win with Women Global Action Plan provides the many activists, political parties, civic organizations, and intergovernmental institutions that have signed onto it with a template to improve women's access to political leadership and participation within political parties.

Source: "Win with Women Newsletter," National Democratic Institute. https://www.ndi.org/winwithwomen

- **Training participation.** Require parties participating in trainings or events to send an equal or equitable number of female and minority group members to demonstrate the importance and value of inclusive representation.

- **Platform development.** Support parties to institute more inclusive methods of developing policy positions, including mechanisms for strong and consistent two-way communication with female constituents, youth, LGBTI communities, and ethnic minority groups. These might include conducting polling and focus group discussions that involve diverse groups of constituents, as well as civil society organizations.

- **Empowerment mechanisms.** Provide targeted support to parties to create mechanisms to empower women and minorities within the party. These mechanisms may include quotas, women's wings, leadership development programs, training and funding structures for women candidates, or membership development programs to increase the participation of targeted groups.

- **Capacity building.** Conduct capacity building for entities such as women's wings, affinity groups, and identity-based caucuses so that they are better equipped to participate meaningfully in party leadership and decision-making. Provide networking opportunities and train women and minority group members to develop practical skills such as budgeting, research and fundraising. Setting membership goals within specific communities or building intra-party coalitions may also be useful strategies.

- **Tailored trainings.** Ensure that training provided to party members and leadership is responsive to the interests and needs of both male and female members.

2. In the Pre-Election Period

Challenge: Facilitate equal access to candidacy.

Opportunities:

- **Supporting women candidates.** Train parties on why and how to identify women and minority candidates and on how to support them effectively with training, funding, access to opportunities and resources, and favorable positions within party lists or districts. Provide technical assistance on setting targets for the number of female candidates. Conduct leadership development and candidate training programs that target a wide range of women and girls and LGBTI individuals, including those from rural areas, indigenous groups, or with disabilities. Work with parties to combat the phenomenon of politically motivated violence against women candidates.

- **Networking and coalition building.** Support partnerships and coalitions between political party members, women leaders, and CSOs focused on gender equality or women's leadership to create a larger networking, support, and advocacy network for female candidates or pre-candidates. Support the development of women's cross-party networks.

PROGRAM SNAPSHOT

When Serbia's G17 Plus party was formed in 2002, a small group of women within the party sought to ensure that women would play a significant role. They engaged international organizations to provide trainings for women members on topics such as gender awareness, communications, and negotiation. A handful of the most active participants were then appointed as regional network coordinators and charged with recruiting more women; these women spearheaded the creation of the G17 Plus's women's wing. This approach created a strong grassroots constituency for the women's wing that was both useful to the party and put the women in a stronger bargaining position with the largely male party leadership. The leadership of the women's wing then persuaded the G17 Plus to reform the party bylaws to recognize the wing as a formal party structure. Shortly thereafter, the women's wing began to advocate for additional measures to ensure that more women succeed in winning public office. They successfully lobbied party leadership to ensure that women candidates be in high positions on the party lists, arguing that bringing more women into office and into party leadership would help secure the support of greater numbers of women and attract more potential voters to the party. The women's wing has obtained party funding for trainings and workshops for women candidates and activists and has supported and nominated women to the local government-created gender equality commissions.

Source: "Serbia: Women's Wing Mobilization for Political Change," Empowering Women for Stronger Political Parties, UNDP & NDI, February 2012. p. 99–100. http://www.undp.org/content/dam/undp/library/gender/gender%20and%20governance/EmpoweringWomenFor%20StrongerPoliticalParties.pdf

Challenge: Support parties to build a diverse and representative base.

Opportunities:

- **Platform development.** Conduct public policy and platform development sessions with party leadership to enhance their ability to develop positions and messages that resonate with diverse communities and promote inclusive democracy.

- **Outreach.** Strengthen parties' capacity to set targets and create strategies for effectively reaching out to diverse groups to engage them actively in the party. This could include analysis to identify what different strategies may be needed to ensure they are able to reach certain groups, for example rural women, persons with disabilities, LGBTI individuals, or indigenous peoples.

3. In the Election Period

Challenge: Ensure equitable support for female candidates.

Opportunities:

- **Accountability.** Hold parties accountable to candidate quota laws or voluntary targets and campaign support commitments. Combine informal methods, such as working with media, civil society, and party leadership, with formal methods, such as working with electoral management bodies, to encourage compliance.

- **Public education.** Provide support to public education or media campaigns promoting the role of women in politics and addressing discrimination against female candidates.

- **Supporting female candidates.** Conduct campaign training and capacity building for female and minority candidates and campaign managers and staff. Sponsor regional or international exchange and peer learning opportunities for female and minority candidates to further develop both their confidence and capacity. While each political context is unique, there are lessons and strategies to be shared by female and minority candidates around the world.

- **Funding.** Support the creation of party funding mechanisms and campaign funding networks for women and minority candidates. This should include making available resources to train and deploy poll watchers in districts where women candidates are on the ballot.

Challenge: Ensure parties reach out to women and minority voters in an effective way.

Opportunities:

- **Internal assessments.** Build the capacity of the party to identify and analyze their strengths and weaknesses and why they may be failing to attract support among women and minority groups.

- **Outreach.** Provide technical and financial support to parties to develop effective campaign outreach plans that reach women, people with disabilities, ethnic/religious minorities, LGBTI individuals, youth, and indigenous communities, including messaging, logistics, and member/volunteer coordination. Women, youth, and others are more likely to give their votes and support to political parties in which they see their interests, voices, and faces most visibly represented.

- **Identity-based entities.** Support the development of identity-based entities, such as a women's wing, an LGBTI or disabled people's caucus, or indigenous people's task force, within the party to create greater internal pressure and support for outreach to and integration of women and members of minority communities. During the

PROGRAM SNAPSHOT

The Network of NGOs of Trinidad & Tobago for the Advancement of Women, a national umbrella organization for women's organizations in the country, has trained female potential candidates from across party lines in a training session called "Train, Run, Win and Lead." The project trains current and prospective women candidates at the municipal and national level, as well as youth and activists. The project's first goal is to develop women's capacity to compete and effectively maneuver in the political system by educating them about their rights to equal access and full participation in power structures and decision-making. Secondly, it aims to advance inclusive and participatory governance, including increased capacity for gender sensitive planning at the municipal and national level. The Network also offered technical assistance to women candidates vying for national party leadership and their campaign teams. In the program's first 18 months, the representation of women in local councils increased from 29 to 33 percent, and there had been an unprecedented challenge by women for the leadership of all four national parties.

Source: "Trinidadian Women Gain Ground at the Ballot Box," UN Women, June 27, 2014.
http://www.unwomen.org/en/news/stories/2014/6/trinidad-and-tobago

pre-electoral period, these entities can also play an important role in recruiting and advancing women and minority candidates and interests.

Challenge: Support equitable opportunities for participation of party members in electoral events.

Opportunities:

- **Electoral Participation.** Encourage parties to engage women and representatives of traditionally marginalized groups in the electoral process as campaign workers and party poll watchers at polling stations, and provide needed trainings.

4. In the Post-Election Period

Challenge: Ensure equitable, ongoing support to all party members.

Opportunities:

- **Professional development.** Provide—and incentivize and assist parties to provide—training and professional development for newly elected women members and those representing traditionally marginalized groups to enhance their networking, advocacy, public speaking, fundraising and coalition-building skills. These groups may not have had as much access to the training and political opportunities that help elected officials to be successful in their positions. Build women's policy skills in influential areas that may be viewed as "non-traditional," such as technology, defense, and finance.

- **Networking.** Encourage and support efforts to build and expand women's coalitions, caucuses, and programs that promote partnerships between party activists and elected women in order to consolidate and amplify women's influence within the party and build a pipeline of women within the party ready to contest elections.

Challenge: Support parties to remain relevant to diverse constituencies between elections and consider opportunities for more inclusive approaches in the future.

Opportunities:

- **Party lessons learned.** Build the capacity of parties to analyze and integrate the lessons learned from elections into their future plans and programs, particularly as related to women candidates and voters and their party platform and messaging.

- **Self-assessments.** Encourage and train parties to engage in self-assessments examining party policies and practices and assessing strengths and weaknesses related to gender

and minority groups. Train party leadership how to build on their strengths and address areas of weakness to maximize electoral advantage.

- **Candidate lessons learned.** Encourage and facilitate both successful and unsuccessful female and minority candidates to evaluate their campaigns to extract and share lessons learned and good practices and to begin laying the groundwork for future campaigns.

- **Legislative drafting.** Provide technical support to parties, women's caucuses, and other coalitions on using gender analysis to draft and/or review legislation to ensure that it is gender-sensitive and advances inclusive governance.

- **Civil society relations.** Conduct activities to create and strengthen formal and informal relationships between political parties and civil society organizations working to advance human rights and gender equality.

SECTION III. Selected Resources

Assessing Women's Political Party Programs: Best Practices and Recommendations. National Democratic Institute (NDI)
http://www.ndi.org/files/Assessing-Womens-Political-Party-Programs-ENG.pdf

Best Practices Used by Political Parties to Promote Women in Politics, Consolidated Response. International Knowledge Network of Women in Politics (iKNOW Politics)
http://iknowpolitics.org/sites/default/files/cr20best20practices20used20by20political20parties20to20promote20women20in20politics20en.pdf

Democracy and the Challenge of Change: A Guide to Increasing Women's Political Participation. NDI
http://www.ndi.org/files/Democracy_and_the_Challenge_of_Change.pdf

Empowering Women for Stronger Political Parties: A Guidebook to Promote Women's Political Participation. United Nations Development Programme (UNDP) and NDI
http://www.undp.org/content/dam/undp/library/gender/gender%20and%20governance/EmpoweringWomenFor%20StrongerPoliticalParties.pdf

Promoting Women's Participation in Political Parties. Organization for Security and Co-operation in Europe/ Office for Democracy Institutions and Human Rights (OSCE/ODIHR) http://www.osce.org/odihr/120877?download=true

MODULE 7: INTEGRATING GENDER INTO ELECTORAL PROCESSES PROGRAMMING

Free and fair elections are a defining feature of democracy. They represent both a critical opportunity for citizens to engage in the political process and a primary means of holding governments accountable. Elections are not one-day events but processes, which include the periods before, during, and after election day.

The electoral process provides an opportunity for political parties, citizens, and civil society organizations to influence the composition and direction of representative institutions and public policy. Because elections are pivotal to power and decision-making, it is particularly important to ensure that all people are able to fully and meaningfully exercise their human rights, including the right to elect their representatives and to be elected, and to fully participate in all aspects of the electoral process. Important opportunities exist to dismantle formal and informal barriers to the full electoral participation of women, youth, and other groups through the legal framework, electoral administration and oversight, political parties, and by reviewing the informal practices surrounding voting. Such interventions expand the franchise, promote gender equality and human rights, and help further inclusive democracy in support of our objectives under USAID's DRG Strategy.

SECTION I. Guiding Questions for Gender Analysis in Electoral Processes Programming

Legal Framework

- What is the legal framework that exists around elections and electoral processes? In what ways does the legal framework promote or discourage the participation of women, youth, persons with disabilities, members of ethnic or religious minorities, LGBTI, or indigenous people?

- What quotas or other affirmative measures exist? Are political parties in compliance with existing legislation on such measures? If stipulated in the law, does the government consistently apply any penalties or incentives related to compliance?

Access, Participation, and the Electoral Environment

- What formal or informal barriers exist that prevent women or other groups or individuals from fully participating as voters, activists, candidates, election observers, poll workers, or election administrators? What disparities related to gender, age, or other factors exist that affect voter education or mobilization, voter registration, access to polling places or casting of ballots? What accounts for them?

- What access do women candidates and candidates from traditionally marginalized groups have to the media? How are women candidates portrayed in the media?

- What is the prevalence of electoral violence? What forms does it take? For example, is there violence against women, LGBTI individuals, or representatives of traditionally marginalized groups around elections? What particular security or other risks do women face as voters, activists, candidates, election observers or election administrators?

- In conflict contexts, where elections are often one part of a larger peace process, are women leaders sufficiently represented and engaged in these processes?

- To what extent are the civil society organizations (CSOs) engaged in electoral processes programming inclusive in their membership and leadership composition? To what extent are they gender-responsive in their work and activities? In what ways are CSOs that work to advance gender equality or women's rights engaged in election-related work?

Electoral Administration and Oversight

- To what extent are electoral management bodies represen-tative and inclusive? What types of policies and practices do electoral management bodies have in place to encourage participation among diverse communities?

- What types of grievance systems and protocols in place? How effective are they and to what extent are they well-publicized and accessible to women and representatives of other traditional marginalized groups?

- How do domestic and international election observation missions (EOM) integrate gender throughout their observation, both in the composition of the EOM and in its analyses of electoral processes? Does the EOM include a gender advisor? Do EOM members receive training in gender-sensitive observation prior to deployment? Are gender-related observations adequately detailed in observer reports?

Political Parties

- What types of policies and practices do political parties have in place to promote the participation of women and minority communities as activists, candidates, and poll watchers?

- How are candidates selected by the political parties? Are nomination processes transparent and are women, youth, and other historically marginalized groups encouraged to run? Do parties employ affirmative measures (such as internal quotas) to facilitate candidacies from these groups?

- What type of support is provided to candidates for campaigning and poll watching? See Module #6: Integrating Gender into Political Party Development Programming for additional guiding questions for gender analysis related to political parties.

"The most effective [Electoral] programmes address gender issues from the outset and during needs assess-ments and programme formulation, adapt the electoral cycle approach in planning programme interventions, integrate gender considerations at all stages and in all the structures and have a dedicated budget for gender mainstreaming."

—UNDP, 2014

SECTION II. Integrating Gender into Electoral Processes Programming: Challenges and Opportunities

1. Within the Legal Framework

Challenge: Ensuring full enfranchisement for all.

Opportunities:

- **Gender analysis of legal framework.** Train stakeholders, including government officials, election administrators, politi-cal parties, and civil society organizations, to conduct gender analyses of the constitution, electoral law, political party law, relevant international and regional treaties, and other appli-cable laws that constitute the legal framework for electoral and political processes to determine where inequality exists, written into the law and/or as a consequence of a law.

