

Consolidated Response

Gender Mainstreaming in the Americas



International Knowledge Network of Women in Politics



Introduction

Despite comprising more than 50 percent of the world's population, women continue to lack access to political leadership opportunities and resources at all levels of government. Women's equal participation in decision-making is not only a demand for simple justice or democracy, but a necessary pre-condition for women's interests to be taken into account. Governance structures which do not result in the equal participation of men and women, or their equal enjoyment of benefits from state interventions are by definition neither inclusive nor democratic.

In 2007, recognizing that over the last century women's gains in the political arena have been slow and inadequate, five international organizations came together to make women's political participation their collective priority and devise a strategy that would scale-up each of the organization's efforts to foster gender equality in politics:

International Institute for Democracy and Electoral Assistance (IDEA)
Inter-Parliamentary Union (IPU)
National Democratic Institute (NDI)
United Nations Development Programme (UNDP)
United Nations Entity for Gender Equality and the Empowerment of Women (UN Women)

The International Knowledge Network of Women in Politics (www.iKNOWPolitics.org) is an online network, jointly supported by the five partner organizations, that aims to increase the participation and effectiveness of women in political life by utilizing a technology-enabled forum to provide access to critical resources and expertise, stimulate dialogue, create knowledge, and share experiences among women in politics.

In just three years, iKNOW Politics has become the leading website on women's political participation. Building on a library of over 5300 resources, iKNOW Politics has captured the combined experience and knowledge of its 92 global experts and 10,000 members from over 150 countries. iKNOW Politics has documented and disseminated the lessons and best practices of women as voters, candidates and elected legislators.

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Consolidated Response on Gender Mainstreaming in the Americas

This consolidated response is based on research conducted by iKNOW Politics staff and the contribution submitted by Audrey McLaughlin, iKNOW Politics Expert and former Member of Parliament of Canada; Diana Ávila, iKNOW Politics Expert, sociologist and journalist; and Ximena Machicao Barbery, iKNOW Politics Expert and Coordinator of International Affairs for the Women's Development and Information Center (CIDEM/Bolivia).

Question

“What are some examples and best practices of gender mainstreaming in economic and social legislation in the Americas?”

- Emmanuelle Pelletier, Inter-Parliamentary Forum of the Americas (FIPA)

Introduction

There are numerous definitions of gender mainstreaming used by international organizations and national governments, among which the most commonly used is the definition given by the European Commission:

“Gender mainstreaming is the integration of the gender perspective into every stage of policy processes – design, implementation, monitoring and evaluation – with a view to promoting equality between women and men. It means assessing how policies impact on the life and position of both women and men – and taking responsibility to re-address them if necessary. This is the way to make gender equality a concrete reality in the lives of women and men creating space for everyone within the organizations as well as in communities - to contribute to the process of articulating a shared vision of sustainable human development and translating it into reality.”

This consolidated response highlights some of the important aspects and examples of mainstreaming gender into legislative frameworks in the Americas. Some of these include the creation of national machineries to promote gender equal policies, the impact of international conventions and agreements on governments' commitment to advance gender equality, and the use of gender-sensitive budgets and initiatives as a tool to promote equal economic and social opportunities for both men and women.

Assessing the Socio-Political Environment for Gender Mainstreaming

To mainstream gender issues into legislation, it is important to consider the political environment and socio-cultural norms in every country and region. International IDEA analyzed the results of the 2004 Latinobarómetro Survey and found that there was resistance in Latin American society toward creating equal economic and social opportunities for women. (Llanos, B. and Sample, K. 2008. p. 44.) Social resistance and cultural barriers can slow down not only the adoption of gender-sensitive laws and policies, but also their implementation. Speaking about Latin American experiences, Mayra Buvinic and Jacqueline Mazza underline that:

“Mainstreaming” the concerns of excluded groups in agencies or ministries appears to have worked in the case of gender inclusion, but this requires the presence of a government agency or function devoted to coordination and vigilance. This agency’s success depends on strong support from the executive branch, close alliance with non-state actors, and both political and cultural openings.” (p. 26. 2005.)

In the Latin America and Caribbean region the first gender-sensitive laws and regulations aimed at securing women’s sexual and reproductive rights, and addressing the violence against women in the region. According to Ximena Machicao Barbery, iKNOW Politics Expert and Coordinator of International Affairs for the Women’s Development and Information Center (CIDEM/Bolivia), in recent years significant progress has been made in Latin America toward recognizing and exercising of sexual and reproductive rights of women, combating all forms of violence against women, and providing greater political representation of women in decision-making positions. Ms. Machicao specifically highlights the decriminalization of abortion in Mexico City as a progressive step toward securing women’s rights through gender-sensitive legislation. (Expert Opinion. 2009)

Interestingly, the concept of mainstreaming an excluded group or issue into policies in the United States and Canada has taken a different course. According to Audrey McLaughlin, iKNOW Politics Expert, the analysis of federal and local legislation in Canada shows that "mainstreaming" has been most used in relation to the groups with physical or mental disabilities, and not necessarily with regard to women’s rights or gender equality. (McLaughlin, A. Expert Opinion. 2008.)

