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2018

### 2018 IAOHRA Gender Equity Toolkit

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International Association of Official Human Rights Agencies (IAOHRA)

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**2018  
IAOHRA  
GENDER  
EQUITY  
TOOLKIT**

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 COLUMBIA LAW SCHOOL  
HUMAN RIGHTS INSTITUTE

# STRATEGIES FOR STATE & LOCAL AGENCIES TO PROMOTE THE PRINCIPLES OF CEDAW

The Columbia Law School Human Rights Institute advances international human rights through education, advocacy, factfinding, research, scholarship, and critical reflection. We work in partnership with advocates, communities, and organizations pushing for social change to develop and strengthen the human rights legal framework and mechanisms, promote justice and accountability for human rights violations, and build and amplify collective power.

The Institute's Human Rights in the U.S. Project builds the capacity of U.S. lawyers, policymakers, and advocates to incorporate a human rights framework into domestic social justice advocacy efforts. We build networks, facilitate trainings, conduct educational outreach, and promote coordination among progressive public policy and advocacy groups. We also directly contribute to the development of legal theories and positive precedents based on international law through work on select litigation before U.S. courts, in international and regional fora, and through other research and advocacy projects. This toolkit was developed in partnership with the International Association of Official Human Rights Agencies (IAOHRA).

IAOHRA, founded in 1949, is a non-profit membership association of state and local statutory civil and human rights and human relations agencies mandated by state, county or city governments to enforce human and civil rights laws and/or to conduct research, training, and public education ("Human Rights Agencies"). IAOHRA also develops educational programs on human rights and civil rights issues, and serves as a clearinghouse for information exchange between human rights agencies around the world. IAOHRA members are mainly in the United States but membership is open to other similar agencies around the world.

IAOHRA has worked with the Human Rights Institute for over decade to ensure human rights accountability in the United States, including through engagement with UN human rights treaty bodies and special procedures.

## What is CEDAW?

Human rights provide a valuable tool for assessing and advancing women's human rights; proactively identifying and changing the laws, policies, and practices that perpetuate inequality; addressing the stereotypes and beliefs that underlie gender discrimination; and shaping initiatives that improve gender equity.

The Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) is the most comprehensive binding international agreement aimed at advancing women's rights and gender equity. Often called the "international bill of rights for women," CEDAW aims to ensure women have equal opportunities in all aspect of life, including protection from gender-based violence; guarantees the right to vote and calls for equal participation in public office; prohibits discrimination in employment; and provides for equal access to basic services such as education and health care, including family planning, as well as women's rights to land, housing, and property. CEDAW provides a roadmap for change, calling on governments to take actions that foster substantive equity in practice, not just equality in law. This includes prohibiting acts of discrimination against women by governments and by individuals. Importantly, CEDAW calls for an intersectional approach to policy-making, based on the principle that women can better relate to, and benefit from, policies that address all aspects of their identity.

While no country has achieved full gender equality, many countries that have ratified CEDAW have used it to change laws and policies as well as to combat the negative effects of gender discrimination, including poverty, domestic violence, lack of access to education, and healthcare. For example, after ratifying CEDAW, Canada created an institute to address health disparities between women and men.

Appendix A provides a more in-depth description of CEDAW and the General Recommendations that further elucidate the principles of the treaty.

Further information is also available at [www.citiesforcedaw.org](http://www.citiesforcedaw.org).

## CEDAW in action: U.S. cities & counties & IAOHRA

The United States is one of only six countries (UN member states) that have not yet ratified CEDAW, and is the only industrialized democracy yet to ratify. Nevertheless, many U.S. cities and counties are using CEDAW principles to advance women's rights locally. Over 30 jurisdictions have adopted local laws or resolutions committing to support and implement CEDAW's non-discrimination principles. And, nine have passed legally binding CEDAW ordinances, including: Cincinnati, Ohio; Honolulu, Hawaii; Miami-Dade County, Florida; and Pittsburgh, Pennsylvania. In California, Berkeley, Los Angeles, San Jose, and Santa Clara County have CEDAW ordinances. IAOHRA also passed its own resolution in support of CEDAW. This document is prepared in furtherance of IAOHRA's 2017 resolution, which makes the following commitment:

IAOHRA will prepare guidelines to assist Human Rights Commissions and government agencies to support local coalitions in adopting the principles of CEDAW or to initiate programs to seek gender equity.

