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**Gender Impact Assessment
in the Field of Radiation Protection
and the Environment
– Summary of the concluding report–**

on behalf of the Federal Ministry for the
Environment, Nature Conservation and
Nuclear Safety (BMU)

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Gender Impact Assessment as an Instrument of Gender Mainstreaming

Gender Impact Assessment (GIA) is a key instrument of the political strategy of gender mainstreaming, adopted by the European Union in 1999. In brief, gender mainstreaming can be defined as the integration of gender perspectives into all areas of policy-making. On 26 July 2000, the European Union's resolution led to an amendment of the Common Ministerial Rules of Procedure (GGO) in Germany. Under § 2 of the Common Ministerial Rules of Procedure, gender mainstreaming was defined as a consistent guiding principle of the Federal ministries. In autumn 2000, all Federal ministries selected pilot projects with which to test the gender mainstreaming strategy, and commenced the implementation thereof. The Federal Ministry for the Environment, Nature Conservation and Nuclear Safety (BMU) opted for the project "Gender Impact Assessment in the Field of Radiation Protection and the Environment", aimed at developing an instrument which would introduce the consideration of gender aspects in all environmental policy measures, and which could be applied on a permanent basis.

In the early Nineties, Gender Impact Assessment was developed in the Netherlands, based on the understanding that the gender neutrality of political measures often has unintentional but highly consequential and often negative impacts on gender relations in a society and on men and women themselves. It is designed primarily to ascertain whether a political measure, such as legislative plans, programmes, concepts and day-to-day administrative actions, has differing effects on women and men. Based on this analysis, it will then identify potential areas for improvement.

Project procedure

The accompanying research project was launched on 15 July 2001, and completed on 31 October 2002. It was designed in two stages: the first phase, or pilot phase, entailed the formulation of a concrete GIA in the field of radiation protection on the basis of the 2001 amendment to the Radiation Protection Ordinance by way of an example, and this was then developed into a prototype. In a second or test phase, the prototype was tested in the field of product-oriented environmental protection – specifically with regard to the procedure for awarding the "Blue Angel" eco-label for multi-functional office equipment – and was subsequently further developed on the basis of these experiences.

Basic structure of the GIA checklist and the GIA prototype

The concept for the GIA contains, firstly, a topic- and task-specific component, the GIA checklist, on the basis of which equality testing is conducted. Secondly, it also comprises the organisational/institutional anchoring of GIA. Both of these components are key characteristics of any gender mainstreaming process. For the purposes of this project, the two components were initially addressed separately.

On the structure of the GIA checklist

When developing the structure of a GIA checklist, application of the structure of the so-called “blue test questions” (“test questions on the necessity, effectiveness and comprehensibility of Federal Government legislative plans”, adopted by the Federal Government in 1989) on the one hand, and the structure of the environmental impact assessment (EIA) on the other, were tested under experimental conditions. Application of the “blue test questions” model would have produced a non-differentiated checklist containing a limited set of questions on the gender-specific effects of the measure being investigated, whilst application of the EIA model includes a pre-analysis to determine whether and to what extent the measure will be subjected to a more in-depth analysis and subsequent evaluation. The benefit of a two-stage model of this kind lies in the fact that the effects of the measure are more precisely defined, and in the option of identifying potential areas for improvement via the differentiated analysis. Furthermore, this model is more user-friendly than the non-differentiated checklist in cases where there is no gender relevance, and implies an easier process.

Based on these considerations, the GIA checklist was divided into three stages. It comprises a pre-analysis (screening), a main analysis, and an evaluation section with vote. Instructions are provided on the implementation of the various test stages in the form of questions and explanatory comments on the questions. This basic structure developed during the pilot phase was retained during subsequent development of the prototype.