- **Legal reforms.** Provide technical assistance to ensure that electoral laws or other components of the legal framework take gender into consideration and ensure equal participa-tion by all citizens. This might include providing comparative analysis regarding the impact of different electoral systems on participation or facilitating sharing of lessons learned between countries.

- **Civil society advocacy.** Support and provide technical assistance to civil society organizations and coalitions advo-cating for reforms to the legal framework to increase gender equality and inclusion in electoral and political processes.

- **Diplomatic engagement.** Collaborate with the Embassy and others to leverage diplomatic interventions, where appropriate, to discourage draft law provisions that would create formal or informal barriers to inclusion in electoral processes. Similarly, utilize diplomatic channels, where appropriate, to encourage creation or passage of draft law provisions to expand the franchise or create more inclusive electoral and political processes.

2. Within the Electoral Administration

Challenge: Creating electoral management bodies (EMBs) that are representative and inclusive.

Opportunities:

- **Gender analysis of electoral administration.** Train EMB officials and staff to use gender analysis to identify ways that inequality and discrimination affect participation in electoral processes and to assess current policies and procedures. Voter registration, voter education, and access to and safety at polling stations are all key areas that should be examined to ensure that they are gender-responsive and inclusive.

- **Gender integration within EMBs.** Support electoral management EMBs to increase gender equality and inclusion among personnel, including temporary personnel such as polling station workers, and within their policies and activities. For example, supporting an embedded gender advisor could help an EMB to identify and enact needed reforms through programming and support for increasing women's participation and leadership within institutions themselves.

- **Advocacy coalitions.** Build coalitions or partnerships between CSOs, political parties, and government officials to encourage EMBs to be more representative of the population and more inclusive of women and marginalized communities, and to enable universal access to voting.

Challenge: Establishing effective electoral dispute resolution processes that are accessible to all.

Opportunities:

- **Inclusive design of electoral dispute resolution procedures.** When supporting the creation of grievance or complaint processes, ensure that they are developed with input from citizens who may face particular challenges in voting, including women, youth, LGBTI individuals, persons with disabilities, and minority groups. Provide technical assistance and comparative examples of accessible, responsive processes.

- **Reviewing existing dispute resolution procedures.** Encourage and provide technical assistance to EMBs to review existing grievance procedures, solicit input from diverse communities, and make changes to existing procedures to make the complaint process more accessible, transparent, and responsive.

- **Facilitating feedback.** Encourage and expand the capacity of CSOs to solicit community feedback and engage with election administrators to review and revise existing complaints processes.

- **Educate electoral stakeholders about electoral dispute resolution procedures.** Ensure that women candidates and their campaign teams understand grievance procedures and encourage political parties to provide equitable legal and financial support to women candidates to file complaints.

PROGRAM SNAPSHOT

The International Foundation for Electoral Systems (IFES) is working with Burma's Union Election Commission (UEC) and CSOs to increase voting among persons with disabilities and women. In 2013, IFES led a gender and elections workshop for CSOs in which participants identified opportunities across the electoral cycle for increasing women's participation in the process, including voter registration and education and election-day procedures. The UEC integrated the results into their strategic plan. The UEC then met with disabled people's organizations (DPOs) to review the draft strategic plan and identify measures to strengthen the accessibility and inclusiveness of the electoral process. A simulation in which UEC representatives role-played as voters with disabilities helped raise their awareness of access issues in polling station design and prompted a commitment to address them before the next election. The UEC then held consultations on the draft strategic plan with women's groups, DPOs, CSOs and registered political parties providing feedback. The strategic plan now includes a pillar specifically dedicated to inclusion, as well as a crosscutting focus on access for women, persons with disabilities, and ethnic minorities across the plan's 12 pillars.

Source: "Myanmar's Election Commission Takes Steps to Achieve Gender Equality and Include Voters with Disabilities," International Foundation for Election Systems (IFES), March 20, 2014. http://www.ifes.org/news/myanmars-election-commission-takes-steps-achieve-gender-equality-and-include-voters

3. Within Political Parties

Challenge: Promoting women within political parties.

Opportunities:

- **Internal assessments and reforms.** Provide technical assistance to political party leaders to assess and strengthen internal party structures, policies, and procedures to reduce barriers to women's participation and foster gender equality.

- **Supporting women candidates.** Sensitize party leaders on why and how to identify women candidates and those representing traditionally marginalized groups and on how to support them effectively with training, funding, access to opportunities and resources, and favorable positions within party lists or districts.

- **Election oversight/participation.** Provide support to political parties to recruit and train women as party poll watchers. Not only does this increase women's participation through political parties, but it may also enhance women's security at polling stations and identify specific barriers to women voting.

- **Party leadership.** Work with political parties to identify, recruit, and train women within the party to compete effectively for internal elected leadership positions

Challenge: Strengthening political parties' compliance with any affirmative measures required by law.

Opportunities:

- **Supporting compliance.** Provide technical assistance to parties on adherence to such laws, including recruiting, training, and supporting female candidates for elected positions.

- **Accountability.** Build the capacity of relevant government bodies to hold parties accountable to any affirmative measures required by law and to effectively implement any incentives or penalties.

- **Civil society monitoring.** Encourage and build the capacity of civil society to monitor and advocate for political parties' compliance with any existing quota laws or other affirmative measures.

PROGRAM SNAPSHOT

In Burkina Faso in the early 2000s, women party and civic activists mobilized around the creation of gender quotas. Shortly thereafter, in the 2002 and 2007 parliamentary elections, the ruling Congress for Democracy and Progress (CDP) party adopted a voluntary 25 percent internal quota for women on party lists. For the 2006 local elections, the CDP adopted a 50 percent internal quota for its candidate lists in rural areas, which doubled women's representation as local councilors. Women's CSOs then began a campaign to pass a legal quota that would be binding for all political parties. Their multi-pronged campaign included lobbying political leaders, public demonstrations, strengthening ties with international organizations, media campaigns, and workshops for men and women parliamentarians on why the quotas were needed. They overcame resistance to the quota through partnership with male allies in Parliament, persuading parties the quota would be an effective way to strengthen their base, and opting to use "gender neutral" language in the law. Ultimately, parliament passed a mandatory quota law in 2009, requiring party lists to ensure no less than 30 percent of candidates are of either sex. Parties that do not respect the law lose 50 percent of their allocated public funding for election campaigns. Parties reaching 30 percent of women elected to the National Assembly or local councils are rewarded with double the financing.

Challenge: Increasing funding for women candidates.

Opportunities:

- **Funding for women candidates.** Encourage political parties to earmark campaign financing for women candidates

- **Fundraising networks.** Facilitate the creation of multiparty or non-partisan fundraising networks for women candidates by sharing best practices, recommendations, lessons learned, and comparative examples of existing women's funding networks and successful fundraising strategies.

4. Within Voter Registration, Education, and Access

Challenge: Remedying discriminatory laws, policies, or practices that have the intent or effect of disenfranchising certain groups.

Opportunities:

- **Assessing current practices.** Support and provide technical assistance to CSOs, political parties, and government representatives to collect feedback from a diverse range of citizens and analyze the policies and practices surrounding voter registration, education, and access to voting to determine where barriers and inequalities exist. For example, voter registration laws are often particularly problematic for women, transgender people, people with disabilities, and indigenous communities. Voter registration usually requires identification documents that these groups are disproportionately less likely to have due to inequalities in access and literacy, discrimination, and poverty. Interventions that make it easier for diverse communities to obtain identification documents increase access to voting. At the same time, laws that require people to vote at the location on their identification card can also disproportionately affect women, who in many countries are more likely to move when they get married. Allowing flexibility in polling locations or providing provisional ballots for such cases may better ensure that women are not disenfranchised.

- **Remedying barriers.** Provide training and technical support for CSOs, parties, and government representatives on ways to minimize or remove such barriers and inequalities by revising policies and processes or instituting measures to increase voter turnout among marginalized groups. Access to polling stations, for example, may be discriminatory in practice if they are not accessible to persons with disabilities, if they are not open during times when women are able to be there, or if voting for women requires female election administrators and there are none present. Opening more polling places, relocating existing stations, assigning mixed sex election administrators, and extending or changing voting hours are all changes that enable more and different groups of people to vote.

- **Voter education.** Support voter education efforts designed to reach diverse communities. For example, voter education efforts should be available in a variety of languages, and be disseminated through a variety of media. Survey data

PROGRAM SNAPSHOT

In Bolivia, the Anti-Gender Based Harassment and Violence in Politics Act was enacted to "defend and guarantee the enjoyment of political rights by female political candidates—incumbent and elected—and to guarantee a legal framework and set penalties for individual and collective harassment and political violence." The law compensates for social imbalances while addressing procedural issues that may restrict women's rights within the electoral process. The law establishes penalties for perpetrators of political acts of harassment and violence against women candidates and elected officials, including administrative, civil, and criminal measures, and under it, offenders may be temporarily or permanently barred from public office. It offers substantive definitions of key issues of harassment and violence, including gender-specific elements such as exerting pressure on a female candidate's family to prevent her from exercising her rights and duties; dictates that resignations tendered by elected women officials are valid only if the woman in question appears in person before the National Electoral Court, to counter cases of woman being forced to sign resignations under duress; and responds to the specific nature of political violence against women in Bolivia by targeting legal protection where violations are most likely to occur—in this case, at the municipal council level.

Source: Best Practices in Electoral Security: A Guide for Democracy, Human Rights, and Governance Programming, USAID, January 2013, p. 35. http://www.usaid.gov/sites/default/files/documents/2496/Electoral_Security_Best_Practices_USAID.pdf

should be used to determine how men and women receive information (differences in literacy, mobility, and access to resources may affect this) and voter education efforts should be tailored accordingly. Support voter education efforts that feature faces and voices that resonate with the target community and depict women, men, youth, and persons with disabilities participating in voting. Voter education materials also provide an opportunity to model women's participation in other roles by showing them as candidates, poll workers, journalists, etc.

- **Polling station access.** Build the capacity of stakeholders, including EMBs, CSOs, and political parties, to analyze gaps in polling station access and security and take steps to improve them. Women, people with disabilities, members of indigenous and LGBTI communities, and religious or ethnic minorities are often more likely to be turned away at polling places, harassed, intimated into voting a certain way, and to face violence while attempting to exercise their right to vote. Educating election officials and observers on the ways that such harassment manifests itself and how to prevent it preserves equitable access and protects the integrity of the vote.

- **Election observation.** Support domestic and international election observation efforts that fully integrate gender into both short- and long-term observation activities. This includes: including at least one gender and/or inclusion expert as part of the core observation team; ensuring the election observation mission is gender diverse; training observers to identify and report on gender and human rights-related issues such as political violence against women, disparities in access to voting, and rates of participation by women and men; deploying mixed sex observation teams; and ensuring that resulting reports address such issues.

- **Media training.** Provide training to members of the media to enhance their understanding of the formal and informal barriers that may exist for women and vulnerable groups within electoral processes so that they are better able to produce well-informed, gender-sensitive election reporting.

5. Within the Security Framework[1]

Challenge: Preventing and responding to electoral violence.

Opportunities:

- **Legal framework.** Support the creation, passage, and effective implementation of a strong anti-gender based violence (GBV) legal framework that identifies violence against women during the electoral process as a form of GBV, outlines prevention and reporting mechanisms, and establishes penalties for such violence.

- **Raising awareness.** Build awareness among stakeholders, including law enforcement officials, political parties, EMBs, CSOs, media, and the public, of the particular ways in which women and minorities may be targeted and at risk of violence during the electoral period. This may include violence, harassment, and intimidation targeting women and vulnerable groups as voters, campaign workers or volunteers, candidates, party poll watchers, non-partisan election observers, election administration staff or journalists.

- **Coalition building.** Facilitate coalition building between organizations working on elections and electoral security and those working on gender equality and GBV in order to better integrate gender and GBV issues into elections and electoral security programming.

- **Capacity building for EMBs.** Provide technical assistance to EMBs to create and implement effective laws, policies, and procedures to prevent and respond to GBV during elections.

- **Capacity building for law enforcement officials.** Provide technical assistance to educate officers on the electoral laws, policies, and procedures and their role in preventing and responding to GBV during elections.

- **Codes of conduct.** Encourage the creation and widespread use of codes of conduct among political parties to minimize violence, intimidation, and corruption during the electoral period.

- **Public education.** Sponsor public education campaigns to raise awareness about the laws surrounding electoral violence, grievance procedures, and women's rights during the electoral period.

- **Reporting using ICTs.** Support the creation and widespread use of information and communication technologies (ICTs) to provide rapid, anonymous reporting of electoral violence.

- **Observation.** Encourage domestic and international election observation missions to report on violence against women during elections.