There are many ways that state and local governments can utilize CEDAW to promote and protect women's rights. Human Rights Commissions and government agencies can utilize CEDAW as a tool to advance gender justice through efforts to:

- Foster Human Rights Education and Awareness
- Assess the Status of Women Locally
- Incorporate CEDAW Principles into Local Law & Policy
- Develop Partnerships with the Private Sector

The remainder of this toolkit provides concrete examples of these activities, and identifies some ways state and local human rights agencies can promote greater gender equity.

# Foster Human Rights Awareness

Your agency is well-placed to bring stakeholders together to discuss women's human rights. For example, you could:

- Host a community discussion about CEDAW principles and ways to use CEDAW locally and enhance the understanding of where your jurisdiction is doing well and potential avenues for positive change. Participants could identify which principles of CEDAW are most relevant to your community. CEDAW principles also provide a good opportunity to reflect on how women's multiple identities, including race, nationality, disability, age, as well as economic and social status, impact achievements. You could create "a living human rights document" and share the results in a newsletter, on your website, or an OpEd.

- The Salt Lake City Human Rights Commission worked with the Mayor's Office of Diversity to facilitate community dialogues on women's issues. The feedback the City received was captured in a report on The Status of Women in Salt Lake City, which laid the foundation for the City to adopt a CEDAW resolution.

- Disseminate information about CEDAW and basic human rights to community leaders, non-profits, and local schools, as well as at community events, in order to generate discussion on gender equity.

- Convene a "Stories for CEDAW" storytelling event where women can tell stories of how they understand women's equality, how they have experienced gender-based discrimination, and what kind of changes are needed. This could provide an opportunity to hear from a diversity of women and girls on the ways that policies impact women differently on the basis of their identities, and to include local policy makers.

- Host an in-person event combined with an online forum. Create a local hashtag like #Cincinnati4CEDAW and try to engage local media personalities in the discussion about gender discrimination and women's human rights.

- Hold an event that honors women and girl refugees in your area. Invite several refugee community members to share their experiences, and stories of their journey to the U.S. Facilitate activities and programs that emphasize that female refugees and their families are welcome in your community. This type of activity can help protect human rights and challenge discrimination and xenophobia.

- Host a public forum with women leaders from the community and local government agencies. CEDAW emphasizes that women should hold public office on equal terms with men and this type of event can kickstart discussions on the challenges and opportunities women face in serving in government in your area.

- Hold a training session on human rights for young women considering public service careers.

## Assess the Status of Women Locally

A rights-based approach calls for accurate data and community participation in efforts to understand whether equity is being achieved. Your commission or agency can work with partner agencies and other stakeholders to develop a clear picture of how women of all backgrounds and identities are doing in your jurisdiction, in order to inform strategies to address discrimination and advance gender equity.

In a number of jurisdictions, local governments are working with local universities to conduct a city or county-wide gender analysis.

- In Los Angeles, Mayor Eric Garcetti, in partnership with the Los Angeles City Commission on the Status of Women and a local university, gathered and disaggregated data into a series of reports on The Status of Women and Girls in Los Angeles. This effort complemented the release of Mayoral Gender Equity Executive Directive, which calls on each agency and department to develop gender equity action plans.

- In Cincinnati, advocates worked with the University of Cincinnati to put together a gender study. Working with the Mayor's office, they drafted a law that established a Mayor's Task Force to recommend next steps once the study was completed. Currently, the City's Human Resource Department is cooperating with the Task Force and providing information to the university research team.

In some jurisdictions, the local government is assessing the gender equity of local commissions and boards.

- The San Francisco Department on the Status of Women released its most recent gender analysis in December of 2017, assessing board and department demographics according to gender, ethnicity, and race, as well as according to sexual orientation, disability, and veteran status.

