

# **ANALYZING LEGISLATION WITH A GENDER PERSPECTIVE**

## **Gender Based Analysis Et Al.**

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# Gender Analysis Terms

## GENDER

- The culturally specific set of characteristics that identifies the social behavior of women and men and the relationship between them
- Gender refers not simply to women or men, but to the relationship between them, and the way that it is socially constructed
- Because it is a relational term, gender must include women and men

# Gender analysis Terms

## GENDER BASED ANALYSIS (GBA)

- Assesses the different impacts of proposed or existing policies, programs, legislation and research on women and men and on different groups of women and men (including children and adolescents)
- It compares how and why men and women are affected by public policy

# Gender Analysis Terms

## GENDER BUDGETING

- The application of gender-based analysis throughout the budgetary process
- The definition used by the council of Europe specifies that “it means a gender-based assessment of budgets, incorporating a gender perspective at all levels of the budgetary process, and restructuring revenues and expenditures in order to promote gender equality”

# Gender Analysis Terms

## GENDER EQUITY

- The process of being fair to women and men
- To ensure fairness, measures must often be available to compensate for historical and social disadvantages that present women from otherwise operating on a level playing field
- Equity leads to equality



# Gender Analysis Terms

## GENDER EQUALITY

- Means that women and men enjoy the same status
- Means that women and men have equal conditions for realizing their human rights and potential to contribute to national, political, economic, social and cultural development, and to benefit from the results

# Addressing the Equality Gap

- It is first of all necessary to identify outstanding equality gaps
- It is important to address those gaps in a proactive manner
- It is equally important to ensure that there is a commitment from the highest levels to consider the differential impacts of all policies, programs and laws on men and women

# Identifying the Equality Gaps

- Although much progress has been made over the past decades, women in Canada still continue to earn less than men, to experience higher levels of poverty, and to be disproportionately affected by domestic violence
- Inequalities are even more marked for certain groups in Canada, such as Aboriginal women



# Addressing the Equality Gap

## A Dual Approach

- Developing policies, programs and legislation that are women-specific
- Ensuring that legislation, programs and policies which are not specifically targeted for women do not inadvertently maintain or exacerbate any equality gap: the process of gender based analysis (GAB)

# What is Gender Based Analysis (GBA)

GBA is a tool that policy makers use to clarify the differences between women and men when developing policies, programs and legislation

- GBA identifies the difference social realities, life expectations and economic circumstances of women and men
- Once these differences have been determined, the information can be used to develop policies, programs and legislation that are more equitable to both women and men

# Why do we have GBA

- At the fourth United Nations conference on women in Beijing, in 1995 Canada, along with 188 other nations, committed to develop a federal plan to advance the situation of women, both within its borders and globally
- Canada developed the *Federal Plan for Gender Equality* which contains a statement of commitments and a plan for future action involving 24 departments and agencies

# Myths about GBA

## “GBA Favors Women Over Men”

- GBA is not about promoting one sex over the other
- It is a tool used to ensure valid comparisons and conclusions are drawn when developing policy. Programs and legislation
- Example: Homelessness
- A gender analysis of homelessness would capture the fact that more men than women are homeless
- It would also reveal that men and women are homeless for different reasons
- Homelessness in men is often caused by mental illness and/or addiction
- Women often face homelessness as a result of violence in their lives
- Therefore, different solutions are needed



# Myths about GBA

## Continued

*“We do not need GBA: Women and Men Are Already Equal”*

- Men and women experience very different lives
- Research shows that men have, on average, higher incomes than women
- Women face socio-economic disadvantages because of the social roles they perform and the value we attach to these roles

If policies and programs are developed without taking differences into account, they may not meet the needs of either women or men.



# Myths about GBA

## Continued

“GBA is only for policies related to women and women’s issues”

- GBA is for all policies
- Every government policy and piece of legislation impacts both women and men
- The impact may affect them differently, and some of these differences may be negative
- i.e. changes to the Employment Insurance (EI) program in 1996 resulted in a dramatic drop of Canadian workers eligible for income supports
- Women were hit disproportionately hard

# The Case for Gender Based Programming

- The day-to-day experiences of women differ from those of men due to the very fact that they are women
- Women's life experiences are different from those of men
- Women are socially conditioned differently from men
- The concerns and responsibilities of women are different from those of men due to their respective roles in society, the family and the business world
- The needs of women are different from those of men

# First Step in Implementing Gender Based Programming

- In order to successfully develop a national vision, policy, and strategy for women, it is fundamental to first recognize that differences between men and women do exist
- This is being done in countries such as Denmark, the United Kingdom, the United States and through multilateral organizations such as the OECD

# Passive vs. Proactive Government Strategies

## Passive Strategies

- Are characterized by policies that are based on the assumption that men and women have similar needs
- Hence, women are served through existing programs and services and therefore potential gender differences play little or no role in policy making



# Passive vs. Proactive Government Strategies

**Proactive Strategies are characterized by the following:**

- Executive-level involvement in identifying gender-related barriers
- Monitoring the effective execution of policies to support women
- Delivery agencies that are aware, sympathetic and responsive to potential gender differences
- Program priorities and outcomes that reflect the concerns of women
- Program monitoring and reporting on the equitable inclusion of women



# Policy and Program Recommendations

- Establish program evaluation criteria at the inception of policies and programs
- Policy makers must recognize that a one-size-fits-all approach is insufficient
- Make delivery agencies accountable for women's participation in their programs
- Develop gender-based programs to support the needs of women

# The Case for Gender Disaggregated Data

- Gender disaggregated government information is extremely important, as is survey research information on the characteristics and challenges of women (and men)
- Lack of reliable data disaggregated by gender hinders the development of evidence based policies
- Having accurate, reliable and timely research-based information is a critical component in making the case for policy action and for monitoring progress (or lack thereof)
- Research is also vitally important tool for both program development and public policy action

# The Importance of Public Policy Forums and Debates

- The third and perhaps most important approach to addressing the equality gap
- Use Women's Caucus as a form to launch an overall debates on specific policies, before policies become implemented in legislation
- Engage women, women's groups, and all those who seek to improve the lives of women and families in helping to achieve social and economic progress