On determining the gender relevance of a measure

As with many gender mainstreaming checklists, the gender relevance of a measure in the GIA concept presented here is determined by questioning its gender-specific effects on the target group(s) of the measure. In this respect, a target group refers to individuals who are either directly targeted by the measure or who are indirectly affected by it. In concrete terms, this involves questioning whether the measure affects women and men within these groups of individuals differently, and if so, in what way. The gender aspects of the target groups ascertained in this way constitute the gender-relevant aspects of the measure. In order to aid identification of the gender aspects of a measure, the prototype of the GIA checklist includes explanatory comments.

On the evaluation approach

Overall, the evaluation approach of the gender impact assessment can be characterised as a positive evaluation which evaluates *the progress* made in the implementation of equality policy objectives achieved by a political measure. This approach incorporates the fundamental concept of gender mainstreaming, namely, that *sexual equality should be further advanced by all political measures*. Consequently, this is not a negative evaluation which focuses on the absence and lack of consideration of equality policy objectives, but rather concentrates on “enriching” an environmental policy measure with equality policy objectives, in the sense of achieving an alliance between equality policy objectives and environmental policy objectives. An evaluation of this kind necessitates reciprocal coordination between environmental policy objectives and equality policy

objectives, and also includes an identification of potential conflicts between these objectives. For this reason, the evaluation approach involves *weighing up* the environmental and equality policy objectives affected by the measure. Comparable trade-off processes are commonplace both in legislative procedures and in day-to-day administrative actions.

Results of the sample application of the GIA checklist to radiation protection

At the start of the pilot phase, implementation of the GIA within the context of radiation protection was confined to those provisions of the Radiation Protection Ordinance (StrlSchV) in the overlapping area between radiation protection, protection of reproductive health, and protection of the unborn child [in particular, § 37, paragraphs (1)2d and (2), as well as §41, paragraph (5); §§54 ff.; §55, paragraph (4); §55, paragraph (2)3; §58, paragraph (2); §38, paragraph (3); §43, paragraph (2)]. The GIA focuses on the setting of new limits (in particular, a separate limit for the foetus and a reduction in radiation doses for the uterus) and the re-regulation of access to so-called controlled areas as the principal innovations in the amended Radiation Protection Ordinance of 2001. The general ban on access for pregnant women has been repealed and replaced with a differentiated protection concept. To this end, the amended Radiation Protection Ordinance includes a number of detailed provisions concerning workplace design, stringent monitoring of radiation exposure, and improved information (including information specifically aimed at pregnant women and nursing mothers). These new regulations target persons exposed to radiation at work, both women and men; these may be differentiated into the following professional groups: medical staff, research staff, staff at nuclear facilities, and airline crews.

The gender impact assessment focussed in particular on the question of why different gender-specific regulations apply to women and men with respect to *reproductive health*. In order to ascertain the gender aspects of the measure, the assessment investigated the effects of the new regulations on the health of women, men and unborn children, their effects on the *occupational situation* of women and men in occupations exposed to radiation, and whether the new regulations promote *autonomy and co-determination* with respect to radiation protection in these occupations. Furthermore, the study also investigated the effects of the new regulations on the duties of radiation safety officers.

In order to answer these questions, a research project was carried out by *Öko-Institut Darmstadt e.V.* <Institute for Applied Ecology> amongst individuals in radiation-exposed occupations and associated organisations (*Deutsche Gesellschaft für Strahlenschutz*, *Deutsche Röntgengesellschaft*, *Deutscher Gewerkschaftsbund*, *Fachverband für Strahlenschutz*, *Deutscher Verband der Medizinisch Technischen Assistenten*, *Deutsches Krebsforschungszentrum Heidelberg*, *Deutsches Forschungszentrum Karlsruhe*).

