



## Gender Impact Assessment – Prototype

### Introduction

*“Men and women are equal. The Government shall promote the actual enforcement of equality between women and men, and shall take action to eliminate any existing disadvantages” (Article 3, paragraph 2 of Germany’s Basic Law).*

For the Federal Ministries, the abstract dictate of equality as formulated in the Basic Law is concretised by Section 2 of the amended Common Ministerial Rules of Procedure, now in force. This states that the equality of women and men is a consistent guiding principle, which should be observed and promoted in all policy-making, standardising and administrative measures of the Federal Ministries in their respective areas in future. In this respect, the Federal Ministries act autonomously.

For the first time in this context, reference is made to the strategy of “gender mainstreaming” introduced in 1995 by the United Nations World Conference on Women.

This concept is based on the assumption that there is no such thing as a gender-neutral reality, and that therefore, the differing life situations and interests of women and men should be taken into account from the outset and at regular intervals during all social processes.

As such, gender mainstreaming constitutes a mandate to the executives of authorities and institutions and to all employees to make allowance for these differences in the structure and design of processes and work procedures, in results and products, in communication and public relations work, and in controlling.

An instrument has been developed for the portfolio of the Federal Environment Ministry (BMU) in the form of the Gender Impact Assessment (GIA), which is designed to support the introduction of the gender mainstreaming approach in environmental policy. This GIA should be applied at an early stage of the respective measure. By adopting a more differentiated consideration of measures in the environmental sector, the GIA aims to find more appropriate solutions.

The test procedure comprises three stages: relevance test, the main GIA analysis, and evaluation (explanations are given in italics).

# 1 Relevance test (screening)

## 1.1 Determination of nature of the political measure

To which facts does the relevant test refer? What is the intended measure?

**Measure:**

*This refers to the product (e.g. law, political programme, administrative act, events, label) in all its development stages. It also includes preparatory research projects etc. If in doubt, the term “measure” should be given a broad interpretation.*

## 1.2 Determination of relevance of gender issues

1.2.1 Are individuals affected directly by the measure or parts thereof? Description of the affected groups! Nature of affectedness?

**Direct affectedness:**

*As a general rule, directly affected are the target groups of a measure.*

**Nature of affectedness:**

*Here, it is necessary to outline the area in which men and women are affected, e.g. family, job, leisure. Description of the current situation!*

1.2.2 Are individuals affected indirectly by the measure or parts thereof? Description of the affected groups! Nature of affectedness?

*Indirectly affected are groups of individuals who are not the target group of a measure but whose day-to-day lives are impacted by the measure or who are involved in the implementation thereof.*

**Nature of affectedness:**

*Here, it is necessary to outline the area in which men and women are affected, e.g. family, job, leisure.*

1.2.3 What is the extent of affectedness?

- Number of affected men and women
- Degree of affectedness

**Extent:**

*Number of affected women and men: Here, it is important to elucidate the basis of the estimate, whether there are statistics available etc. If the data situation is inadequate, estimates should be used. If there is no gender-disaggregated data available, this should be indicated.*

**Degree of affectedness:**

*Here, it is necessary to explain the anticipated severity of the measure's effects in the gender arena, e.g. severity and duration of the effects.*

*If the data situation is inadequate, estimates should be used; if no gender-disaggregated data is available, this should be indicated.*

- 1.2.4 If the extent is (partially) known: Are women and men differently affected? Where do the **differences** lie? If there is no data available (in part): Is it **conceivable** that the measure could affect women and men differently? Where do the differences lie?

*The following questions may play a role:*

*Does the measure affect the gendered division of labour? Which ones? For women? For men?*

*Does the measure affect free disposal of time? For women? For men?*

*Does it affect access to information and education? For women? For men?*

*Does it affect mobility – which kind? For women? For men?*

*Does it provide access to decision-making processes – which ones? Does it influence this access? For women? For men?*

*Does it provide access to communication – which kind? Does it influence this access? For women? For men?*

### 1.3 Result of relevance test

Is a main GIA analysis required for the measure or parts thereof? If so, for which parts? If not, why not?