In municipalities around the world, local governments conduct gender analysis of policies, programs, and budgets. Your agency can also undertake a gender self-assessment, or contribute to a larger-jurisdiction-wide study. Appendix B - an excerpt of the Local Government Gender Analysis Toolkit developed by Latrobe City Council and Gippsland Women's Health in Australia - includes some questions to guide a gender analysis.

## Incorporate CEDAW Principles Into Local Law & Policy

Human rights principles offer guidelines to assess changes in city and county law and policy, as well as a blueprint for how to advance gender equity that reaches across communities and provides for an intersectional, cross-cutting approach to gender equity. Your agency can:

- Include CEDAW principles and standards in testimony to legislative bodies. The Human Rights Institute has referenced CEDAW, and other human rights agreements in testimony before the New York City Council, focused on the arena of gender-based violence and the impact on access to housing.
- Consider adopting or supporting a local CEDAW resolution or law, which could expand efforts to collect and analyze disaggregated data; inform new gender action plans and policies, including on pay equity and family leave; and encourage human rights education, among other issues. Examples of local resolutions and ordinances passed in other jurisdictions can be found on the Cities for CEDAW website: [citiesforcedaw.org](http://citiesforcedaw.org).

## Develop Partnerships with the Private Sector

Gender equity is increasingly vital to successful business. CEDAW addresses aspects of public and private life, including employment. Accordingly, engagement with the private sector is critical to ensuring gender equity at the city, county, and state level, and provide important opportunities to collaborate

- The San Francisco Department on the Status of Women worked together with private entities to establish the Gender Equality Principles (GEPs), a set of standards to assist private companies in addressing gender equity and promoting effective practices. The GEPs have been adopted as the Women's Empowerment Principles by the United Nations.



## Further Resources

Any and all of the activities discussed in this toolkit can be used as a platform to strengthen protection for women's rights. They can be used as a springboard to pursue law, policy, and coalition building in support of future projects to support human rights.

CEDAW is a valuable tool for advancing women's human rights, and we hope these activities are helpful suggestions to further utilize this important treaty in your jurisdiction. If you are interested in learning more, or advancing human rights awareness and implementation, there are many resources available on [www.citiesforcedaw.org](http://www.citiesforcedaw.org). You can also contact the following individuals and organizations, who helped develop this document.

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Please also visit the following website with information about local implementation [citiesforcedaw.org/](http://citiesforcedaw.org/).



# APPENDIX A



# CEDAW

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CEDAW is a U.N. treaty known as the "international bill of rights" for women

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It aims to eliminate discrimination against all women & girls

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The U.S. is 1 of only 6 countries in the world that have not ratified CEDAW

# CEDAW

THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

## WHAT DOES CEDAW DO?

CEDAW affirms the fundamental rights of women & girls & sets out a comprehensive framework to combat gender inequality & eliminate gender discrimination. CEDAW calls for policies that reflect the ways that a woman's multiple identities, including her race, nationality, ability, age, sexual orientation, & gender identity as well as economic & social status, impact her enjoyment of rights.

## WHAT ARE COUNTRIES' OBLIGATIONS?

Countries that ratify CEDAW commit to respect, protect & fulfill women's rights & to eliminate all forms of gender discrimination through law, policy, & practice. They also commit to report on progress to the U.N. Committee set up to monitor CEDAW compliance. CEDAW is aimed at national governments, but provides useful guidance to local & state governments.

Photos credit: Felipe Barros/ExLibris/Secom-PMI

# CEDAW BY THE ARTICLE

Modified from: UNWomen CEDAW for Youth Brief

## Article 1: Definition of discrimination against women & girls:

Discrimination against women & girls means different treatment from men & boys that prevents them from enjoying their human rights. It includes both direct & indirect discrimination.

**Article 2: Policy measures:** Countries must take action to promote equality & end discrimination against women & girls, by establishing laws & policies to protect them from discrimination.

**Article 3: Guarantee of basic human rights & freedoms:** Countries must guarantee that women & girls can enjoy their human rights & fundamental freedoms in every aspect of society.

**Article 4: Special measures:** Countries should adopt temporary special measures to accelerate progress towards gender equality.

**Article 5: Roles based on stereotypes:** Countries must work to change harmful gender stereotypes that perpetuate discrimination.