SECTION III. Selected Resources

Democracy and the Challenge of Change: A Guide to Increasing Women's Political Participation. National Democratic Institute (NDI) http://www.ndi.org/files/Democracy_and_the_Challenge_of_Change.pdf

Designing for Equality: Best-fit, medium-fit and non-favourable combinations of electoral systems and gender quotas. International Institute for Democracy and Electoral Assistance (IDEA) http://www.idea.int/publications/designing_for_equality/upload/Idea_Design_low.pdf

EMILY'S List. www.emilyslist.org

Empowering Women for Stronger Political Parties: A Guidebook to Promote Women's Political Participation. United Nations Development Programme (UNDP) and NDI http://www.undp.org/content/dam/undp/library/gender/gender%20and%20governance/EmpoweringWomenFor%20StrongerPoliticalParties.pdf

Equal Access: How to Include Persons with Disabilities in Elections and Political Processes. International Foundation for Electoral Systems and National Democratic Institute. http://www.ifes.org/sites/default/files/equal_access_how_to_include_persons_with_disabilities_in_elections_and_political_processes_2.pdf

Handbook for Monitoring Women's Participation in Elections. Organization for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR) http://www.osce.org/odihr/elections/13938?download=true

Manual for Incorporating a Gender Perspective into OAS Electoral Observation Missions (OAS/EOMs). Organization of American States (OAS) http://www.oas.org/es/sap/deco/pubs/manuales/Manual_gender_e.pdf

Promoting Gender Equality in Electoral Assistance: Lessons Learned in a Comparative Perspective 2011–2013. United Nations Development Programme (UNDP) http://www.undp.org/content/undp/en/home/librarypage/democratic-governance/electoral_systemsandprocesses/promoting-gender-equality-in-electoral-assistance0.html

The Quota Project: A Global Database of Quotas for Women. International Institute for Democracy and Electoral Assistance (IDEA), Stockholm University, and Inter-Parliamentary Union (IPU) http://www.quotaproject.org/

Women and Elections: Guide to Promoting the Participation of Women in Elections. United Nations Office of the Special Advisor on Gender Issues and the Advancement of Women (OSAGI) and the Electoral Assistance Division of the Department of Political Affairs (EAD) http://www.un.org/womenwatch/osagi/wps/publication/WomenAndElections.pdf

#NotTheCost: Stopping Violence Against Women in Politics Call to Action Plan. National Democratic Institute. https://www.ndi.org/not-the-cost

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MODULE 7 ENDNOTES

[1] For a more comprehensive discussion of electoral security, please refer to Best Practices in Electoral Security: A Guide for Democracy, Human Rights, and Governance Programming http://www.usaid.gov/sites/default/files/documents/2496/Electoral_Security_Best_Practices_USAID.pdf

MODULE 8: INTEGRATING GENDER INTO ANTI-CORRUPTION AND ACCOUNTABILITY PROGRAMMING

Corruption is defined by Transparency International as "the abuse of entrusted power for private gain" (Plain Language Guide, 2009), and is a major obstacle to democracy that erodes both the health of institutions and the public's confidence in them. By weakening democratic and representative institutions, corruption also compromises sustainable development and reinforces inequality.

While more research is needed on gender and experiences of corruption, it is understood that individuals and communities who are already vulnerable and/or marginalized within society are more vulnerable to corruption and that the way men and women experience corruption may differ. Women are disproportionately affected by corruption. First, women often have limited access to decision-making; corruption undermines a level playing field for women and men in decision-making roles. Second, women's civil rights are often grossly inequitable and not protected when it comes to key social, political, and economic issues. As a result, women therefore tend to rely more heavily on public services, have more frequent interaction with public service providers, and face increased risk

of exploitation by corrupt state actors. This also holds true for persons with disabilities; lesbian, gay, bisexual, transgender, and intersex (LGBTI) individuals; and other traditionally marginalized groups. These individuals may be more likely to face demands for bribes, suffer from sexual exploitation, be trafficked, and/or face greater barriers to seeking accountability. At the same time, men may be more likely to encounter corruption in the economic or business sphere, and may face pressures to engage in corruption due to expectations around serving as the sole provider for their families. It is clear that transparency and gender-responsive accountability systems are necessary both to end corruption and to ensure equality of access, services, and justice for all people. Integrating gender into anti-corruption and accountability systems strengthens representative institutions and helps further inclusive democracy, in support of our DRG objectives.

SECTION I. Guiding Questions for Gender Analysis in Anti-Corruption and Accountability Programming

Legal Framework and Accountability Structures

- To what extent does the legal framework create conditions that may exacerbate corruption faced by traditionally marginalized populations?

- What mechanisms or processes exist by which individuals who have experienced corruption may seek redress? If so, to what extent do these mechanisms address the distinct ways in which different people experience and are impacted by corruption?

- How inclusive are vertical accountability systems, or systems that enable the public to hold public officials accountable? Are women and other traditionally marginalized individuals able to access and fully participate in these systems to make their voices heard and demand accountability of public officials?

- How gender-responsive and inclusive of traditionally marginalized groups are existing diagonal or social accountability mechanisms, such as budget expenditure tracking, citizen advisory boards, social audits, or public policy consultations?

- What mechanisms are in place for citizen consultation on the provision and delivery of public services? To what extent are these mechanisms gender equitable and accessible to all members of the community?

- How inclusive and gender-sensitive are existing processes and policies—including grievance and compliance processes—to ensure transparency and accountability in service delivery, including healthcare, education, justice systems, and public utilities? For example, if grievances are submitted in person in an office, can women and men both access it conveniently and safely?

- In each sector or function, are there significant differences in the impact of corrupt practices on men and women in terms of degraded public services, lost income, etc.? What are those differences?

- How is gender (in)equality and gender based violence (GBV) addressed by the government and public agencies? For example, what kind of legislation, initiatives, programs, or strategies exist to promote equality and end GBV? What kind of internal oversight mechanisms within government agencies and external monitoring by civil society and media exist to ensure government adherence to its gender equality obligations and commitments?

- How and to what extent do the media address issues of gender, access, and inclusion in coverage of transparency, corruption, and accountability?

- How prevalent is trafficking in persons (TIP), and what forms of trafficking exist? To what extent is TIP integrated into anti-corruption and accountability efforts?

- To what extent is gender equality incorporated into the policies, practices, and performance evaluations of public administrators and agencies?

- How, if at all, do governments engage in gender-responsive budgeting? What portion of the budget is allocated to advancing gender equality or meeting the needs of women and girls? How does civil society engage in the budget process?

- How do civil society organizations (CSOs) advocating for greater accountability and transparency integrate gender and inclusion into their work?

Experience, Perceptions, and Awareness

- What is the general level and understanding of corruption in the country and what types of corruption are most prevalent?

- What are the differences in how diverse groups of citizens experience corruption? Are there differences for men and women? What are the experiences of persons with disabilities, LGBTI individuals, indigenous persons, or ethnic or religious minorities? What factors encourage and discourage these diverse groups of citizens from seeking justice and accountability?

- What are public perceptions of corruption? How do these perceptions vary among and between demographic groups?

- To what degree and in what forms does sexual exploitation/sextortion[i] occur? What is the level of awareness of this issue among the public and government officials?

Participation and Representation

- In each sector or function, are there significant differences in gender participation in citizen advocacy aimed at controlling corrupt practices?

- To what degree are women and members of traditionally marginalized communities equitably represented in decision-making and local governing bodies? What mechanisms, such as quotas and anti-discrimination policies, do governments and political parties have in place to encourage diversity and inclusion within decision- and policy-making bodies?

- Can program options be developed that promote equitable gender participation in combating corruption and build on unique interests and opportunities for men and women to participate?

The gender sensitivity of anti-corruption operations can be evaluated by asking the following questions:

- Are agencies **aware that gender differences** (in the division of labor, rights, responsibilities and access to resources) may underlie attitudes to corruption? Do they **incorporate gender differences** in their policies?

- Do they have **distinct advocacy programs** for men and women?

- Do they **monitor differences** in the way their programs harm or benefit men and women and the rights of men and women?

- Do they **apply the findings of gender research** in their policies and operations?

- Do they **monitor and evaluate** their policies and operations **in terms of gender**, in order to understand the extent to which the organization addresses the different needs of women and men?

Source: "Integrating Human Rights in the Anti-Corruption Agenda: Challenges, Possibilities, and Opportunities," International Council on Human Rights Policy and Transparency, Geneva, Switzerland, 2010, p. 60. http://r4d.dfid.gov.uk/PDF/Outputs/ICHRP/integrating-humrights].pdf

SECTION II. Integrating Gender into Anti-Corruption and Accountability Programming

1. Gaining a Better Understanding of Experiences of Corruption

Challenge: In light of the absence of detailed research in many jurisdictions, more information is often needed to ascertain the levels and types of corruption and how corruption impacts individuals differently based on gender and other factors.

Opportunities:

- **Research.** Support research efforts to identify forms of corruption and people's experience of it, particularly how those experiences may differ based on gender, age, sexual or gender identity, (dis)ability, or other factors. Narrow the research to the sectors or social services that are most used by women. Support local think tanks to build their gender analysis capacity with relation to issues of accountability and corruption.

- **Research-based advocacy.** Work with civil society organizations to apply research findings to build strong, inclusive advocacy strategies and awareness-raising campaigns.

- **Identifying entry points.** Utilize targeted research to better identify stakeholders and potential partners, as well as areas of greatest need and opportunity within the anti-corruption and accountability spheres.

2. Within the Legal Framework

Challenge: Creating laws and frameworks that establish and uphold strong, gender-sensitive anti-corruption and accountability systems.

Opportunities:

- **Fostering gender-sensitive legislation.** Build the capacity of government officials to review, revise, draft, and implement legislation that promotes accountability and transparency by strengthening their gender analysis skills and enhancing their understanding of gender differences in experiences of corruption and accountability. This should include legislation related to electoral systems, legislative bodies, and the justice sector, as well as laws that relate specifically to gender inequality such as gender based violence, sexual harassment, sexual exploitation/sextortion, and discrimination. Support relevant CSOs, women's caucuses, key male allies, and influential academics and civil society leaders in helping to drive these efforts.

PROGRAM SNAPSHOT

With UN support, the Fundación Mujeres en Igualdad (MEI) in Argentina mobilized women to raise public awareness of the right to access public information. MEI produced a toolkit on the Access to Information Law, along with a guide for individuals and NGOs on how to request information about the financing and enforcement of gender policies. The project succeeded in decreasing corruption and in ensuring greater accountability in the provision of public services. In one province, local women accessed information on government expenditures and discovered that the mayor had secretly and illegally diverted money intended for a domestic violence program to another project. In all such cases that MEI documented, public officials were abusing their authority and diverting or reducing funds allocated to programs advancing women's rights and gender equality in return for political favors. In several of those cases, MEI successfully advocated to return funding to the originally budgeted activity. MEI also produced a documentary to educate the public on the particular ways that women suffer from the loss of resources caused by corruption, how gender inequalities can obstruct women's access to justice and information, and how women often suffer from gendered forms of corruption through sexual exploitation.

Source: "Corruption, Accountability, and Gender: Understanding the Connections," UNDP/UNIFEM, 2010, p. 29. http://www.undp.org/content/dam/aplaws/publication/en/publications/womens-empowerment/corruption-accountability-and-gender-understanding-the-connection/Corruption-accountability-and-gender.pdf

- **Civil society advocacy.** Support civil society in raising awareness among government officials of gender inequality and discrimination and the specific ways in which women and traditionally marginalized groups experience corruption in order to enhance their ability to create and implement accountability systems that are gender-responsive and inclusive. Foster relationships and coalition-building between government representatives and CSOs engaged in accountability and gender equality work who can serve as resource people to lawmakers and to help strengthen efforts to create gender-sensitive accountability systems.

- **Oversight and compliance.** Support efforts to build administrative law systems and strengthen strong, inclusive oversight and compliance mechanisms within government agencies and public service agencies that are both widely publicized and accessible to diverse groups of people.

3. Vertical Accountability

Challenge: Ensuring that electoral systems are free, fair, and impartial and fully meet international standards.

Opportunities:

- **Electoral systems.** Support efforts that seek to strengthen the democratic nature of electoral systems and empower citizens to make free, fair, and informed choices about their political leaders. This should include electoral management bodies, electoral laws, political parties, and domestic observer groups. For example, make sure that all eligible voters have the necessary documents to vote, that voters are free from harassment and intimidation, polling places are accessible to women, persons with disabilities, and others, and regularly scheduled elections occur in a manner consistent with international standards, including provisions for observation of the pre-election, election, and postelection periods.

- **Affirmative Measures.** Provide technical assistance to political parties, legislators, staff and government representatives on the creation and/or implementation of quotas or other affirmative measures that help remedy historic marginalization and facilitate greater representation of women in parliament.

PROGRAM SNAPSHOT

With support from the US Government's Promoting Governance, Accountability, Transparency, and Integrity (PROGATI) project, the Center for International Private Enterprise (CIPE) has provided support to the Bangladesh Women's Chamber of Commerce (BWCC) to enhance women entrepreneurs' understanding of key policies in an effort to decrease their vulnerability to corruption. PROGATI provided BWCC with training on business registration, licensing, and tax policies and conducted a study tour to the International Anti-Corruption Conference. BWCC and PROGATI incorporated these initiatives into a training of trainers for 600 members who would in turn train the full members of BWCC. The study tour also inspired BWCC members to create a citizen's hotline for anonymous reporting of harassment or corruption in interactions with the government. Finally, PROGATI helped BWCC set up division-level working groups within the National Board of Revenue to help BWCC members on tax issues.

Source: "Performance Evaluation of USAID's Promoting Governance, Accountability, Transparency, and Integrity (PROGATI) Project," USAID, December, 2012, p. 16. http://pdf.usaid.gov/pdf_docs/PDACU912.pdf

- **Political parties.** Build the capacity of political parties to become more transparent, accountable, inclusive, and gender-responsive. Parties should take steps to ensure that women are represented equitably at all levels of party leadership and decision-making, both internally as well as externally as candidates and elected officials. Special temporary measures, including quotas, may be helpful achieving this goal. See Module 7 on Integrating Gender into Electoral Processes Programming for additional opportunities.

Challenge: Increasing transparency and citizen engagement with representative institutions and government officials.

Opportunities:
- **Building gender-responsive institutions.** Build the capacity of government agencies, such as the police, the court system, public utility providers, and housing and land commissions to identify and appropriately respond to gender-based discrimination and gendered forms of corruption within their areas of purview, as well as to take steps to eliminate any stigma or risks surrounding reporting acts of sexual harassment or violence.

- **Transparency in the legislature.** Support efforts to make legislative bodies more open and accountable to the public. Encouraging a variety of communication methods and scheduling and location options in which lawmakers are available to constituents increases the likelihood that women and disenfranchised groups will be able to access them. This may include holding regular "public days" within parliament, encouraging citizen feedback mechanisms, cultivating relationships between legislators and civil society organizations that can serve as subject matter experts, holding frequent constituent consultations, and creating regular opportunities for legislators to visit their constituencies.

- **Transparency in the executive and judicial branches.** Encourage greater openness and accessibility of executive and judicial offices through the creation of public days and/or regular public hours, citizen advisory boards or liaison groups, and well-publicized and efficient grievance procedures. Women and traditionally marginalized groups may have less access or face greater harassment or intimidation as well as cultural or logistical barriers in accessing government offices. Encouraging greater openness and alternative means of participation may help mitigate such factors.

4. Horizontal Accountability

Challenge: Creating strong, gender-sensitive accountability mechanisms within and among government agencies.