Mainstreaming Gender at the National and Local Levels Through International Conventions and Treaties

I. Mainstreaming at the National Level

International agreements and conventions on gender equality, the elimination of violence against women, and the eradication of all forms of discrimination have become one of the main tools for mainstreaming gender in national legislation around the world. The Convention on Elimination of All Forms of Discrimination (CEDAW) and its Optional Protocol; the Beijing Platform of Action, and the Cairo Program of Action are considered very important tools in achieving gender equality in all spheres of life. Ximena Machicao Barbery, iKNOW Politics Expert and Coordinator of CIDEM/Bolivia, mentions:

“The issue of gender as a category for political analysis of power relationships historically built on gender / sex hierarchies and inequalities did not emerge strongly in Latin America and the Caribbean until the 1990s, particularly with world summits and conferences such as the Fourth World Conference on Women in 1995 in Beijing, where international agreements on women’s development were an important issue.” (Expert Opinion, 2009.)

Governments signing these documents pledge to eradicate discrimination and violence against women and thus, create specific commissions, working plans, and institutional machineries to mainstream these provisions in their national legislation. For instance, Cuba adopted a National Action Plan of the Republic of Cuba for Follow-up to the Beijing Conference that was enacted as law in 1997. The plan outlines policies and actions aimed at promoting women’s rights in Cuba, including 90 measures to secure respect for human rights, to promote sexual and reproductive rights of women, and to improve research on women and gender relations. (CLADEM. 2006. p. 56)

Another example is the Law on Women's Social Equality Promotion adopted in Costa Rica in 1990. This law became a first step toward Costa Rica’s fulfillment of its obligations under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and paved the way for further legislative reforms in the country. According to the International Labor Organization (ILO), the Law “establishes consultation mechanisms on the forms and conditions of women's work that is particularly dangerous, unhealthy or difficult. It also includes protection for pregnant workers or workers during the nursing period, by prohibiting and sanctioning employers from dismissing pregnant or nursing workers.” (Law on of

Women's Social Equality Promotion. 2004.) The Quota Project also highlights that Chapter II of the same law obliges political parties to include effective mechanisms in their statutes to encourage and ensure women's participation in party bodies and ballots. As a result of this law and several years of political debates, Cost Rica made changes to its Electoral Code and adopted a gender quota in politics guaranteeing 40% of seats for women in both national and local elections, and political parties were required to change their statutes accordingly. (2006)

The Program of Action adopted in 1994 at the United Nations International Conference on Population and Development in Cairo, Egypt also had a significant impact on the region's legislation. This Program of Action, also known as the Cairo Consensus, aims to provide universal education and reproductive health care, to secure equal rights in family planning, and to reduce infant, child and maternal mortality. The program acknowledges eliminating violence against women and ensuring women's ability to control their own fertility as cornerstones of population and development policies. According to the Latin American and Caribbean Committee for the Defense of Women's Rights (CLADEM), as a result of signing the Cairo Consensus and other international treaties, Argentina, Brazil, Mexico, Peru, Venezuela and Paraguay enshrined the right of every individual to make family planning decisions, to choose contraception methods and the spacing of children in their constitutional charters. (CLADEM. 2006. p.18.) Additionally, many of the countries in the Latin American and Caribbean region revised their penal codes and legislations concerning sexual violence. For instance, the national law adopted in Argentina in 1999 modified Argentina's Penal Code and changed the definition of the offence from "crimes against honesty" to "crimes against sexual integrity", which allowed both sexes to be considered victims of sexual violence. (CLADEM. 2006. p.27.)

II. II. Mainstreaming at the Local Level

In some cases, CEDAW's provisions have been implemented through local government initiatives. For instance, the United States has not ratified CEDAW at the national level, but the city of San Francisco adopted an ordinance to implement the provisions of CEDAW at the local government level. In April 1998, the San Francisco Board of Supervisors passed an ordinance to implement the CEDAW principles within the city, becoming the first city in the United States to do this. The ordinance endorsed the principles of the Convention, established a Department on the Status of Women, and created the framework for integrating CEDAW's principles into city governance. The city government also established a Task Force which works with the Commission and City departments to identify discrimination

against women and girls, and to implement human rights principles. This is a positive example of how the implementation of CEDAW's provisions at a local level can change the socio-economic situation of women living in the targeted area.