**Article 6: Trafficking & prostitution:** Countries must end the exploitation of prostitution & trafficking of women & girls.

**Article 7: Political & public life:** Countries must eliminate discrimination against women & girls in political & public life.

**Article 8: Participation at the international level:** Countries must ensure women & girls have equal rights to represent their country at the international level.

**Article 9: Nationality:** Countries must guarantee that women have equal rights with men to acquire, retain or change their nationality, & the nationality of their families.

**Article 10: Education:** Countries must take actions to end discrimination against women & girls & ensure equal rights in education.

**Article 11: Employment:** Countries must eliminate discrimination against women in employment, including ensuring equal opportunities to choose one's profession & receive equal pay for work of equal value.

**Article 12: Health:** Countries shall take measures to guarantee equal access to healthcare services, including family planning & ensure availability of affordable services before, during, & after pregnancy.

## What is covered?

In its 30 articles, CEDAW addresses political & public life, including women's right to vote & to hold public office. It covers private as well as public conduct. It also requires measures to foster equal access & non-discrimination in education, employment, & health. CEDAW calls for equal pay & paid maternity leave. It provides a foundation to address violence against women, focusing on prevention & redress for survivors.

## What is unique?

CEDAW defines what constitutes discrimination against women broadly to include sex-based distinctions, exclusions & restrictions that keep women from enjoying their human rights & fundamental freedoms. It highlights that culture, stereotypes & beliefs shape gender roles. CEDAW calls for proactive measures to address these concerns & specifically addresses family life & marriage.

**Article 13: Economic & social life:** Countries must eliminate discrimination against women & girls in economic & social life.

**Article 14: Rural girls & women:** Countries must take account of the specific problems of rural women & girls.

**Article 15: Law:** Countries must guarantee women & girls equality before the law, including equal access to legal counsel, services, & resources.

**Article 16: Marriage & family life:** Countries shall eliminate discrimination against women in marriage & family relations; ensure that women have equal rights in their choice of whether & whom to marry, & in matters relating to birth, adoption, & childcare; guarantee equal property rights in marriage.

**Articles 17-30: Treaty monitoring & implementation:** Sets up a committee of experts to monitor progress of national governments, & lays out relevant rules & procedures.



# CEDAW GENERAL RECOMMENDATIONS

## What are General Recommendations?

The CEDAW Committee is the body of independent experts charged with monitoring compliance with CEDAW. Since 1986, this Committee has issued 36 General Recommendations that interpret the treaty & clarify CEDAW's provisions. These recommendations provide additional guidance as to what compliance with the treaty entails. They also bring attention to issues that the CEDAW Committee believes governments should focus on in order to respect, protect, & fulfill women's rights.

## What do they cover?

General recommendation No. 19 is well known for its interpretation of discrimination as including acts of gender-based violence. Many recommendations refer to "States Parties," which includes all the countries that have ratified CEDAW. While these recommendations are primarily aimed at the national governments that have ratified CEDAW, they provide useful guidance to state & local governments & advocates.

### [Nos. 1 & 2 \(1986 & 1987\) Reporting guidelines for national governments](#)

Sets up guidelines on the frequency of country reports & procedures for national governments reporting to the CEDAW Committee.

### [No. 3 \(1987\) Education & public information programs](#)

Urges all States Parties to adopt education & public information programs which will help eliminate prejudices & current practices that hinder the full operation of the principle of the social equality of women.

### [No. 4 \(1987\) Government reservations to treaty principles](#)

Suggests that all States Parties reconsider reservations with a view to withdrawing them.

### [No. 5 \(1988\) Temporary special measures](#)

Recommends that States Parties make more use of temporary measures such as proactive policies that benefit women or quota systems to advance women's integration into education, the economy, politics & employment.

# CEDAW General Recommendations

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## No. 6 (1988) Effective national machinery & publicity

Recommends that States Parties establish &/or strengthen effective national institutions & procedures at a high level of government, & with adequate resources, with commitment & authority to:

1. Advise on the impact on women of all government policies;
2. Monitor the situation of women comprehensively;
3. Help formulate new policies & effectively carry out strategies & measures to eliminate discrimination;
4. Take appropriate steps to ensure the dissemination of the Convention, the reports of the States Parties & the reports of the Committee in the language of the States concerned;
5. Include in their initial & periodic reports the action taken in respect of this recommendation.