Opportunities:
- **Service provision.** Build government capacity to create sector-specific gender-responsive compliance, monitoring, and accountability systems to address inequities in access to public services and to adequately respond to corruption within service provision. In order to become more responsive and equitable, such systems or processes should take into consideration gender inequality and gender-related differences in time use, access to and use of public services and utilities, discrimination and corruption, and the expressed concerns and priorities of women and girls.

- **Awareness raising and evidence sharing.** Raise awareness among government actors of the impact of gender inequality and discrimination on the public's ability to access services, including utilities, education, healthcare, and the justice system. This may include providing a broad overview of commonly faced types of discrimination and inequality in accessing these services or, if the data exists, the specific types of discrimination and corruption faced locally by women and traditionally marginalized groups. Civil society or think tanks can play a key role in providing relevant data or other evidence.

- **Performance standards.** Support the revision and/or creation of performance standards for public servants and agencies that clearly integrate gender equality and inclusion and set the advancement of gender equality as an integral performance benchmark. Integrating gender equality as both an agency goal and a responsibility of all staff and creating specific benchmarks in this area against which agency administrators and employees will be evaluated helps foster a climate in which everyone is accountable for taking steps to end gender discrimination and further equality.

- **Open government.** Support open government efforts that seek to make various branches of government more transparent and accountable. This is important in tracking who benefits from public spending, who has access to government, and how decisions are made, thereby helping to better ensure that the voices of women and traditionally marginalized groups are heard and that the needs of all citizens are met equitably.

5. Social Accountability

Challenge: Building strong civil society advocacy for accountability systems.

Opportunities:

- **Media.** Enhance the ability of the media to investigate thoroughly and report impartially on allegations of corruption and the efficacy of accountability systems while specifically shining a light on the gendered nature of these experiences. It is particularly important to highlight issues of trafficking and sexual extortion/sextortion to raise awareness and help combat both of these forms of corruption.

- **Building civil society capacity.** Build the capacity of organizations engaged in anti-corruption and accountability work to address the connections between gender and corruption. This may include enhancing their capacity to: conduct gender analysis and research on men's and women's different experiences of corruption; integrate gender analysis into all aspects of their work, including research, outreach, and advocacy efforts; design and implement anti-corruption and accountability campaigns targeting women to raise awareness of their rights and recourse; and work in coalition with anti-corruption organizations to bring an enhanced gender perspective to bear on accountability activities.

- **Social accountability.** Support the design and implementation of inclusive, gender-sensitive social accountability efforts at both the national and local levels. These may include citizen score cards, citizen advisory committees, public service user surveys, participatory budgeting and budget expenditure tracking, social audits, and public policy consultations.

- **Raising public awareness.** Provide support for public education and awareness-raising efforts that focus on women's rights and gender equality and the accountability mechanisms that exist to report and seek redress for corruption, sexual exploitation, and discrimination within the public sector, including within education, healthcare, the justice sector, and within the provision of basic public services. Such efforts should also aim to reduce the stigma attached to reporting instances of sexual violence and sexual exploitation.

- **Monitoring government commitments.** Support civil society efforts to hold governments accountable for their commitments to advance gender equality, whether through CEDAW or other international treaties or national-level strategies or policies.

PROGRAM SNAPSHOT

The International Association of Women Judges (IAWJ) has worked to address what they have termed "sextortion," or "a form of sexual exploitation and corruption that occurs when people in positions of authority seek to extort sexual favors in exchange for something within their power to grant or withhold." With support from the government of the Netherlands, the IAWJ supported women judges from Bosnia and Herzegovina, Tanzania, and the Philippines to conduct research and prepare reports about sextortion in their countries. The participants held seminars and workshops in their home countries to educate the justice sector and key stakeholders about sextortion, developed and disseminated sextortion toolkits and brochures, and engaged in public education about sextortion. As a result, the participants in each country succeeded in introducing sextortion into the vocabulary of the judges, prosecutors, police officials, social service providers, NGOs, and others working to end gender-based violence and corruption; and they raised public awareness about sextortion. This may help victims to feel more empowered to resist sextortion demands or to come forward with a complaint, and may also deter potential perpetrators. The IAWJ then developed an international sextortion toolkit, which was distributed to the 600 judges, that provides a legal, analytical, and practical framework for understanding, documenting, and combating sextortion.

Source: "Stopping the Abuse of Power Through Sexual Exploitation: Naming, Shaming, and Ending Sextortion," International Association of Women Judges (IAWJ), 2014.
http://www.iawj.org/Sextortion.html

6. Ending Sexual Extortion/Sextortion

Challenge: Ending corruption in which an authority demands unwanted sexual activity in exchange for services.

Opportunities:

- **Building legislative capacity.** Work with legislators to enhance their ability to draft and enact legislation aimed at ending sextortion, increasing accountability among government agencies, punishing perpetrators, and providing redress for victims.

- **Building civil society capacity.** Build the capacity of civil society organizations to engage in efforts to end sextortion through: identifying instances and patterns of sextortion; providing support services to victims of sextortion; and designing and implementing advocacy campaigns aimed at ending sextortion and increasing accountability.

- **Research.** Support research on the incidence, extent, and forms of sexual extortion/sextortion. Such research should include disaggregated data on how diverse populations, including males, females, persons with disabilities, LGBTI individuals, children, youth, and ethnic minorities may experience sextortion differently. Relevant questions should also be included in broader public opinion surveys.

- **Raising awareness.** Work with civil society and media to raise public awareness of sexual extortion/sextortion, as well as of citizens' rights and avenues for redress. Work with media to build their capacity to report responsibly on sextortion.

- **Building justice sector capacity.** Work with justice sector actors to enhance their understanding of sextortion and take steps to address the problem effectively through the justice sector, provide justice to victims, and hold perpetrators accountable.

- **Reporting systems.** Support efforts to establish and maintain strong, accessible reporting systems and multi-sector support services for victims of sextortion.

SECTION III. Selected Resources

Corruption, Accountability and Good Governance: Understanding the Connections. United Nations Development Fund for Women (UNIFEM) and United Nations Development Programme (UNDP) http://www.undp.org/content/dam/aplaws/publication/en/publications/womens-empowerment/corruption-accountability-and-gender-understanding-the-connection/Corruption-accountability-and-gender.pdf

Corruption and Gender in Service Delivery: The Unequal Impacts. Transparency International http://www.transparency.org/whatwedo/pub/working_paper_02_2010_corruption_and_gender_in_service_delivery_the_unequal

Integrating Human Rights in the Anti-Corruption Agenda: Challenges, Opportunities, and Possibilities. International Council on Human Rights Policy (ICHRP) and Transparency International http://www.ichrp.org/files/reports/58/131b_report.pdf

Practitioner's Guide for Anticorruption Programming. United States Agency for International Development (USAID) https://www.usaid.gov/opengov/developer/datasets/Practitioner's_Guide_for_Anticorruption_Programming_2015.pdf

Progress of the World's Women 2008/2009— Who Answers to Women: Gender and Accountability. UNIFEM http://www.unwomen.org/~/media/Headquarters/Media/Publications/UNIFEM/POWW08ReportFullText.pdf

Seeing Beyond the State: Grassroots Women's Perspectives on Corruption and Anti-Corruption. Huairou Commission and UNDP http://www.undp.org/content/dam/undp/library/Democratic%20Governance/Anti-corruption/Grassroots%20women%20and%20anti-corruption.pdf

Stopping the Abuse of Power through Sexual Exploitation: Naming, Shaming, and Ending Sexploitation. International Association of Women Judges (IAWJ) http://www.iawj.org/IAWJ_International_Toolkit_FINAL.pdf

MODULE 8 ENDNOTE

[i] The International Association of Women Judges (IAWJ) refers to sexual extortion as "sextortion" and defines it as a form of corruption in which sex, rather than money, is the currency of the bribe. This abuse of power to obtain a sexual benefit or advantage is distinguished from other types of sexually abusive conduct in that it has both a sexual component and a corruption component and has three distinct features: (1) abuse of authority, (2) a quid pro quo exchange, and (3) psychological coercion rather than physical coercion. Sextortion involves either an explicit or implicit request by someone in a position of authority to engage in any form of unwanted sexual activity. In this way, the perpetrator abuses his/her authority by endeavoring to exact, or by accepting, a sexual favor in exchange for exercise of the power entrusted to him/her. See http://www.iawj.org/IAWJ_International_Toolkit_FINAL.pdf

MODULE 9: INTEGRATING GENDER INTO RECONCILIATION, PEACEBUILDING, AND TRANSITIONAL JUSTICE[1] PROGRAMMING

Men and women typically have differing experiences of armed conflict and its aftermath. In conflict environments, women often have fewer resources to protect themselves and, along with children, frequently comprise the majority of internally displaced and refugee populations. They are also most frequently, although not exclusively, the targets of sexual and other forms of gender-based violence (GBV).

Men and boys, on the other hand, are disproportionately more likely to be forcibly recruited by armed groups. All those affected by armed conflict are likely to experience trauma, but these experiences also differ based on an individual's specific experience of the conflict. Peacebuilding and transitional justice must take these different experiences into account and draw equally on the perspectives and capacities of men and women in order to effectively deliver justice and rebuild society. We know that more than half of all peace agreements fail within **the first 10 years of signature** and in many countries high levels of violence continue to afflict communities long after wars have officially ended. Although women often lead peace movements and drive community recovery after conflict, they are often missing from peace negotiations and

transitional justice efforts. This exclusion from negotiation and reconstruction limits women's access to opportunities to recover, to obtain justice for human rights abuses, and to participate in reforming laws and public institutions. When gender is integrated and women are included as meaningful participants, the scope of peace agreements and transitional justice initiatives is enlarged to include a broader set of critical societal priorities and needs, contributing to a more lasting and just peace.

Conflict can also alter gender roles and norms within a society, and the post-conflict period can be a time to re-negotiate norms. The post-conflict period is also frequently a time of significant vulnerability for women and girls, both because of the effect of those changes in gender norms, and because of higher rates of domestic violence due to trauma among former combatants. Transitional justice mechanisms that take gender norms and patterns of gender-based discrimination and violence into account and ensure access to justice for all can challenge discriminatory practices that contribute to women's vulnerability and broader gender inequality. Such efforts can also offer women and traditionally marginalized groups, such as ethnic minorities and lesbian, gay, bisexual, and transgender (LGBTI) individuals, critical opportunities to participate in and influence peacebuilding and related processes. The international community has recognized that inclusive participation is vital to achieving and sustaining peace and has created a framework for the inclusion of women and issues of gender equality in peacebuilding, reconciliation, and transitional justice processes. Ensuring women's participation in peacebuilding and in shaping and monitoring transitional justice processes can help promote equality, build a lasting peace, and further inclusive democracy in support of our objectives under USAID's DRG Strategy.

SECTION I. Guiding Questions for Gender Analysis in Reconciliation, Peacebuilding, and Transitional Justice Programming

National Legal Framework and Policies

- How do the laws and policies guiding the peacebuilding, reconciliation, and transitional justice processes reflect international, regional, and domestic frameworks regarding women's and girls' participation and protection? Relevant international legal frameworks include UN Security Council Resolution (UNSCR) 1325 and its seven supporting resolutions (1820, 1888, 1889, 1960, 2106, 2122, and 2242), the Beijing Platform for Action, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Rome Statute and jurisprudence of the International Criminal Court and relevant decisions of ad hoc tribunals such as the International Criminal Tribunals on the former Yugoslavia and Rwanda.

- Does the country have national action plans or strategies on transitional justice, women, peace and security, human rights or other national-level strategies that addresses these issues? What commitments or mandates do they include and how have they been implemented? What government bodies are involved in implementation?

Women's Participation in Peacebuilding and Reconciliation

- How are women represented as leaders and/or participants in peacebuilding, reconciliation, and transitional justice mechanisms and initiatives? How are traditionally marginalized populations represented?

- If there are women participating, who are they? Do they represent or are they meaningfully connected to women at the grassroots level and/or particular groups and communities?

- What barriers exist to women's participation in peace negotiations, peacebuilding, and/or transitional justice? These may include practical barriers, such as lack of childcare, lack of travel funds, or unfamiliarity with the process. They may also include systemic barriers, such as the definition of human rights violations covered by the process, truth commission officials who lack training and experience with gender issues, or a lack of political will to broaden participation in negotiations.

Peace Process Stages and Sample Activities:

Pre-Negotiation:
- Establish processes/structures
- Train participants
- Build negotiation capacity
- Enrich negotiation agendas
- Promote constructive media

Negotiation:
- Convene stakeholders
- Provide logistics
- Sponsor non-combatant participation
- Coordinate technical assistance/expertise
- Administer surveys

Post-Agreement Implementation:
- Support implementation committees
- Improve public awareness
- Reintegrate ex-combatants
- Foster reconciliation
- Monitor agreements

From: http://pdf.usaid.gov/pdf_docs/pnadr502.pdf

- What role have women and women's organizations traditionally played in the country's history of peacemaking, mediation, conflict resolution, and transitional justice in the country, at both the local and national levels? Who are the women who have played leading roles in this area? Who are the men who have acted as champions for women's inclusion and/or attention to gender issues?

Gender and Conflict

- What gender norms and inequalities existed prior to the conflict? What domestic legislation addressed women's rights and gender equality? What were the issues of particular concern to women and LGBTI individuals in the pre-conflict period? How did these differ for those from traditionally marginalized groups, such as ethnic minorities and persons with disabilities?

- What factors, including sex, age, gender identity, sexual orientation, disability, or other identities, affected the ways in which people experienced the conflict and/or its aftermath? What experiences did women, children, and traditionally marginalized groups have during the conflict? What are specific concerns of women and traditionally marginalized groups, including racial and ethnic minorities, people with disabilities, LGBTI individuals, and others in the peacebuilding and transitional justice period? What different interests exist within these groups?

- To what extent were sexual or other forms of gender-based violence used as a weapon (i.e. systematically by one or more parties to the conflict to advance their goals) during the conflict? What are the patterns of and contributing factors to SGBV present during the post-conflict period?

- To what degree is there backlash or risk of backlash against women and/or other traditionally marginalized groups that are or are perceived as benefiting from new rights, status, or resources in the post-conflict period?