The main purpose of this evaluation was to determine whether the examined new provisions of the Radiation Protection Ordinance achieve a positive alliance between radiation protection objectives and equality objectives. The answer to this question was a resounding “yes” with regard to the occupational situation for women in occupations

exposed to radiation who are either pregnant or who would like to have a baby. For pregnant women, the differentiated protection concepts gives them the option of retaining jobs with a low level of radiation exposure which do not require the handling of open source radioactive material. This represents a key contribution towards preserving higher-level work fields for women. Based on the statements of affected individuals, radiation safety officers and experts, the greater degree of self-determination afforded by the Radiation Protection Ordinance was also welcomed. In particular, the more flexible handling of the provisions on controlled areas is in keeping with the ideal of the “informed employee”. Finally, the study evaluated the differing radiation protection provisions for women and men with regard to the principle of equality. As the Radiation Protection Ordinance contains additional limits for women, the researchers investigated the suspicion that men could be disadvantaged. However, the latest status of medical research justifies differing gender-specific provisions, and cites differing degrees of incorporation of radioactivity in the ovaries and uterus on the one hand, and in sperm on the other.

Overall, having weighed up the individual aspects, the gender impact assessment concludes that the new provisions of the Radiation Protection Ordinance achieve improved gender equality.

In spite of this unequivocal vote, a number of potential areas for improvement were identified during the course of implementing the GIA. These referred in particular to the sub-statutory regulations, and were listed in the form of nine recommendations for the Gender Impact Assessment. The individual recommendations were discussed by subdivision RS II (Radiation Protection) at the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety (BMU) with a view to appropriate follow-up. The opportunities for improvement in individual areas will be addressed within the context of adapting the sub-statutory regulations. For example, the need for more information for affected women and radiation safety officers will be taken into account. To this end, the Federal Office for Radiation Protection is planning to produce an information brochure, to cite one example.

Testing of the GIA checklist in the field of product-oriented environmental protection and improvement of the prototype

During the test phase of the project, the prototype of the GIA checklist was tested on the measure “Award of the Blue Angel eco-label to the product group multi-functional office communications equipment” (integrated printers, photocopiers, fax machines, scanners etc.). The Test working group of the project team, comprising persons from the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety (BMU) and the Federal Environmental Agency (UBA), initially attempted to ascertain the gender relevance of this measure with the aid of screening. This produced a variety of opinions. Whereas those members of the project group primarily involved in the day-to-day awarding of eco-labels saw virtually no gender relevance for the measure “Award of the Blue Angel eco-label to multi-functional office equipment”, other members of the project team could not exclude the possibility of this measure having an indirect gender

relevance. In accordance with the explanation in the prototype, which stipulates *that a GIA should also be carried out if the possibility of gender relevance cannot be excluded*, two research projects were commissioned on the gender aspects of awarding the Blue Angel eco-label and the product group “multi-functional office equipment”. The research results were presented and debated at a workshop in July 2002. The GIA checklist was completed on the basis of these results.

In terms of content, the results of the test refer to the gender aspects of multi-functional office equipment and those of the procedure for awarding the Blue Angel identified by both research projects. Both research projects indicate that for the awards procedure in general, and for the product example of multi-functional office equipment in particular, the utilisation period of the candidate product and its utilisation aspects can be seen as gender-relevant. The research projects substantiate the argument that the gender perspective in product-oriented environmental protection sensitises one towards product use-related issues. Citing the example of multi-functional equipment, it was demonstrated that a consideration of gender aspects during the utilisation phase not only means considering the utilisation *function* of the product, but also *the location and context of use*.

In the example of multi-functional office equipment, this necessitates a fundamental distinction between the utilisation context of equipment in a controlled working environment within companies or the public sector on the one hand, and its use for work and private purposes in a domestic setting on the other. Research has revealed a lack of available data on the use of multi-functional office equipment in the domestic sector which would provide an insight into the more precise utilisation context.

However, enquiries amongst manufacturers, retailers and users of the equipment lead us to conclude that both the domestic sector and the area of controlled office work represent key application areas for this type of equipment. According to recent data available from the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ), the latter segment is still characterised by structures which reflect the gendered division of labour. Against this background, it would seem appropriate to identify a gender relevance for the use of multi-functional office equipment in office occupations in this context. This type of equipment is often used in the area of “typical women’s jobs”. From this, we can conclude that the majority of people who work in small and medium-sized companies, as well as in larger companies, using multi-functional office equipment, are women. As there is no data available on this aspect, female users in conventional office jobs were questioned about their handling of this equipment. The majority of responses were positive, particularly when asked whether multi-functional office equipment has a positive or negative effect on their independence at work and whether they promote or reduce stress. Overall, based on the survey of users as well as interviews with manufacturers and representatives of retail and service suppliers, we can identify three key areas which are characterised by gender-relevant aspects: Health; operating instructions and maintenance/technical support of the equipment; and advertising/marketing.