## No. 7 (1988) Resources for monitoring

Recommends the States Parties take all necessary & appropriate steps to ensure that adequate resources & services are available to the CEDAW Committee to monitor compliance with the treaty.

## No. 8 (1988) Implementation of article 8 of the Convention

Recommends that States Parties take further direct measures in accordance with article 4 of the Convention to ensure the full implementation of article 8 of the Convention & to ensure to women on equal terms with men & without any discrimination the opportunities to represent their government at the international level & to participate in the work of international organizations.

## No. 9 (1988) Disaggregating statistical data

Recommends that States Parties should make every effort to ensure that their national statistical services responsible for planning national censuses & other social & economic surveys formulate their questionnaires in such a way that data can be disaggregated according to gender, with regard to both absolute numbers & percentages, so that interested users can easily obtain information on the situation of women.

# CEDAW General Recommendations

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## [No. 10 \(1989\) Tenth anniversary of the adoption of CEDAW](#)

Recommendations for awareness raising around the 10th anniversary of CEDAW.

## [No. 11 \(1989\) National government cooperation](#)

Recommends the States Parties take all necessary & appropriate steps to ensure that adequate resources & services are available to the CEDAW Committee to monitor compliance with the treaty.

## [No. 12 \(1989\) Violence against women](#)

Recommends to States Parties that they should monitor & report on:

1. The legislation in force to protect women against all kinds of violence in everyday life (including sexual violence, abuses in the family, sexual harassment at the workplace, etc.);
2. Other measures adopted to eradicate this violence;
3. The existence of support services for women who are the victims of aggression or abuses;
4. Statistical data on violence of all kinds against women & on victims.

## [No. 13 \(1989\) Equal remuneration for work of equal value](#)

Recommends that States Parties:

1. Ratify ILO Convention No. 100;
2. Consider the study, development & adoption of job evaluation systems based on gender-neutral criteria that would facilitate the comparison of the value of jobs in which women presently predominate, with jobs in which men presently predominate, & include the results achieved in their reports to the CEDAW Committee;
3. Support the creation of implementation machinery & encourage collective agreements, where applicable, to ensure equal remuneration for work of equal value.

## [No. 14 \(1990\) Female circumcision](#)

Recommends that States Parties take appropriate & effective measures with a view to eradicating the practice of female circumcision (FGM) & provides various suggestions for what these activities could be.

# CEDAW General Recommendations

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## [No. 15 \(1990\) Women & AIDS](#)

Recommends that States Parties intensify efforts to increase public awareness of the risk of HIV infection & AIDS, especially in women & children, & its effects on them. It suggests that programs to combat AIDS should give special attention to the rights & needs of women & children, & to the factors relating to the reproductive role of women & their unique vulnerabilities. It encourages States Parties to ensure the active participation of women in primary health care & take measures to enhance their role as care providers, health workers & educators in the prevention of infection with HIV.

## [No. 16 \(1991\) Unpaid women workers in rural & urban family enterprises](#)

Recommends that States Parties monitor & report on the legal & social situation of unpaid women working in family enterprises. States Parties should take the necessary steps to guarantee payment, social security & social benefits for women who work without such benefits in enterprises owned by a family member.

## [No. 17 \(1991\) Measurement & quantification of the unremunerated domestic activities of women & their recognition in the GNP](#)

Recommends that States Parties encourage & support research & experimental studies to measure & value the unremunerated domestic activities of women. It encourages States Parties take steps to quantify & include the unremunerated domestic activities of women in the gross national product & to monitor & report on the research & experimental studies undertaken to measure & value unremunerated domestic activities, as well as on the progress made in the incorporation of the unremunerated domestic activities of women in national accounts.

## [No. 18 \(1991\) Disabled women](#)

Recommends that States Parties monitor & report on disabled women & measures taken to deal with their particular situation, including special measures to ensure that they have equal access to education & employment, health services & social security, & to ensure that they can participate in all areas of social & cultural life.