Gender and Women's Participation in Transitional Justice

- To what extent are transitional justice processes and mechanisms, such as Commissions of Inquiry and Truth Commissions, taking into account the root causes of conflict and addressing violations of all rights, including those of women and girls? To what extent are these mechanisms being implemented in a manner that recognizes and seeks to transform the gender inequalities that existed prior to the conflict period, as well as during the conflict?

- What are the formal and informal barriers to participation in transitional justice mechanisms for women and members of traditionally marginalized groups? Are there particular barriers that may affect male or female survivors of sexual violence?

- How accessible are transitional justice mechanisms to women and diverse groups of people, including people with disabilities, ethnic minorities, individuals with low levels of education and/or literacy, and rural communities?

- What percentage of staff within transitional justice mechanisms are women? Has staff at all levels been trained on gender issues and how to engage sensitively with diverse groups based on their specific roles (e.g. statement taker, commissioner, and community liaison)?

- Are there appropriate confidentiality policies and procedures in place within transitional justice mechanisms that create an enabling environment for survivors of sexual and other forms of gender-based violence to seek justice, reparations, compensation, and recognition of their experiences? Are policies and procedures sensitive to the unique needs of male and female survivors?

- Are transitional justice processes and approaches designed to recognize and address the diverse roles and experiences of women, men, girls, and boys—which may include roles as combatants, peace builders, and/or survivors of violence?

- What norms and attitudes around sexual violence exist that might make it difficult for survivors to come forward and therefore necessitate additional considerations or support? Are appropriate support systems for survivors in place? What additional stigma and barriers to accessing support do male or LGBTI survivors of sexual violence face?

- What traditional or customary justice systems are part of the transitional justice process? What roles do women and/or youth play in these systems? To what extent are these systems gender equitable in their approach?

- Are reparations part of the post-conflict reconciliation and transition process? If so, did survivors participate in shaping what constitutes reparations (financial compensation, training, restitution of land and property, access to medical and psycho-social services, etc.)? Are survivors of sexual violence eligible? Are reparations designed to address individual and community needs where appropriate? Are reparations mechanisms fully accessible to women and marginalized groups? Are there measures in place to ensure that women who receive reparations are not placed at heightened risk of violence or coercion?

SECTION II. Integrating Gender into Reconciliation, Peacebuilding, and Transitional Justice Programming

1. In Peacebuilding and Reconciliation

Challenge: Ensuring the full integration of women and gender in peacebuilding and reconciliation processes.

Opportunities:

- **Inclusive participation.** Facilitate inclusion of women and representatives of diverse groups in all stages of peace negotiation activities. This requires identifying the barriers to participation and supporting activities that help address them. Such activities might include: providing logistical support to female activists to attend peace talks in capital cities or in other countries; providing opportunities for female activists to network, build coalitions, and identify shared objectives for the peace process; connecting activists with female peace negotiators from other countries to create opportunities for coaching and mentoring; providing skill-based trainings in negotiation, leadership, and advocacy for emerging and established female activists, as well as targeted trainings on particular issues such as security sector reform or constitution drafting. Engaging and supporting male allies is also critical to ensuring women's meaningful participation.

- **Diplomatic engagement.** Collaborate with State Department and others to leverage diplomatic interventions, where appropriate, to ensure that women are at the negotiating table.

- **Public consultations.** Create opportunities, where appropriate, to make the peace process more collaborative and transparent and better connected to diverse local communities. Hold consultations, host public or semi-public information sessions, or develop mechanisms for women and traditionally marginalized groups to provide input into the broader peace and reconciliation discourse and to ensure negotiators—male and female—can better represent a full range of needs and priorities.

- **Building gender capacity of peace negotiators.** Provide technical assistance to peace process leaders to increase their capacity to meaningfully address gender issues, including gender equality, GBV (including sexual violence), access to healthcare, economic development, and equitable political participation and governance, within the ensuing framework and agreements.

- **Monitoring implementation of agreements.** Support local activists and civil society to monitor implementation of the framework for peace to ensure that obligations related to the gender dimensions of the conflict and gender inequality are being fully and effectively implemented and that women have equal participation in oversight mechanisms. Build the capacity of local women's organizations to advocate for and monitor implementation of gender considerations within the peace framework.

PROGRAM SNAPSHOT

USAID and UN Women have provided capacity building to women in Mindanao, Philippines to enhance their ability to advocate for and participate in peacebuilding and conflict negotiation processes and to develop local strategies to implement the Philippine National Action Plan on Women, Peace and Security (NAP). In 2011, Muslim women's groups in Mindanao met for the first time with representatives of the Moro Islamic Liberation Front and discussed including provisions for women in draft peace agreements aimed at resolving the four-decade conflict. During the dialogue, the Front took the unprecedented step of appointing two women to its peace panel to engage in talks with the Philippine government. Two other women joined the government negotiating team, including one heading its legal unit. In late 2012, a historic agreement was signed. It includes provisions that guarantee women's right to meaningful political participation and protection from violence. The USAID-supported Women's Peace Table network works to build local support for the NAP and to ensure that women are represented in implementation of the 2012 peace agreement.

Sources: "Remarks by Gloria Steele, Mission Director: Launching of the Women, Peace, and Security Project," February 6, 2014. http://www.usaid.gov/philippines/speeches/feb-6-2014-gloria-steele-md-launching-women-peace-security-project and "Conflict Prevention and Resolution," UN Women. http://www.unwomen.org/en/what-we-do/peace-and-security/conflict-prevention-and-resolution

- **Peacekeeping operations.** Provide support for efforts to ensure clear reporting and disciplinary and sanctions mechanisms within peacekeeping and humanitarian operations to prevent and respond to sexual exploitation. Provide technical and other assistance to local organizations seeking to monitor abuses and strengthen and enforce such mechanisms.

- **Participation in governing structures and decision-making bodies.** Take steps to ensure equal participation of women and traditionally marginalized groups in power-sharing agreements and in the post-conflict period. This could include supporting civil society to influence the design of negotiation and transitional justice processes; leveraging diplomatic channels to ensure diverse representation around the negotiating table; training and/or mobilizing women to participate; facilitating networking and relationship building among women CSO leaders and peace process leaders; or conducting outreach and awareness raising among women and traditionally marginalized groups about how to participate in these processes. Additionally, provide comparative examples and analysis regarding the relative merits of different types of special temporary measures, such as quotas, to correct past inequality and of electoral systems to enhance women's political participation.

- **Gender-sensitive DDR.** Support the design and implementation of disarmament, demobilization, and reintegration (DDR) efforts that take into account the distinct needs and interests of female combatants and other women, girls, and boys associated with armed forces or groups. This may include: specific protections for women and girls being demobilized; the training and creation of specialized staff to respond to issues of sexual violence, trafficking, and sexual exploitation; enhanced protection for women and children living in proximity to demobilized units; ensuring economic and employment opportunities meet the needs and interests of women as well as men; and specialized reintegration plans that address the physical, psycho-social, and economic needs of recently demobilized women, girls, boys, and men.

2. In Transitional Justice

Challenge: Ensuring the full integration of women and gender-related issues and meaningful gender justice[2] in transitional justice processes.

Opportunities:
- **Participation in legal and judicial reform.** Initiate activities and programs aimed at increasing the participation of women and traditionally marginalized groups in the reform of legal institutions. This may include facilitating relationship-building between local women and transitional justice coordinators or conducting targeted outreach to women to increase their access to the process.

PROGRAM SNAPSHOT

USAID has partnered with the Uganda Association of Women Lawyers (FIDA) in the Acholi region of Northern Uganda, where over 20 years of civil war saw women and girls became targets of gender-based violence, including rape, forced marriage and impregnation, sexual slavery, and the intentional spread of STDs, including HIV/AIDS. The war further exacerbated the vulnerability and marginalization of women, girls, and children. FIDA is now implementing a program to improve access to justice for women and children, strengthen the capacity of formal and informal justice mechanisms to offer appropriate legal responses that advance accountability for women's and children's rights, and strengthen national advocacy on government accountability for its international obligations to promote women's rights. By providing direct legal services to women and children, training and legal materials for government and cultural leaders, and advocating at the local and national levels for greater accountability in government, FIDA is working to advance gender equality through an integrated, community-based approach.

Source: "Rights Empowerment in Northern Uganda," USAID.

- **Capacity building for gender-sensitive legal reforms.** Train groups and individuals engaged in legal reform, including within the justice and security sectors, on gender (in)equality issues in the pre-conflict, and post-conflict period in order to enhance their capacity to integrate gender effectively into their work. In particular, take steps to ensure that appropriate accountability mechanisms for preventing sexual violence, trafficking, and other forms of GBV are codified within the reforms.[3]

- **Participation in transitional justice.** Engage with women activists and CSOs, as well as transitional justice actors, to create initiatives and mechanisms to increase women's participation, leadership, and expertise in transitional justice. This may include the provision of research and training, facilitating knowledge sharing and coalition building, or conducting international and regional study missions to share best practices and lessons learned from women in other post-conflict countries.

- **Gender in constitution drafting.** Train groups and individuals engaged in constitutional reform or drafting on relevant international standards and best practices with regard to gender equality in legal frameworks. Facilitate connections between those engaged in constitutional drafting and gender experts/advisors (ideally from the country in question) that can provide technical support in the drafting process. See Module 3 on Integrating Gender into Rule of Law and the Justice Sector Programming for more information.

- **Inclusive constitution drafting.** Support inclusive and consultative constitutional reform/drafting processes that have multiple opportunities for diverse groups to provide input and feedback, and ensure that such processes are accessible to all. Build the capacity of women and traditionally marginalized groups to engage in the legal and constitutional reform process through training, providing comparative examples on best practices for promoting and enshrining gender equality in constitutions, study missions, and creating pipelines for their participation in the process. Women should be appointed to constituent assemblies, constitutional commissions, and similar structures. See Module 3 on Integrating Gender into Rule of Law and Justice Sector Programming for more information.

- **Integrating gender in truth seeking and reconciliation.** Provide technical assistance and logistical support to truth-seeking and reconciliation initiatives, such as truth commissions, to integrate gender into their work and to integrate women fully into their staff and activities. Promote gender analysis and gender sensitivity within the creation, organization, and function of truth and reconciliation mechanisms. Best practices for increasing gender sensitivity include: gender balance within leadership and staff; protocols and staff codes of conduct for working with survivors of sexual and other forms of gender-based violence; strictly enforced confidentiality measures; and data collection, documentation, and testimony methods that are accessible, gender-sensitive, and culturally sensitive.

- **Participation in truth seeking and reconciliation.** Initiate activities and provide support to women and members of traditionally marginalized groups in order to participate in all aspects of truth seeking and reconciliation. This may include: outreach and activities to raise awareness of the transitional justice processes and how to access them; supporting initiatives to make these processes more accessible, such as through translation or paralegal services or the provision of transportation; or facilitating efforts to bring greater numbers of diverse populations into the transitional justice process. Truth commission mandates should explicitly address gender issues and include provisions for the participation of women.

- **Refugees and IDPs.** Build the capacity of transitional justice actors, government representatives, and CSOs to apply a gender analysis to issues related to refugees and internally displaced persons (IDPs) and to respond effectively to the gender specific concerns and needs of these groups within the context of transitional justice and peacebuilding.

Research on the gendered dimensions of peacebuilding has resulted in several key findings, including:

- Access to justice in post-conflict situations, regardless of whether it is through formal, informal, traditional or transitional justice systems, is often correlated with the gender identity of the individual concerned. In practice, this typically means that women are less likely to have access to justice.

- Improved understanding of and responses to sexual violence against men and boys, as well as sexual and gender minorities, is needed among justice and service providers, policymakers, and in program interventions to ensure adequate access to justice and services for all survivors.

- Community-based approaches that allow for a wide range of perspectives can be effective in changing attitudes, practices, and justice outcomes, particularly with regard to sexual and gender based violence. The potential biases of customary or traditional systems should also be examined to ensure equal access to justice for men and women.

- Transitional justice mechanisms have stalled in many post-conflict situations, and gender-related questions, such as addressing cases of sexual violence during the conflict, are often dropped from the agenda. Special attention must be given to ensure that these issues remain a central component of transitional justice processes.

- There is a need for better understanding of and response to gendered patterns of access to justice and how that relates to and affects gendered patterns of political participation, social status, and economic wellbeing in the post-conflict and transition period.

- Violent conflict often changes the economic possibilities open to women and men, as well as the vulnerabilities and challenges they face; these dynamics need to be understood and taken into account in post-conflict policies and programming focusing on economic recovery. Care should be taken to ensure that increased economic opportunities for women or traditionally marginalized groups should not place them at a higher risk of violence or discrimination.

- Gender is an important factor in determining the possibilities for social and economic reintegration of former combatants and returning populations. Examining and taking into account the particular dynamics of each case, and the ways in which gender intersects with other factors, such as age, ability, sexual identity, and ethnicity, allows interventions to be inclusive and sustainable.

- The societal expectations placed on men and women in terms of providing for themselves, their families, and communities in a given situation need to be understood in order to avoid increasing their vulnerability. Understanding these dynamics and designing programs that take them into consideration is key.

- Inter-generational tensions can be a significant factor in conflict-affected societies. Age, class, and gender are key factors in determining access to power, information and resources and need to be understood in a nuanced manner and taken into consideration when designing transitional justice programs and interventions.