Another emerging trend to promote CEDAW at the local level in the United States is the New York City Human Rights Initiative, which is a citywide coalition of community-based organizations, service providers, advocacy groups, policymakers, labor unions, human rights activists and educators. The initiative is currently working with members of the New York City Council to introduce legislation aimed at expanding the current law, and ensuring human rights for all New Yorkers. The law includes provisions from CEDAW and other international treaties.

As mentioned above, many international conventions and agreements influenced the shaping of the social and economic policies of the region. The examples cited above do not provide an exhaustive list of changes made to the national legislations of the region's countries, but serve as good examples of emerging trends in the region.

Creating Government Machineries Responsible for Gender Mainstreaming

For the past two decades, countries around the world, including the countries in the Americas, have created national machineries to empower women and to promote their rights. For instance, Brazil, Chile, Costa Rica, Guatemala, Honduras, Panama, Paraguay and Peru created ministerial level offices for women's empowerment, while Argentina, Bolivia, Colombia, Nicaragua and Peru have also established a women's ombudsperson or a staff in the ombudsperson's office in charge of gender issues. Most of these institutions were established through legislation or through either an executive or ministerial decree. (Buvinic, M. and Roza, V. 2004.)

Besides establishing government agencies directly responsible for public policies aimed at women, such countries as Antigua and Barbuda, Bolivia, Colombia, Costa Rica, Cuba, Chile, the Dominican Republic, Granada, Guyana, Jamaica, Mexico, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Trinidad and Tobago have created inter-ministerial committees or ministerial commissions, or both types of mechanisms, to deal with specific issues on a sectoral or inter-sectoral basis. The inter-sectoral agencies are generally coordinated by a national authority or by the presidential office. Furthermore, in federal countries such as Argentina, Brazil, Mexico and Venezuela there are independent state mechanisms for the advancement of women, which complement

and further promote the gender mainstreaming work of national government institutions. (Valdés, T. and Palacios, I. 1999. p.55.)

At the same time, in the Latin American and Caribbean countries mainstreaming gender policies has not been a linear process and has been shaped by external constraints concerning economic policies, government reforms, challenges caused by globalization, and the weakness of gender policies in general. According to the Economic Commission for Latin America (ECLAC):

“As in the case of other public institutions, the machineries for the advancement of women have been adversely affected by political instability, changes and excessive rotation of human resources, and also the lack of financial and technical resources.” (Participation and Leadership in Latin America and the Caribbean: Gender Indicators. 2004. p.67.)

Therefore, there is a lot of work to be done to achieve political and economic stability in the region and to strengthen government institutions working on mainstreaming gender into national legislations and work plans.

Promoting Gender-Sensitive Budgets and Tax Policies

To mainstream gender concerns and perspectives into social and economic policies, governments around the world have used gender-sensitive budgets. Since national budgets have a significant impact on shaping economic and social policies in each country, mainstreaming gender into the national budgets has become an important tool in promoting gender aware policies.

“The purpose of bringing a gender perspective to the budget is to ensure that budgets and economic policies address the needs of women and men, girls and boys of different backgrounds equitably, and attempt to close any social and economic gaps that exist between them.” (Wehner, J. and Byanyima, W. 2004. p.55)

Some countries in the Americas have instituted gender-sensitive budgets and initiatives as a result of collaborative work between women's organizations and government agencies. In

Brazil, civil society organizations took a leading role mainstreaming gender-sensitive amendments into the national budget. For instance, the Centro Feminista de Estudos e Assessoria (CFEMEA) has been advocating for gender-responsive budgets through the Parliamentary Women Caucus to adopt five amendments to the Bill on Budgetary Policies for the 2003 fiscal year. These amendments demanded the following:

1. The inclusion of the Programme of Women's Health in the budget's priorities and goals;
2. The inclusion of the sex variable in federal government indicators;
3. Capacity building of the Ministry of Health for activities in Reproductive Rights and Women's Health;
4. Allocating funds for a campaign to curb violence against women in Brazil; and
5. Increasing allocations for day-care centers.

As a result of this advocacy work, the first two amendments were approved by Congress and included in the Bill, while the amendment on day-care centers was approved by the Senate Commission on Social Affairs. (Wehner, J. and Byanyima, W. 2004. p.44)

Another interesting example is Mexico, where two non-governmental organizations, Gender Equity: Citizenship, Labor and Family (Equidad) and the Center for Analysis and Research (Fundar), joined forces in 2002 to collaborate with the Ministry of Health to introduce a gender perspective into the planning and budgeting of the health sector. In 2002, Equidad, Fundar and the Coordinating Office in the Ministry of Health created the "Formulation of Gender-Sensitive Budgets" project that was supported by the United Nations Development Fund for Women (UNIFEM). As a result of this collaborative project, the Ministry of Health developed the publication on Gender-Sensitive Budgets: Basic Concepts and Elements (2002) and the Guidebook on the Formulation of Gender-Responsive Budgets in the Health Sector, both of which paved the way to successful implementation of gender strategies by the Ministry, and established a ground for potential replication of some of the elaborated strategies by other government agencies in Mexico. The project also provided a number of seminars to key-stakeholders on gender equality and gender-sensitive budgeting, the results of which was a better understanding of gender differentiated needs in policy-making and of the process of creating gender-sensitive budgets. (Cooper, J. and Gómez, N. pp.25-34.)