# CEDAW General Recommendations

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## [No. 19 \(1992\) Violence against women](#)

CEDAW in Article 1 defines discrimination against women, & that definition includes gender-based violence, that is, violence that is directed against a woman because she is a woman or that affects women disproportionately. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion & other deprivations of liberty. Gender-based violence may breach specific provisions of the Convention, regardless of whether those provisions expressly mention violence.

## [No. 20 \(1992\) Reservations](#)

The CEDAW Committee recommended that States Parties should raise the question of the validity & the legal effect of reservations to the Convention; reconsider such reservations with a view to strengthening the implementation of all human rights treaties; & consider introducing a procedure to address reservations.

## [No. 21 \(1994\) Equality in marriage & family relations](#)

Elaborates on states' obligations to protect, respect, & fulfill women's equal rights with men with respect to entering into marriage, the right to own property & passing their nationalities onto their children.

## [No. 22 \(1995\) Article 20 of the Convention](#)

Relates to the amendment of the meeting time of the Committee.

## [No. 23 \(1997\) Women in political & public life](#)

States Parties shall take all appropriate measures to eliminate discrimination against women in the political & public life of the country &, in particular, shall ensure to women, on equal terms with men, the right:

1. To vote in all elections & public referendums & to be eligible for election to all publicly elected bodies;
2. To participate in the formulation of government policy & the implementation thereof & to hold public office & perform all public functions at all levels of government;
3. To participate in non-governmental organizations & associations concerned with the public & political life of the country.

# CEDAW General Recommendations

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## [No. 24 \(1999\) Women & Health](#)

Recognizes that many forms of violence impacting women's health are related to sexual violence. Sexual violence leads to physical & psychological harm & unwanted pregnancies. The recommendation addresses many aspects of women's right to health, importantly calling attention to the role of medical institutions in tackling violence against women. It highlights the needs for holistic solutions.

## [No. 25 \(2004\) Temporary special measures](#)

Outlines the meaning of temporary special measures under Article 4(1) of CEDAW. Temporary special measures are actions states can take to speedily achieve substantive equality for women. These measures can include affirmative action or preferential treatment policies, political quota systems, outreach & support programs, reallocation of resources, & targeted recruitment, hiring & promotion. The idea is that these policies are "temporary" because they will be unnecessary once substantive equality has been achieved.

## [No. 26 \(2008\) Women migrant workers](#)

Provides recommendations to national governments on implementing CEDAW with a focus on the lived experiences of women migrant workers. Regardless of a woman's immigration status, states are required to protect them against gender-based violence.

## [No. 27 \(2010\) Older women & the protection of their rights](#)

Violence occurs throughout the lifecycle, impacting women before they are born to the last years of their life. Older women experience unique forms of discrimination & gender-based violence. This recommendation emphasizes that older women's needs & vulnerabilities are often given little attention by states, yet their likelihood for experiencing exploitation & abuse remain very high.

## [No. 28 \(2010\) Core obligations of States Parties under Article 2 of CEDAW](#)

Article 2 of CEDAW is focused on the role of law, legislation & legal institutions in securing women's right to non-discrimination, both formally & in practice. States Parties have obligations under Article 2 to condemn of all forms of discrimination against women & adopt policies to eliminate them. This requires comprehensive policies applied indiscriminately to all women regardless of their status within a state (e.g. women migrant workers, asylum seekers). As part of eliminating violence against women, each state has a due diligence obligation to prevent, investigate, prosecute & punish acts of gender-based violence.

# CEDAW General Recommendations

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## [No. 29 \(2013\) Economic consequences of marriage, family relations, & their dissolution](#)

Article 16 of CEDAW calls for the elimination of discrimination against women in marriage & family relations. The recommendation provides a framework to States Parties for achieving an egalitarian regime under which the economic benefits & liabilities of family relations & their dissolution are borne equally by men & women.

## [No. 30 \(2013\) On women in conflict prevention, conflict, & post-conflict situations](#)

Recognizes the many ways in which conflict leads to violence against women, & the fact that after conflict has ended, gender-based violence only escalates. To protect women's rights, States Parties must provide adequate remedies to women for acts of private individuals or entities, develop codes of conduct on human rights & the prohibition of all forms of gender-based violence, & address the gendered impact of international transfers of arms, among other activities.