Source: "Re-thinking Gender in Peacebuilding," International Alert, March 2014, p. 18, 21, 22.
http://www.international-alert.org/sites/default/files/Gender_RethinkingGenderPeacebuilding_EN_2014.pdf

SECTION III. Selected Resources

Community Participation in Transitional Justice.
United States Agency for International Development (USAID)
https://www.usaid.gov/sites/default/files/documents/1866/
CPTJUSAID.pdf

International Protocol on the Documentation and Investigation of Sexual Violence in Conflict: Basic Standards of Best Practice on the Documentation of Sexual Violence as a Crime under International Law. United Kingdom Foreign and Commonwealth Office https://www.gov.uk/government/
uploads/system/uploads/attachment_data/file/319054/PSVI
_protocol_web.pdf

A Window of Opportunity: Making Transitional Justice Work for Women. United Nations Entity on Gender Equality and the Empowerment of Women (UN WOMEN)
http://www.unwomen.org/~/media/Headquarters/
Attachments/Sections/Library/Publications/2012/10/06B
-Making-Transitional-Justice-Work-for-Women.pdf

Strategies for Policymakers: Bringing Women into Peace Negotiations. Institute for Inclusive Security
http://www.inclusivesecurity.org/wp-content/uploads/2013/
05/Negotiations_FINAL.pdf

Gender in Peacebuilding: Taking Stock. International Alert
http://www.international-alert.org/sites/default/files/Gender
_TakingStock_EN_2012.pdf

Policy Briefs on Gender and Inclusivity. Norwegian Peacebuilding Resource Centre (NOREF)
http://www.peacebuilding.no/eng/noref/publications/1?
type=1&year=&region=&theme=164763

Reparations, Development and Gender. UN Women
http://www.unwomen.org/~/media/Headquarters/
Attachments/Sections/Library/Publications/2012/10/06A
-Development-Gender.pdf

SCR 1325 and Women's Participation: Operational Guidelines for Conflict Resolution and Peace Processes.
Initiative on Quiet Diplomacy http://peacemaker.un.org/
sites/peacemaker.un.org/files/SCR1325WomensParticipation
_IQd2010.pdf

Truth Commissions and Gender: Principles, Policies, and Procedures. International Center for Transitional Justice
http://ictj.org/sites/default/files/ICTJ-Global-Commissions
-Gender-2006-English_0.pdf

The Paris Principles: Principles and Guidelines on Children Associated with Armed Forces or Armed Groups.
United Nations Children's Emergency Fund (UNICEF)
http://www.unicef.org/emerg/files/ParisPrinciples310107
English.pdf

MODULE 9 ENDNOTES

[1] In keeping with the UN definition, within this module transitional justice may be understood as the full range of processes and mechanisms associated with a society's attempt to come to terms with a legacy of large-scale past abuses in order to ensure accountability, serve justice, and achieve reconciliation. Transitional justice processes and mechanisms, including judicial and non-judicial processes and mechanisms, prosecution initiatives, truth-seeking initiatives, reparations, institutional reform, and national consultations are a critical component of efforts to strengthen the rule of law. For more information, see http://www.unrol.org/files/TJ_Guidance
_Note_March_2010FINAL.pdf

[2] The term "gender justice" is commonly used to refer to the ending of inequalities between women and men that result in women's subordination to men and the creation of accountability mechanisms to ensure this. The term is often used to refer to programs, initiatives, or activities that seek to create a context in which equitable entitlements and choices exist for women and men in the absence of discrimination and in the presence of positive rights. Gender justice efforts also seek to promote truth, justice, and accountability for gender-based human rights violations committed in the context of large-scale or systematic abuse.

[3] For more information, see the International Protocol on the Documentation and Investigation of Sexual Violence in Conflict: https://www.gov.uk/government/uploads/
system/uploads/attachment_data/file/319054/PSVI_
protocol_web.pdf

MODULE 10: INTEGRATING GENDER INTO MEDIA AND INFORMATION AND COMMUNICATION TECHNOLOGY (ICT)[1] PROGRAMMING

Access to information and an open and independent media are among the hallmarks of a sustainable democracy. The development of independent, professional media and an open, enabling environment for journalism can foster more transparent and accountable governance, increase public awareness and promote civic engagement, and provide the information citizens need to improve their lives and communities.

There are important gender dynamics to consider within efforts to build a vibrant media sector. There are, for example, often disparate levels of access to information, technological literacy, and access to technology for women and girls, as well as for vulnerable groups, including persons with disabilities, lesbian, gay, bisexual and transgender (LGBTI) individuals, racial and ethnic minorities, and the elderly. These gaps often further marginalize already vulnerable groups. Female media professionals and social media activists, as well as members of marginalized groups, may face increased intimidation, harassment, and violence, as well as heightened risk of gender-based targeting, as a result of their work. Finally, the manner and frequency with which the media address issues related to gender and the way in which women are portrayed in the media can

have serious implications for how women and gender issues are viewed within society, and how people view themselves in relation to power, equality, and gender roles. As such, media should strive to serve as mirrors of society, reflecting all parts of society as equitably and even-handedly as possible. Furthermore, because women comprise half the population and minority groups often represent potentially profitable niche markets, market incentives exist within the media industry that may encourage greater representation and inclusion of diverse communities. Taking steps to strengthen independent media and create more inclusive means of media production and consumption represents an important step in promoting gender equality and furthering inclusive and transparent democracy in support of USAID's DRG Strategy.

SECTION I. Guiding Questions for Gender Analysis in Media and Information and Communication Technology (ICT) Programming

Participation, Representation, and Leadership

- What is the media landscape with regard to independent media, including new and social media? How diverse are the voices represented within the independent media landscape?

- How well represented within media professions are women and members of traditionally marginalized groups, including persons with disabilities, lesbian, gay, bisexual, and transgender (LGBTI) individuals, ethnic minorities, and youth? What types of positions do they hold within media organizations? How are women represented within management and other senior positions within media organizations?

- To what extent do media organizations' internal policies and practices foster a supportive workplace for all? For example, are recruitment and hiring practices equally open and accessible, and do leave and flexible work policies take men and women's specific needs into account? To what extent are there appropriate sexual harassment policies in place within media organizations? Is there pay equity? To what degree are promotion policies gender-equitable and transparent?

- How well are women, youth, and LGBTI individuals represented among media owners and entrepreneurs? Among new media producers, including bloggers and online journalists?

Content and Advocacy

- To what extent do the media employ a gender perspective in their work, regardless of the topic?

- How are women portrayed in the media? To what extent are gender equality and gender-related issues covered within the mainstream media? How are these issues addressed?

- How and to what extent are issues related to disability, race, ethnicity, and sexual identity covered within the media?

- To what extent are there professional organizations devoted to advancing free and independent media? How diverse is the leadership and membership of such organizations?

- To what degree are there civil society organizations in existence that support independent media, access to ICTs for traditionally marginalized groups, and the use of media to advance gender equality? How diverse is the leadership and membership of these groups?

- What media content exists that is created by and for women? LGBTI individuals? Persons with disabilities?

- What roles do the media play in advocating for greater gender equality and women's rights issues? For inclusion and equality of all people?

- What roles do the media play in monitoring implementation of domestic legislation related to gender equality and inclusion? What role do they play in monitoring implementation of international or regional agreements related to gender equality and harmonizing their principles with domestic law?

- To what extent do media monitoring efforts identify gender-based discrimination or attacks? What steps are taken to address such attacks if identified?

Access and Usage

- What differences exist in terms of access, consumption, and production of media and ICT services among women of varying ages, from different ethnic or religious groups, or diverse geographic regions? Among poor, disabled, indigenous or LGBTI individuals? What specific barriers to access to different individuals or groups face?

- What gender-based differences exist regarding the types of media from which people primarily get their news? For example, do women rely more on radio while men read more newspapers?

Safety and Security

- To what degree do men and women in media professions face unique risks or dangers? What other specific risks do different groups face?

- To what degree do media organizations have adequate safety and security plans? How does security training provided within media organizations address the distinct threats female journalists or others may face?

- What legal protections and resources exist for media professionals and social media users who are subjected to physical or online harassment?

Improve Collection of Data on Gender and ICT

The World Bank has identified a number of areas where national-level sex-disaggregated statistics and indicators on ICTs would be useful both at the national and project levels. These include:

- Internet access and usage
- Content
- Employment
- Education
- ICT telecommunications policy
- Participation in telecommunication and ICT decision-making
- Differential impact of ICTs on men and women
- Participation in ICT projects

Source: "Indicators for Monitoring Gender and ICT," The World Bank Group, 2011.
http://go.worldbank.org/VDY0ST50Y0

SECTION II. Integrating Gender into Media and ICT Programming: Challenges and Opportunities

1. The Legal Framework

Challenge: Ensuring an enabling legal framework for media.

Opportunities:

- **Legal analysis.** Train stakeholders, including government officials, legislators, political parties, media organizations, and civil society organizations (CSOs), to conduct gender analyses of the constitution, media-related laws, relevant international and regional treaties, and other applicable laws that constitute the legal framework for media and ICT to determine where inequality exists, either written into the law and/or as a consequence of a law.

- **Advocacy for inclusion.** Support and provide technical assistance to media, CSOs, and coalitions advocating for reforms to the legal framework to ensure laws related to media or ICT increase gender equality and inclusion in the sector and do not create formal or informal barriers to production or consumption.

- **Legal protection.** Support efforts to review, revise, and advocate for passage and implementation of laws that protect members of the media, including citizen journalists and new media activists, from violence, including gender-based violence (GBV), and harassment.

2. Empowering Women in Media and ICT

Challenge: Increasing women's participation and leadership as media and ICT professionals.

Opportunities:

- **Participation at events.** Ensure that meetings and trainings are equally accessible to both women and men, taking into consideration factors like timing, location, transportation, and childcare. Pay particular attention to barriers that may impede adolescents' and young women's participation.

- **Capacity building.** Provide targeted training and skills building for emerging and established women within the media and ICT fields. At the same time, all trainings for media should take into account the particular challenges women in media and ICT may face, and should also provide opportunities for women to meet separately to facilitate networking and coalition building. Work with media organizations to develop policies and programs to foster and support women leaders within their organizations.

- **Access to resources and professional development.** Foster equal access and opportunity for professional and/or volunteer media organizations led by women and individuals from traditionally marginalized groups. Access to funding opportunities, international exchanges, meetings with decision makers, and training and capacity building opportunities are all critical openings to advance traditionally marginalized leaders, professionals, and organizations and help level the playing field.

PROGRAM SNAPSHOT

The Women and the Web Alliance is a public-private partnership among USAID, Intel Corporation, World Pulse, World Vision, UN Women, and Women in Technology in Nigeria to create a movement that addresses the Internet gender gap by bringing more than 600,000 young women online in Nigeria and Kenya in the next three years. Alliance partners will combine efforts to transform the lives and livelihoods of girls and women in Africa through digital literacy training, relevant content, policy work, and online social networks. This effort will focus on expanding opportunities for young women to generate greater income, receive a quality education, increase their sense of empowerment and equity, extend their support networks, and increase their political participation through the use of the Internet. The Alliance will focus on integrating digital literacy training into gender and development programs to enable women to access hardware, software, Internet connectivity, and mobile learning platforms, and on using digital media to connect women and give them a global voice. Additionally, the Alliance will work to increase access to and facility with the Internet to generate economic and social opportunities for women and girls in employment, online work, or improved businesses. Finally, the Women and Web Alliance will create a movement to address the challenges of the Internet gender gap by building, fostering, and supporting a diverse range of partners to enhance the inclusion of women and girls in the information society.

Source: "Women and the Web Alliance," USAID, April 16, 2015. http://www.usaid.gov/news-information/fact-sheets/women-and-web-alliance

- **Mentoring.** Create and support both formal and informal mentoring and internship programs for women and individuals from marginalized communities within media and ICT. Create mentorship opportunities specifically designed for girls and young women, linking them to female role models and leaders across media and ICT.

- **Fostering future leaders.** Support programs and activities that focus specifically on building the capacity and participation of young women as citizen journalists and future media professionals. Support media organizations in establishing volunteer and/or internship programs that help young women—among others—to gain valuable skills and experience and entry into the media and ICT fields.

Challenge: Ensuring the safety and security of all media professionals and activists.

Opportunities:

- **Identifying threats.** Train media organizations to understand better the ways in which women and others—for example, ethnic minorities and LGBTI or disabled individuals—may be vulnerable to identity-based targeting and violence, including gender-based violence, in the course of their work and support efforts to address this.

- **Tailoring trainings to address risks.** When designing media training programs, consult with a diverse range of journalists to better understand the particular risks they

face and tailor activities accordingly. Specific training and security planning may be necessary for media professionals and activists who face unique threats based on gender or another aspect of their identity.

- **Security training.** Build the capacity of media organizations to design and implement safety and security plans to help prevent gender-based targeting, protect victims, and seek accountability for perpetrators.

- **Addressing information security.** Ensure that all media professionals and activists are aware of information security risks, have access to information security tools, and receive training on such tools.

3. Media Organization Membership, Governance, and Organizational Structure

Challenge: Supporting the media to practice gender equality in their own organizations.

Opportunities:

- **Institutionalizing non-discrimination.** Support media and ICT organizations to incorporate language on equal opportunity and non-discrimination in their statutes, by-laws, and other formal governance procedures.

- **Codes of conduct.** Support media and ICT organizations to establish workplace codes of conduct that foster a safe and supportive working environment and to create sexual harassment policies and mechanisms for reporting

PROGRAM SNAPSHOT

With the support of USAID and others, Internews is working in the Democratic Republic of Congo (DRC) to improve journalists' understanding of gender and media engagement in the promotion of gender equality and to enhance women's participation in the media. In March, they conducted a training workshop in Bandundu City in the western DRC for 20 journalists, including 11 women. The training was conducted concurrently with visits to fifteen media outlets, asking for more representation of women in both the staff and the content that they broadcast. Currently, of the 95

media outlets in the province, only one is run by a woman. Additionally, when the Congolese Union of Women in Media (UCOFEM), which monitors the media regarding the imbalance in the representation of women, reported being told by media officials that they did not have easy access to women to interview about issues within their fields, Internews launched the "Improving the Inclusion of Gender in the Media" program. As part of this project, UCOFEM produced the Directory of Women's Resources of the DRC, which identifies nearly 2,000 female experts in 40 subject areas for members of

the media to contact for a broader range of voices and experiences in their reporting.

Source: "Including Women in Media in the Democratic Republic of Congo," Internews, June 19, 2014.
https://www.internews.org/including-women-media-democratic-republic-congo

and responding to cases of sexual harassment. Facilitate efforts within the media and ICT community to create codes of conduct that include principles of non-discrimination, empowerment, and safety. Initiate the development of codes of conduct among social media organizations and professionals that enhance civil discourse, cultivate safe spaces, and build an online culture of respect for diversity and inclusion.

