

Gender Impact Assessment

When to use Gender Impact Assessment

The Council of the European Union, in its conclusions from 2006, noted that despite some progress toward gender mainstreaming in Member States, gender impact assessment still needs to either be put in place or reinforced. The Council urged in particular to improve and strengthen the development and regular **use of gender impact assessment when drafting:**

- Legislation
- Policies
- Programmes
- Projects

Scope of gender impact assessment

The use of the gender impact assessment has been often considered exclusively for the assessment of legislative acts. However, as pointed out by the Council of Europe, this is an overly narrow reading of the potential of this instrument:

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“Gender impact assessment can be applied to legislation, policy plans, policy programmes, budgets, concrete actions, bills and reports or calls for research. Gender impact assessment methods do not only have to be applied to policy in the making, they can also be applied to existing policies. They can be used in the administration as well as external actors; in both cases they require a considerable amount of knowledge of gender issues”.

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The scope of gender impact assessment can be very large. Even though this method has been mainly used for legal documents, its capacity is much broader. Since it is an ex-ante evaluation, it should focus not only on legislation, but also on policy strategic plans and in action programmes.

Broader use of gender impact assessment would help policy makers and public servants to analyse and foresee the gender impact of any important decision under consideration, so as to improve it from the start, while it is being designed and planned. The findings of the gender impact assessment should be timely available so that law regulations or policies can be changed or even abandoned, if necessary.

Relevance of gender impact assessment

Most political decisions have a concrete impact on the lives of women and men. That is why in most cases gender impact assessment is relevant and needed in order to assess the effects of the decisions on both sexes – to evaluate the foreseen impact from gender perspective and to ensure that the proposed legislation/programme will enhance gender equality.

Determining the gender pertinence of any proposal implies to take into account two aspects:

Target group

Whether the ultimate target group is people (men and women), both as individuals and as legal entities.

Impact on the target group

Whether the proposal affects directly or indirectly men and women, regarding their access and/or control of resources, their social position or the gender based social rules and norms.

Consequently, all proposals/legal acts meeting those criteria should go through a gender impact assessment. Nevertheless, any proposal considered not relevant from a gender point of view should be accompanied by a supporting report, explaining the reasons why gender is not relevant.

Finally, it is important to remember that the fact that some regulations, policies or programmes are not subject to the gender impact assessment does not mean that policy makers and public servants in charge of drafting them, making decision about them, implementing them, monitoring them or evaluating them are exempted from the general mandate of eliminating inequalities and promoting gender equality. In these cases, the body in charge is the responsible for deciding the most appropriate way to comply with this mandate.

Lastly, it is necessary to underline that law, policies and programmes specifically targeted towards gender equality do not need to implement a gender impact assessment. Actually, they have been already designed taking into account the existing gender inequalities and their main purpose is to tackle them.