## [No. 31 \(2014\) Of the Committee on the Elimination of Discrimination against Women & No. 18 of the Committee on the Rights of the Child on harmful practices](#)

Provides States Parties with criteria for identifying harmful practices associated with serious forms of violence against women & children, & a holistic framework for ending them. Female genital mutilation, forced marriage, crimes committed in the name of so-called "honor," dowry-related violence, widowhood practices & virginity testing, are just some of the harmful practices that violate women & girls' fundamental human rights. Because these harmful practices are rooted in discrimination & inequality, they are considered acts of violence against women.

## [No. 32 \(2014\) On the gender-related dimensions of refugee status, asylum, nationality & statelessness of women](#)

Provides guidance on how to ensure human rights for stateless women & female asylum-seekers. It also provides a gender dimension to other international treaties addressing the rights of refugees, asylum-seeking & stateless persons (e.g. the 1951 Refugee Convention). General recommendation 32 recognizes violence against women is a major form of persecution experienced by women seeking asylum or who hold refugee status. Female genital mutilation, threats of violence, threats of "honor" crimes, trafficking in women, acid attacks, domestic violence, imposition of the death penalty & political &/or religious persecution for holding feminist views, are just a few of the forms of discriminatory persecution these women have survived.

# CEDAW General Recommendations

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## [No. 33 \(2015\) On women's access to justice](#)

General recommendation No. 33 identifies 6 key components necessary for guaranteeing access to justice: justiciability, availability, accessibility, good quality justice systems, effective remedies & accountability. These components are protected & guaranteed across specific areas of law - constitutional, civil, family, criminal & administrative - & apply to all types of judicial systems.

## [No. 34 \(2016\) On the rights of rural women](#)

Highlights the prevalence of violence against women & girls living in rural areas & the need for specialized awareness-raising activities in rural areas, as well as & access to justice & integrated services, such as health services & emergency shelters. It draws out the links between violence as a barrier to education for women & girls & the links between accessing water, sanitation & safe transport.

## [No. 35 \(2017\) On gender-based violence against women, updating No. 19](#)

Passed on the 25th anniversary of the passing of general recommendation No. 19, this general recommendation aims to provide government with updated guidance on how to eliminate gender-based violence against women. The recommendation recognizes that prohibitions against gender-based violence have been widely adopted in international law. It also calls for the repeal of any laws which excuse, condone, or facilitate violence.

## [No. 36 \(2017\) On the right of girls & women to education](#)

General recommendation No. 36 underscores CEDAW's commitment to non-discrimination in the sphere of education of girls & women. The recommendation suggests that States Parties focus on ensuring that girls & boys have access to, & complete, primary & secondary education that is of a high quality, & equitable. Second, it highlights the need for governments to break down any existing gender disparities in education.

## [No. 37 \(2017\) On gender-related dimensions of disaster risk reduction in the context of climate change](#)

Provides States Parties guidance on their obligations in relation to disaster risk reduction & climate change. It encourages States Parties to ensure substantive equality between women & men in all areas of life, & particularly in those rights that may be particularly affected by climate change & disasters. These include extreme weather events such as floods & hurricanes, the melting of polar ice caps & glaciers, droughts & sea level rise.



**APPENDIX B**





LOCAL  
GOVERNMENT

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GENDER  
ANALYSIS  
TOOLKIT

# Introduction

## **What is gender analysis?**

Gender analysis is a process for assessing how a policy, program or service will impact women and men differently. The aim of gender analysis is to move from gender blind service delivery, where differences between women and men are not acknowledged or assessed, to gender aware service delivery.

## **Why is it important to consider gender?**

Women and men have different access to power, resources and responsibilities. Often this advantages men over women. Gender equity is the process of being fair to women and men by recognising diversity and disadvantage and directing resources and services towards those most in need to work toward equal outcomes for all. A gender equity approach acknowledges that different strategies are often necessary for women and men. Working towards gender equity will lead to gender equality.