- **Gender audits.** Train and support media organizations in the use of gender audits, which are participatory tools to identify roadblocks to integrating gender equality in an organization's systems, operations, and programs. Ensure that these audits reflect the different experiences of men and women, persons with disabilities, LGBTI individuals, indigenous persons, youth, and religious and ethnic groups. Use the results of this audit to create an action plan that strategically builds on an organization's strengths and sets forth concrete steps to address areas of weakness.

- **Recruitment and hiring.** Work with media organizations to ensure that their policies and processes for recruitment and hiring reach men and women equally and do not contain implicit biases (e.g., prioritizing advanced degrees in a country with an educational gender gap), but are flexible enough to bring in a variety of experiences and perspectives. Support the development of internal mentoring programs for new staff and younger staff members.

- **Gender-responsive budgeting.** Build the capacity of media organizations to engage in gender-responsive budgeting as a tool to both further integrate gender into their organizational budgets and to better enable them to monitor government budgets.

- **Improving and using data.** Work with media actors, think tanks, or researchers to improve audience data—broken down by demographic categories—that can illustrate the value of reaching women and other population groups more effectively. Where possible, utilize market incentives to stimulate improved media coverage and service that addresses the interests and needs of all segments of the population. For example, utilize survey, demographic, or audience data to help media management teams recognize that women comprise half of their potential audience and that minority groups represent not only parts of the larger audience, but also potentially profitable niche markets.

- **Support women-generated content.** Sensitize media managers and opinion makers to the benefits of supporting the creation of innovative content produced by women from diverse backgrounds and on content related to inclusion and equality.

PROGRAM SNAPSHOT

Through its Tech Age Girls (TAG) program in Eurasia, IREX is addressing the underrepresentation of women in the information technology (IT) field and supporting girls to make their voices heard by developing online content in local languages. The USAID-supported program provides young female leaders with specialized IT training and opportunities to engage in public discussion on critical issues. The program first strengthens participants' IT skills while forming an online community focused on conducting online research projects and community activities. The highest achievers in this group are then selected to attend an intensive workshop in a major city to participate in advanced technology and leadership training, conduct short internships with NGOs or government agencies, and meet influential national level women leaders. Participants then return to their communities, linked to a network of young women leaders who are implementing local projects and training their peers in key IT skills. When TAG participants return home, they design new projects to serve their communities and mentor girls interested in becoming more technologically savvy and hoping to join the next TAG cadre.

Source: "Tech Age Girls (TAG)," IREX. https://www.irex.org/projects/tech-age-girls-tag

4. Media Activities and Outreach

Challenge: Helping media organizations integrate a gender perspective into their work.

Opportunities:

- **Gender analysis and integration.** Build the capacity of media organizations and professionals to institutionalize the use of gender analysis and a gender perspective in their work so that their work is accessible to and inclusive of men and women. Provide training to enhance the ability of media and ICT professionals to design and produce content that promotes gender equality and inclusion.

- **Sensitization training.** Support training for journalists regarding best practices for covering gender-related issues that could be sensitive, such as sexual or gender-based violence, or discrimination against LGBTI individuals. Such training might include techniques for interviewing survivors without reinforcing trauma and standards for protecting identities, and could either be stand-alone or integrated into other professionalization trainings.

- **Reaching diverse audiences.** Support efforts to develop diverse media content and delivery mechanisms—including radio, television, SMS, and the internet, including social media—that are appropriate to the target audience. Support efforts to ensure that the people and images represented reflect the target audience.

- **Building gender-related advocacy capacity.** Train and support diverse media and ICT professionals to engage in training and advocacy on issues related to gender and the media. Build the capacity of the media to monitor and report on laws, treaties, and international agreements which focus on human rights and/or gender issues.

- **Gender-sensitive media monitoring.** Ensure that media monitoring efforts include attention to gender- or other identity-based discrimination or rhetoric.

5. Improving Access to Media and ICT

Challenge: Increasing access to media and ICT for all.

Opportunities:

- **Addressing disparities in access.** Work with media organizations to develop programs that are sensitive to differences in oral and written literacy and gaps in technology access. Build the capacity of the media to utilize existing data regarding varying levels of technology access and literacy among, as well as between, certain groups. For example, while women and men in an indigenous community may not read the dominant language, women within that community may not even read the indigenous language; or, more men may work outside the home and have greater access to new technology than women.

- **Working with civil society.** Facilitate relationship-building between media and civil society organizations that work with women and traditionally marginalized groups to better address gaps in media literacy and access to technology.

- **Building media literacy.** Support school- and community-based media literacy and technology training programs with a particular focus on women and girls and other key populations.

- **STEM education.** Encourage and support technology training programs in schools and the creation and expansion of science, technology, engineering, and math (STEM) programs for girls.

- **Encouraging ICT use.** Enhance the capacity of local governments and CSOs to integrate new technology and social media into their organization's infrastructure and activities. Build the capacity of local government and CSOs to implement inclusive outreach, training, and education programs around new technology and social media.

SECTION III. Selected Resources

Engendering ICT Toolkit: Challenges and Opportunities for Gender-Equitable Development. The World Bank http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/EXTGENDER/EXTICTTOOLKIT/0,,menuPK:542826~pagePK:64168427~piPK:64168435~theSitePK:542820,00.html

From Counting Women to Making Women Count: Focusing on Women in Media Development Programs. Internews https://www.internews.org/sites/default/files/resources/Internews_MakingWomenCount2013-03.pdf

Gender equality and the empowerment of women through ICT. United Nations Division for the Advancement of Women Department of Economic and Social Affairs UN DAW DESA) http://www.un.org/womenwatch/daw/public/w2000-09.05-ict-e.pdf

Global Report on the Status of Women in News Media. International Women's Media Center (IWMC) http://www.iwmf.org/wp-content/uploads/2013/09/IWMF-Global-Report.pdf

Violence and Harassment against Women in the News Media: A Global Picture. IWMC and International News Safety Institute (INSI) http://www.iwmf.org/wp-content/uploads/2014/03/Violence-and-Harassment-against-Women-in-the-News-Media.pdf

Women's Empowerment through Participation and Access to the Media and Information Communication Technologies. UN DAW DESA http://www.un.org/womenwatch/feature/wsis2005/downloads/DAWICTFACTSHEET-WSIS05-19Oct05.pdf

Women's rights, gender, and ICTs. Global Information Society Watch http://giswatch.org/sites/default/files/gisw13_chapters.pdf

World Press Freedom Index 2016. Reporters without Borders https://rsf.org/en/news/2016-world-press-freedom-index-leaders-paranoid-about-journalists

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MODULE 10 ENDNOTE

[1] The terms "media and ICT" and "media organizations" are used in this module to describe the wide-ranging variety of professional, volunteer, full-time, and part-time organizations and individuals engaged in traditional media, new and social media, and ICT endeavors.

V. Additional Resources for Integrating Gender into Democracy, Human Rights, and Governance Programming

Bringing Women into Government
Institute for Inclusive Security
http://www.inclusivesecurity.org/wp-content/uploads/2013/05/Bringing-Women-into-Government_FINAL.pdf

International Norms and Standards Relating to Disability
United Nations Enable
http://www.un.org/esa/socdev/enable/comp00.htm

Do Our Laws Promote Gender Equality?
A Handbook for CEDAW-Based Legal Reviews
United Nations Entity for Gender equality and the Empowerment of Women (UNWomen)
http://unwomen-asiapacific.org/docs/cedaw/archive/FINAL_CEDAW_Handbook.pdf

Empowerment: A journey, not a destination
Pathways of Women's Empowerment Research Programme Consortium
https://www.ids.ac.uk/files/dmfile/SynthesisReport12DecR.pdf

Equal and Indivisible: Crafting Inclusive Shadow Reports for CEDAW
OutRight Action International formerly known as the International Gay and Lesbian Human Rights Commission (IGLHRC)
https://www.outrightinternational.org/content/equal-and-indivisible-crafting-inclusive-shadow-reports-cedaw

Gender Equality in Public Administration
United Nations Development Programme (UNDP)
http://www.undp.org/content/dam/undp/library/Democratic%20Governance/Women-s%20Empowerment/GEPA%20Global%20Report%20May%202014.pdf

Guidance Note of the Secretary-General:
United Nations Approach to Transitional Justice
United Nations
https://www.un.org/ruleoflaw/files/TJ_Guidance_Note_March_2010FINAL.pdf

Journeys from Exclusion to Inclusion: Marginalized women's successes in overcoming political exclusion
International Institute for Democracy and Electoral Assistance (IDEA)
http://www.idea.int/publications/from-exclusion-to-inclusion/loader.cfm?csModule=security/getfile&pageid=59459

*Measuring Democratic Governance: A framework
for selecting pro-poor and gender sensitive indicators*
UNDP
http://arabstates.undp.org/content/rbas/en/home/
presscenter/events/2012/November/regional_governance
_week/_jcr_content/centerparsys/download_12/file.res/
Measuring%20Democratic%20Governance_English%20
Paper.pdf

*Overcoming Political Exclusion: Strategies for marginalized
groups to successfully engage in political decision-making*
International IDEA
http://www.idea.int/publications/overcoming-political
-exclusion/loader.cfm?csModule=security/getfile&pageid
=60252

PeaceWomen
http://www.peacewomen.org/

Gender: Topic Guide
Governance and Social Development Resource Center
(GSDRC) http://www.gsdrc.org/docs/open/gender.pdf

United Nations High Commissioner for Human Rights
http://www.ohchr.org/EN/Library/Pages/HRDocuments.aspx

*United States National Action Plan on Women,
Peace, and Security*
http://www.whitehouse.gov/sites/default/files/email-files/US_
National_Action_Plan_on_Women_Peace_and_Security.pdf

*Voice and Agency: Empowering Women and Girls
for Shared Prosperity*
The World Bank
http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/
EXTGENDER/0,,contentMDK:23353755~pagePK:210058
~piPK:210062~theSitePK:336868,00.html

*Women, Business and the Law 2014:
Removing Restrictions to Enhance Gender Equality*
The World Bank
http://wbl.worldbank.org/~/media/FPDKM/WBL/
Documents/Reports/2014/Women-Business-and-
the-Law-2014-Key-Findings.pdf

*Women Engaging Politically:
Beyond Magic Bullets and Motorways*
Pathways of Women's Empowerment Research
Programme Consortium
http://r4d.dfid.gov.uk/PDF/Outputs/WomenEmp/Policy
_Oct_11_Women_engaging.pdf

VI. Additional USAID Resources Relevant to Integrating Gender in DRG Programming

ADS Chapter 205: Integrating Gender Equality
and Female Empowerment in USAID's Program Cycle
http://www.usaid.gov/sites/default/files/documents/
1870/205.pdf

Counter-Trafficking in Persons Policy
http://pdf.usaid.gov/pdf_docs/PDACT111.pdf

Counter-Trafficking in Persons (C-TIP)
Annual Review: Progress in Implementation
of the USAID C-TIP Policy 2011–2012
http://www.usaid.gov/sites/default/files/documents/1866/
CTIP%20Annual%20Review%202012%209-11-13.pdf

Disability Policy Paper
http://pdf.usaid.gov/pdf_docs/PDABQ631.pdf

Ending Child Marriage and Meeting the Needs
of Married Children: The USAID Vision for Action
http://pdf.usaid.gov/pdf_docs/PDACU300.pdf

Gender Equality and Female Empowerment Policy
http://www.usaid.gov/sites/default/files/documents/1870/
GenderEqualityPolicy.pdf

Guidance on the Implementation of Agency-Wide
Counter Trafficking in Persons Code of Conduct
http://pdf.usaid.gov/pdf_docs/PDACT175.pdf

LGBT Vision for Action: Promoting and Supporting the
Inclusion of Lesbian, Gay, Bisexual, and Transgender Individuals
http://www.usaid.gov/sites/default/files/documents/1874/
LGBT%20Vision.pdf

Presidential Memorandum on International
Initiatives to Advance the Human Rights of
Lesbian, Gay, Bisexual, and Transgender Persons
http://www.whitehouse.gov/the-press-office/2011/12/06/
presidential-memorandum-international-initiatives-advance
-human-rights-1

Social Networking: A Guide to Strengthening
Civil Society Through Social Media
http://www.usaid.gov/sites/default/files/documents/1866/
SMGuide4CSO.pdf

Toolkit for Monitoring and Evaluating
Gender-Based Violence Interventions
along the Relief to Development Continuum
http://www.usaid.gov/sites/default/files/documents/2151/
Toolkit%20Master%20%28FINAL%20MAY%209%29.pdf

Toward Gender Equality in Europe and Eurasia:
A Toolkit for Analysis
http://www.jbsinternational.com/sites/default/files/USAID
_Gender_Equality_Toolkit_Final.pdf

USAID Implementation of the United States
National Action Plan on Women, Peace, and Security
http://pdf.usaid.gov/pdf_docs/pdacw590.pdf

USAID Strategy on Democracy, Human Rights,
and Governance
http://www.usaid.gov/sites/default/files/documents/1866/
USAID%20DRG_%20final%20final%206-24%203%20(1).pdf

Women and Conflict:
An Introductory Guide for Programming
http://pdf.usaid.gov/pdf_docs/pnadj133.pdf

Women in Power Project Summary Report
https://www.usaid.gov/sites/default/files/USAID-WiP
-summary-report_FINAL.pdf

VII. Glossary of Key Terms

Affirmative Measures – Positive steps taken in the form of public policies, programs and/or regulations which attempt to compensate for inequality and discriminatory practices that have historically prevented or impaired certain groups or individual members from equal access or enjoyment of their human rights. These steps, programs, and regulations may involve granting to that population certain preferential treatment in specific matters as compared with the rest of the population and may be either short- or long-term in nature. Affirmative measures may include, but are not limited to: workplace accommodations; gender or other quotas; considering factors such as race, gender, or ethnicity in reviewing candidates or applicants; creating and allocating financial resources to mentoring and training programs for underrepresented groups.