Some countries, instead of adopting a national gender-sensitive budget, have created gender aware legislations. According to Audrey McLaughlin, iKNOW Politics Expert, in Canada, following the Beijing Declaration, the federal government put forth guidelines that raise a series of gender-sensitive questions to be explored in the budget preparation processes. (McLaughlin, A. Expert Opinion 2008) Debbie Budlender mentions that in the early 1990s the Status of Women Canada (SWC), a federal government organization, identified the taxation of child support as a gender issue. SWC worked with taxation and family law experts as well as outside groups to develop guidelines and options for a new gender-sensitive policy on this issue, which eventually resulted in a woman-friendly policy of the taxation of child support allowances. (Review of gender budget initiatives. p.11.)

In conclusion, gender budget initiatives have been used both at the national and local levels in the Americas. In some cases, national budgets have been reviewed based on gender analysis, while in other cases governments adopted gender-sensitive social policies as part of its efforts to create equal opportunities.

Building Gender-Sensitive Cities

Research shows that some countries in the Americas not only attempted to adopt gender sensitive-budgets, but also to create gender-sensitive cities, that account for the needs and interests of women in their development and expansion planning. Diana Ávila, iKNOW Politics expert and Sociologist from the Latin America region, highlights an interesting example of The Cities that Promote Equality Between Men and Women Work Group (GT-EQUIDAD) initiative launched in 2003 in Quito, Ecuador. GT-Equidad's general objectives include increasing the number of women in local governments and public offices in order to strengthen democracy. The initiative also encourages the incorporation of a gender equality perspective in planning of regional cities. GTEQUIDAD covers multiple cities in Argentina, Bolivia, Brazil, Colombia, Ecuador, El Salvador, Paraguay, Peru, and Dominican Republic. (Expert Opinion, 2009.)

Another good example of creating gender-sensitive cities is San Francisco in the United States. According to the information provided by the San Francisco Commission on Status of Women, the city asked its six government departments to self-assess their work and programs. Between 1999-2001, the city held assessments and gender-analysis of the Juvenile Probation Department, the Public Works Department, the Adult Probation Department, the Arts Commission (chosen in part due to its educational programs for youth in San Francisco), the Department on the Environment (chosen in part because it is a new department without a history), and the Rent Stabilization Board. Based on the findings of the

gender-analysis, the city's CEDAW Task Force created a five-year action plan with specific recommendations to improve the work of the government departments and to incorporate a gender perspective into local policies. (An Overview of CEDAW Implementation in the City and County of San Francisco. 2001.) In its 2007 Gender Analysis report, the city highlighted that the San Francisco Department on the Status of Women have focused on providing services to women, among which Right to Bodily Integrity, or freedom from violence, for women and girls has been a key program. As part of this focus, the Department administers the Violence Against Women Prevention and Intervention (VAW) Grants Program which distributes over \$1.7M in public funds to community-based agencies for comprehensive services for women who have survived domestic violence and/or sexual assault and their families.

This is a positive example of how mainstreaming gender into local government's work can lead to creating gender-sensitive cities that account for the needs and perspectives of women and girls residing in the area. Incorporating a gender-sensitive perspective in local development and planning projects allows cities to be responsive to the needs of the women and girls in their communities, eventually leading to more sustainable development. As mentioned above, incorporating gender approaches into local policies and institutional work helps to prevent violence against women, provides better socio economic programs for women and girls, and creates equal educational and professional opportunities for men and women.

Conclusion

Mainstreaming gender into social and economic legislation in the Americas is a very diverse and multi-step process. Some countries in the region mainstream gender into their legislations because of commitments made by signing international conventions and agreements, such as CEDAW and the Cairo Programme of Action, while the others do it as a result of democratization processes and pressure from civil society organizations, like in the case of Brazil and Mexico. National governments choose various tools to promote gender equality in their social and economic policies. Some of the tools include mainstreaming gender in national budgets and creating institutional machineries responsible for promoting gender-sensitive policies. Despite the progress made in the past decade by countries in the Americas, a lot of work needs to be done to reach true gender equality and to provide equal access to social and economic opportunities to both men and women.

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