## **Why is gender analysis important for local government?**

Local government has a critical role in creating and supporting environments that enable everyone in our community to achieve optimal health and wellbeing. This role is legislated through:

- Public Health and Wellbeing Act (2008) section 24
- Local Government Act 1999 (3c) (3d)
- Victorian Equal Opportunity Act 2010
- Sex Discrimination Act 1984
- Victorian Charter of Human Rights and Responsibilities Act 2006

Gender analysis is important to ensure that local government service delivery does not unfairly disadvantage women or men, either intentionally or unintentionally. Gender aware service delivery aims to deliver council services effectively to all members of the community. Gender analysis assists in providing a robust evidence base that supports sound decision-making.

## **The toolkit**

This gender analysis toolkit is a guide to gender analysis of local government events, information, programs, projects and services. It is designed to be usable by all council officers across Victoria.

While this toolkit may be used without a pre-existing knowledge of gender analysis, it is advised that council officers understand that gender exists on a spectrum. For example, while many people identify as being women or men, or female or male, others may identify as being genderqueer or intersex. However, for ease of use this tool will utilise the binary terms women and men, and female and male. Gender analysis must also consider other factors, such as socio-economic status, age, ability and cultural background, which intersect with gender to impact outcomes for individuals.



## Programs, projects, services and events

| Key questions to consider during the different phases of the project/program/service/event.   | Yes:<br>No:<br>N/A | Provide evidence<br>What action is required? Specify changes required to policies, practices, etc. |
|---|--------------------|--|
| <b>PLANNING</b>   |                    |  |
| Is data about the previous usage of the project/program/service/event by women and men collected and analysed?  |                    |  |
| Is data about the needs of both women and men collected and analysed?   |                    |  |
| Are both women and men consulted, including those in diverse groups?<br><i>(CALD, disability, Indigenous, LGBTIQ)</i>   |                    |  |
| Are barriers to participation of both women and men taken into account?<br><i>(Time of day, caring responsibilities, having a safe and welcoming venue)</i>   |                    |  |
| <b>IMPLEMENTATION</b>   |                    |  |
| Are there equal opportunities for both women and men to contribute to making decisions during the program?<br><i>(In activities and meetings are the voices of both women and men heard?)</i>           |                    |  |
| Are equal and respectful relationships between women and men fostered and promoted during the program? Are stakeholders aware of these standards?<br><i>(Is there zero tolerance for sexist jokes?)</i> |                    |  |
| Are symbols, pictures, language and examples used that show diverse women and men in a range of non-traditional and non-stereotyped roles?  |                    |  |
| <b>EVALUATION</b>   |                    |  |
| Is usage data broken down by sex?   |                    |  |
| Is there a plan of how to evaluate the impact of the program on both women and men?   |                    |  |



# Community engagement

| During these phases of your community engagement ...   | Yes:<br>No:<br>N/A | Provide evidence<br>What action is required? Specify changes required to policies, practices, etc. |
|--|--------------------|--|
| <b>PURPOSE AND SCOPE</b>   |                    |  |
| Does your purpose for community engagement include understanding the different needs of female and male community members?   |                    |  |
| Does the scope of your engagement allow for addressing the different needs of female and male community members?   |                    |  |
| <b>STAKEHOLDERS</b>  |                    |  |
| Have you considered the power dynamics within stakeholder groups and how they will affect women and men's participation?<br><i>(dominant personalities or key decision makers and influencers)</i> |                    |  |
| Have you identified how you will engage with stakeholders who don't have formal positions within stakeholder groups?<br><i>(club members rather than just committee members)</i>                   |                    |  |
| <b>METHODS OF ENGAGEMENT</b>   |                    |  |
| Have you considered how women and men will participate in different methods of engagement?   |                    |  |
| Have you considered the benefit of having separate engagement sessions or methods for women and men to enable participation?   |                    |  |
| Have you identified different methods to engage with stakeholders based on their barriers to participation?<br><i>(time of day or caring responsibilities)</i>                                     |                    |  |
| <b>DATA COLLECTION</b>   |                    |  |
| Have you collected participant numbers broken down by sex?   |                    |  |
| When collating data have you evaluated the different responses of females and males?   |                    |  |