Above and beyond this, overall, the interviews conducted with members of the Eco-Label jury and persons of the Federal Environmental Agency (UBA) and the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety (BMU) indicate a number of opportunities for integrating gender aspects into the *procedure for awarding the Blue Angel eco-label*. Proposals in this respect refer, firstly, to the question of the *gender composition* of the committees involved in the procedure. This may either mean the involvement of (more) women, or the involvement of gender-relevant associations (such as housewives' and rural women's associations) or of gender experts or "authorised experts on gender aspects" in selected committees and/or in individual stages of the awards procedure. The individual proposals submitted in this respect vary considerably. Overall, opinion tends to favour "soft" regulations over "hard" quotas.

Another approach to the integration of gender aspects into the procedure for awarding the eco-label concerns the *product group data*. This data could be differentiated on the basis of a) household/private use, b) use in publicly owned and private companies, and c) use in both publicly owned/private companies and in the household/private sector. This differentiation would seem to be appropriate, because patterns of use in the private sector are often different (children may be in the vicinity, individuals may work for longer than eight hours etc.). With reference to the criterion *pollutant emissions/limits*, the research project investigated whether the specification of pollutant limits made allowance for the particular work situation in the household/private sector. With reference to the criterion *health*, a specification with regard to women's, children's and old people's health was felt to be entirely compatible with the Blue Angel eco-label.

Generally speaking, however, all those questioned were unanimous that the Blue Angel eco-label should not aim to become a sustainability label, but should remain an eco-label and should avoid imposing too many demands on a product. The strength of the Blue Angel, it was argued, lies in the fact that it is confined to the two criteria of environment and health. At the same time, the eco-label has a comparatively open structure, so that social and gender criteria may be included, depending on the product group in question.

The marketing of the Blue Angel was cited as a potential starting-point for attaining a positive alliance of objectives between environmental protection and gender aspects. When communicating the eco-label, it was argued, allowance must be made for the various target groups in their gender-specific and other social differentiations.

Because the Tests working group discovered a number of problems when conducting a GIA based on the GIA checklist, the working group recommended that more detailed specifications were required on seven points (including, for example, definitions of the term "measure" and the term "direct affectedness" of a target group). These findings from the test phase were discussed in detail in the project team and used to further develop the GIA.

On the status of the gender mainstreaming process within the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety (BMU)

The inter-ministerial working group (IMA) on “Gender Mainstreaming” considered the development of instruments for the practical implementation of gender mainstreaming to be a priority in the 14th legislative period. In particular, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ) and the BMU forged ahead with the development of instruments within the context of their respective pilot projects. The various activities were coordinated in the IMA itself, as well as in the working groups set up with the scientific back-up of the IMA. In July 2002, the instruments developed by the BMU and BMFSFJ were presented at an IMA meeting. With reference to an examination of legislative procedures, the IMA decided to merge the two into a uniform analysis process, the “Work aid on § 2 of the Common Ministerial Rules of Procedure <GGO>: Gender mainstreaming in the preparation of legal provisions”. In formulating this work aid, the structure of the BMU’s GIA and key elements of the GIA checklist were used as a basis. Hence, the BMU pilot project has made a key contribution towards developing an instrument for the practical implementation of gender mainstreaming. This work aid will now be tested in the departments within the context of legislative procedures. It is hoped that this will facilitate the testing of equality policy impacts, as mandated under § 2 in conjunction with Chapter 6 of the Common Ministerial Rules of Procedure. Based on these findings, the finalised version and format will be debated once the test phase is complete (expected at the end of June 2003).