Beijing Platform for Action – The Beijing Declaration and Platform for Action was adopted by the Fourth World Conference on Women in Beijing in 1995. The Platform for Action reaffirms the fundamental principal that the rights of women and girls are an "inalienable, integral and indivisible part of universal human rights" and calls upon governments to take action to address several critical areas of concern, including violence against women. The Platform for Action also requires all governments to develop strategies or national plans of action to implement the Platform locally. National Plans of Action for each country outline specific activities that the national governments will undertake to improve the situation of women, including addressing violence against women. In 2000, the UN General Assembly adopted a political declaration reaffirming Member States' commitment to the objectives set forth in the Beijing Declaration and Platform for Action and member states agreed to assess the platform's implementation regularly.

CEDAW – The United Nations Convention on the Elimination of all forms of Discrimination Against Women, also known as the Women's Treaty, sets forward what constitutes discrimination against women and proposes an agenda for national action to eliminate such discrimination in all spheres of life. In 30 articles, the treaty enumerates what equality means and how women's full civil, political, economic, social, and cultural rights can be achieved. Adopted in 1979, the treaty now has 98 signatories and 166 countries party to it. States parties to the treaty are expected to report on their progress to the CEDAW Committee, which monitors CEDAW implementation, every four years. Civil society is also invited to report on state parties' progress to the CEDAW Committee through shadow or alternative reports. The U.S. has signed but not ratified CEDAW.

CRPD – The United Nations Convention on the Rights of People with Disabilities is an international disability treaty that sets forward a framework for creating legislation and policies around the world that promote the rights and dignity of all people with disabilities and ensure that they enjoy full equality under the law. The treaty, which is monitored by the CRPD Committee, came into force in 2008. It has 158 signatories and 147 parties. The U.S. has signed, but not ratified, CRPD.

CSO – Civil Society Organizations refer to groups outside the government, including labor organizations, community groups, professional associations, and faith- or other identity-based organizations. These organizations express the interests of social groups, raise awareness of key issues to create social and political change, and help influence decision-making and shape policy through advocacy and mass mobilization.

Devolution – Devolution is the most expansive form of decentralization in that it requires subnational governments to hold defined spheres of autonomous action, which typically means the use of subnational elections. Thus, unlike deconcentration and delegation, devolution can not occur in the absence of political decentralization, and for that reason devolution and political decentralization are tightly linked as concepts. After devolution, separately elected decision makers in subnational governments may be largely independent of the national government, but they are still bound by the provisions of national laws (such as those regarding political rights and civil liberties), national policy priorities (including meeting basic needs and reducing poverty), and national standards (in such areas as fiscal responsibility, healthcare, and water quality).

EMB – Electoral Management Body refers to an organization or body, which has the sole purpose of, and is legally responsible for, managing some or all of the elements related to electoral processes. These core elements typically include: determining who is eligible to vote, receiving and validating the nominations of electoral participants, conducting polling, counting the votes, tabulating the votes, and announcing official election results.

Female Empowerment – According to the USAID Gender Equality and Female Empowerment Policy, female empowerment is achieved when women and girls acquire the power to act freely, exercise their rights, and fulfill their potential as full and equal members of society. While empowerment often comes from within, and individuals empower themselves, cultures, societies, and institutions create conditions that facilitate or undermine the possibilities for empowerment.

Gender is the socially defined set of roles, rights, responsibilities, entitlements, and obligations of females and males in societies. The social definitions of what it means to be female or male vary among cultures and change over time. The concept of gender also includes the expectations held about the characteristics, aptitudes, and likely behaviors of both women and men. Systems of social differentiation such as sexual identity, class, caste and ethnicity, religion, physical ability, and age modify perceptions of gender and gender roles.

Gender Analysis – According to the USAID ADS 205, an analytic, social science tool that is used to identify, understand, and explain gaps between males and females that exist in households, communities, and countries, and the relevance of gender norms and power relations in a specific context. Such analysis typically involves examining differences in the status of women and men and their differential access to assets, resources, opportunities and services; the influence of gender roles and norms on the division of time between paid employment, unpaid work (including subsistence production and care for family members), and volunteer activities; the influence of gender roles and norms on leadership roles and decision-making; constraints, opportunities, and entry points for narrowing gender gaps and empowering females; and potential differential impacts of development policies and programs on males and females, including unintended or negative consequences.

Gender-Based Violence (GBV) – Gender Based Violence refers to any act or threat that inflicts physical, sexual, or psychological harm on a person because of her/his gender or perceived gender. GBV both reflects and reinforces inequities between men and women.

Gender Equality – According to the USAID ADS 205, concerns fundamental social transformation, working with men and boys, women and girls, to bring about changes in attitudes, behaviors, roles and responsibilities at home, in the workplace, and in the community. Genuine equality means expanding freedoms and improving overall quality of life so that equality is achieved without sacrificing gains for males or females.

Gender Expression – The manifestation of one's gender identity; how a person behaves, appears, or presents with regard to societal expectations of gender. One's gender expression may not necessarily match one's gender identity.

Gender Identity – The personal sense of one's gender, which may or may not align with norms attached to one's birth-assigned gender.

Gender Integration – According to the USAID ADS 205, identifying, and then addressing, gender inequalities during strategy and project design, implementation, and monitoring and evaluation. Since the roles and power relations between men and women affect how an activity is implemented, it is essential that project managers address these issues on an ongoing basis.

Gender Mainstreaming – Gender mainstreaming is the process of assessing the implications for women and men of any planned action, including legislation, policies or programs, in all areas and at all levels with the ultimate goal of gender equality. It is a strategy for ensuring that women's and men's concerns and experiences are considered and represented in the design, implementation, monitoring and evaluation of policies and programs 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 non-conforming – People who do not conform to social norms about how they should look or act based on their birth-assigned gender. The term gender queer may sometimes be used synonymously.

Gender-sensitive – Being gender-sensitive involves the ability to recognize gender issues and to recognize gender-based differences in perceptions, concerns, and interests that arise from differences in gender roles and in social location (i.e., ethnicity, race, age, sexual identity, ability, and class). This concept was developed as a way to reduce barriers to personal and economic development created by sexism. Gender sensitivity helps to generate respect for the individual regardless of sex. It helps members of both sexes determine which assumptions in matters of gender are valid and which are stereotypes or generalizations.

Gender-Responsive Budgeting (GRB) – Gender-responsive budgeting is a tool used to analyze public spending from a gender perspective to identify the impact of government revenue and expenditures on women and men, boys and girls. It entails identifying the gaps between policy statements and the resources committed to their implementation. GRB initiatives aim to strengthen citizen advocacy and monitoring, hold public officials more accountable, and provide the needed information to challenge discrimination, inefficiency and corruption in order to propose feasible policy alternatives. Additionally, by highlighting the ways in which women contribute to society and the economy with their unpaid labor, and the needs of the poorest and most powerless members of society, GRB initiatives are important mechanisms for promoting social equality.

Human Trafficking or Trafficking in Persons (TIP) – Trafficking in persons is an international crime involving the acquisition of a human being using force, fraud, or coercion for the purpose of exploiting the individual for profit through forced labor or prostitution. TIP can involve either sex or labor exploitation, or both. It is fueled by demand for prostitution and cheap labor and facilitated by porous borders, absent rule of law, failure to prosecute traffickers, complicity of corrupt officials, and modern communication technology. The Palermo Protocol defines human trafficking as the recruitment, transportation, transfer, harboring 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 of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

ICERD – The International Convention on the Elimination of Racial Discrimination went into force in 1969 and focuses on the elimination of racism and the promotion of understanding among all races. The treaty is monitored by the Committee on the Elimination of Racial Discrimination with a similar reporting schedule as the CEDAW Committee. The convention currently has 87 signatories and 177 parties. The U.S. has signed and ratified ICERD.

Identity-Based Discrimination – Discrimination based on any aspect of a person's identity or identities, including but not limited to gender, race, ethnicity, class, religion, caste, sexual or gender identity, age, marital status, language, or ability.

Information and Communication Technologies (ICTs) – ICTs are a diverse set of technological tools and resources used to communicate, and to create, disseminate, store, and manage information. These technologies include computers, the Internet, mobile devices, and broadcasting technologies such as radio and television.

Intersectional(ity) – The intersections between forms or systems of oppression, domination, or discrimination. Intersectionality recognizes and examines how various biological, social, and cultural categories such as gender, race, class, ability, sexual identity, caste, and other identities interact on multiple and often simultaneous levels, contributing to discrimination and inequality. Intersectionality holds that varying forms of oppression within society, such as racism, sexism, and homophobia, do not act independently of one another, but rather interrelate and create a system of oppression that reflects the intersection of multiple forms of discrimination.

Intersex – Refers to a physical range of conditions including congenital discrepancy or incongruity between genetic (or chromosomal) and phenotypic (or physical appearance) sex or secondary sexual characteristics.

LGBTI – An acronym for lesbian, gay, bisexual, transgender, and intersex. There may be many variations of this acronym used in different contexts.

Maputo Protocol – The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, known as the Maputo Protocol, guarantees comprehensive rights to women including the right to take part in the political process, to social and political equality with men, to control of their reproductive health, and an end to female genital mutilation. It was adopted by the African Union as a protocol to the African Charter on Human and Peoples' Rights and went into force in 2005.

Marginalization – The social process of relegating or confining a social group to a lower social standing. Through the process of marginalization, women (as well as people with disabilities, LGBTI people, and others) have been historically or traditionally excluded by wider society from political and decision-making processes. Political marginalization also refers to the circumstances of under-representation or misrepresentation of women in decision-making bodies.

Palermo Protocol – The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, also referred to as the Trafficking Protocol, Palermo Protocol, or UN TIP Protocol is a protocol to the Convention against Transnational Organized Crime. It is one of the three Palermo protocols, the others being the Protocol against the Smuggling of Migrants by Land, Sea and Air and the Protocol against the Illicit Manufacturing and Trafficking in Firearms. The protocol defines the crime of human trafficking as one that meets three basic conditions: the act, or recruitment; the means, or the use of force or deception; and with the purpose of forced labor. It obligates ratifying states to prevent and combat trafficking in persons, protect and assist victims of trafficking, and promote cooperation among states in order to meet those objectives. The Protocol was adopted in 2000 and entered into force 2003.

Proxy Voting – A form of voting in which a member or members of a decision-making body may delegate their voting power to another member or members of the same body to vote in their absence.

Sex is the classification of people as male or female. At birth, infants are assigned a sex based on a combination of bodily characteristics including chromosomes, hormones, internal reproductive organs, and genitalia.

Sexual exploitation – In the context of corruption, sexual exploitation—sometimes referred to as "sextortion"—is defined by the International Association of Women Judges (IAWJ) as a form of corruption in which sex, rather than money, is the currency of the bribe. This abuse of power to obtain a sexual benefit or advantage is distinguished from other types of sexually abusive conduct in that it has both a sexual component and a corruption component and has three distinct features: (1) abuse of authority, (2) a quid pro quo exchange, and (3) psychological coercion rather than physical coercion. Sexual exploitation involves either an explicit or implicit request by someone in a position of authority to engage in any form of unwanted sexual activity. In this way, the perpetrator abuses his/her authority by endeavoring to exact, or by accepting, a sexual favor in exchange for exercise of the power entrusted to him/her.

Shadow or Alternative Report – When a state becomes party to a UN treaty through ratification, it becomes bound by its provisions and obligated to submit regular, periodic reports on its compliance with the treaty obligations. These reports are submitted to the treaty-monitoring body, or committee, that has been established for each treaty to monitor the compliance of state parties. The shadow report process, in which a CSO writes its own report on treaty compliance with access to the government report submitted to the CEDAW Committee, allows civil society to play a critical role in holding governments accountable to their treaty obligations. CSOs may also submit an alternative report, when no government report is available either because the government has not submitted one or because it was submitted too late.

Short Message Service (SMS) – A text messaging service component of a phone, Web, or mobile communication systems which uses standardized communications protocols to allow fixed line or mobile phone devices to exchange short text messages. SMS is the most widely used data application in the world.

Transgender – People who experience and/or express their gender differently from the social norms associated with their birth-assigned gender. It is an umbrella term that encompasses people who are transsexual, cross-dressers, or otherwise gender non-conforming.

Transsexual – A medical term used to describe people whose gender identity and birth-assigned gender do not line up and who often, but not always, seek medical treatment to bring their body and gender identity into alignment.

UDHR – Adopted by the United Nations General Assembly in 1948, the Universal Declaration of Human Rights represents the first global expression of rights to which all human beings are inherently entitled. The Declaration consists of thirty articles addressing fundamental freedoms and rights which are indivisible, interdependent, and universal. These articles have been elaborated in subsequent international treaties, regional human rights instruments, national constitutions, and other laws. The UDHR, the International Covenant on Economic, Social and Cultural Rights (ICCPR) and the International Covenant on Civil and Political Rights (ICESCR) and its two Optional Protocols make up the International Bill of Human Rights.

UNSC 1325, 1880, 1884, 1820, 1888, 1889, 1960, 2106 and 2122 – United Nations Security Resolution 1325 is a landmark international legal framework that addresses not only the inordinate impact of war on women, but also the pivotal role women should and do play in conflict management, conflict resolution and sustainable peace. UNSCR 1325 acknowledges the changing nature of warfare, in which civilians are increasingly targeted, and women continue to be excluded from participation in peace processes. It presents four pillars for addressing women in conflict and post-conflict settings: participation, protection, prevention, and relief and recovery. UNSCR 1325 was followed by the creation of a series of supporting Security Resolutions, including 1880, 1884, 1820, 1888, 1889, 1960, 2106, 2122 and 2242, aimed at operationalizing and strengthening 1325 and addressing critical issues affecting women in conflict, including sexual violence and participation in peacebuilding.

Yogyakarta Principles – In 2006, in response to well-documented patterns of abuse, a group of international human rights experts met in Yogyakarta, Indonesia to outline a set of international principles relating to sexual orientation and gender identity. The result was the Yogyakarta Principles, a universal guide to human rights that aims to provide a consistent understanding about application of international human rights law in relation to sexual orientation and gender identity and affirm binding international legal standards with which all States must comply. Among other issues, the Principles address sexual assault and rape, torture and ill-treatment, extrajudicial executions, honor killing, invasion of privacy, arbitrary arrest and imprisonment, medical abuse, denial of free speech and assembly and discrimination, prejudice and stigmatization in work, health, education, housing, family law, access to justice and immigration.