*There is no clearly definable limit at which a measure is gender-relevant or below which there is no need to conduct a GIA. If screening (cf. 1.2) has indicated that women and men are differently affected, a gender impact assessment should be carried out. Even the existence of one indicator is sufficient for an assumption of gender relevance, particularly if e.g. the planned measure would represent a severe encroachment of an area protected by basic rights. A GIA should also be conducted if gender relevance cannot be excluded.*

## 2 Gender Impact Assessment (main analysis)

### 2.1 Description of the measure

2.1.1 What are the environmental policy objectives of the measure, and how are they justified?

2.1.2 On which data and/or research results is the measure based; are they gender-disaggregated data?

*Data and research results:* This should also include specification of the extent to which institutions, consultative bodies and academic institutions have been questioned about the gender aspects of the respective measure within the context of ascertaining the facts. Moreover, it is necessary to investigate whether any gender-disaggregated data is available or needs to be collated.

2.1.3 Which instruments are used to achieve the objective? (Detailed description)

*Instruments:*

*e.g. prohibition, prohibition reserving the right of permission, restriction, voluntary commitment, subsidy within the context of a political programme etc.*

2.1.4 Who are the actors involved in structuring the measure? What opportunities are available to the BMU/the subordinate authority for exerting influence?

*Actors:*

*Briefly outline the social context of the measure, including those groups of individuals with a formative influence and the opportunities of the BMU/subordinate authorities for exerting influence (e.g. management, regulatory competence).*

2.1.5 Which technical alternatives/variants have been examined, and with which results?

*Alternatives/variants:*

*This involves both variants of the measure itself (e.g. ordinance versus voluntary commitment) as well as alternatives to the measure (e.g. general prohibition versus restrictive regulation reserving the right of permission).*

### 2.2 Analysis of gender aspects of the measure

- Does the measure affect equality policy objectives?
- What gender impacts (main and ancillary impacts) will the planned measure have?

2.2.3 Which groups of individuals are directly and indirectly affected? (Detailed description)

*This question refers to questions 1.2.1 and 1.2.2. At this point, however, a detailed description of the affected groups of individuals is required. Here too, an outline of the different gender-specific solutions is required. Justification should be given.*

2.2.4 Which relevant groups should be included with respect to the gender aspects, in which form and at which time?

***Socially relevant groups:***

*As a general principle, gender aspects should be taken into account as part of the consultative processes that occur anyway with most measures. As well as consulting “conventional” groups, women’s and environmental organisations with gender competence as well as other specific experts should also be consulted; in all cases, the target groups of the measure should be consulted, and if possible also those indirectly affected by it.*

***Committees:***

*Gender aspects should also be addressed in the working groups of the Länder (Working Group of the Federal States on Nature Conservation <LANA>, Working Group of the Federal States on Water Problems <LAWA>, Immission Control Committee of the Federal States <LAI>) where the measures are discussed.*

**2.3 Result of main analysis**

2.3.1 Result of the in-house analysis with respect to gender relevance, where applicable also the corresponding results of the early involvement of departments and other coordination processes.

2.3.2 Results of consultations with socially relevant groups.

2.3.3 Are there any alliances of objectives or conflicts of objectives?

*Alliances of objectives/ conflicts of objectives: Are there synergies or conflicts between environmental and equality policy objectives?*

2.3.4 What would be the gender relevance of the alternatives/variants examined?

### **3 Evaluation and vote**

**3.1 Weighing up the environmental objectives and the analysed gender aspects, including an evaluation of the alternatives/variants. Vote.**

**3.2 Measures to improve the data situation**

**3.3 Overall vote including proposed solution, where applicable citation of potential improvements with respect to the measure.**

*The vote should evaluate how the planned measure may contribute towards eliminating inequalities and promoting the equality of women and men.*