

ACT Alliance

GENDER JUSTICE POLICY

*Approved by ACT Alliance Governing Board
June 2017*

The first ACT Gender Equality Policy Principles were approved by ACT International Emergency Committee, 18 April 2008.

On 6 September 2010 a revised policy was adopted by ACT Alliance Governing Board, taking into account the broader mandate of ACT Alliance. This policy represents a revision of the 2010 document which makes it congruent with existing standards and commitments adhered to by ACT Alliance.

The Gender Justice Policy is a mandatory policy for all ACT Alliance members

I. Introduction

ACT Alliance in strengthening its mechanisms for the protection of the rights holders we work with, has revised and developed this Gender Justice Policy to increase inclusivity and gender equality and minimize the risk of gender-based discrimination and violence among rights holders who come into contact with ACT Alliance activities and those working with or associated with ACT Alliance members. This Policy complements, but does not replace, ACT Code of Conduct for the Prevention of Sexual Exploitation and Abuse, Fraud and Corruption and Abuse of Power and ACT Humanitarian Protection Policy. It also complements ACT Code of Good Practice, the Inter-Agency Standing Committee Guidelines for the Prevention of Sexual Exploitation and Abuse, and the Principles of the Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief. It has been developed in line with global best practices, drawing on the Core Humanitarian Standard, SPHERE Standards, and the IASC Gender Handbook in Humanitarian Action to be applied in all three modalities of work.

ACT Alliance believes in an end to gender inequality and injustice, gender-based discrimination and violence, and in closing the gender gap and address unequal power relationships for the promotion of human dignity for all. To this end, **ACT Alliance expects each member to develop a board-approved, gender justice policy which is specific and relevant to their local cultural and programmatic context within three years of the adoption of this ACT Alliance Gender Justice Policy.**

ACT Alliance is committed to achieve gender equality and empower all women and girls as stated in Sustainable Development Goals (SDG) 5 and the Istanbul Principles. ¹ ACT Alliance is committed to respect, empower and protect the dignity, the uniqueness and the intrinsic worth and human rights of every human being. ACT Alliance does not accept any discrimination on the basis of gender identity and sexual orientation, disability, nationality, race, religion or belief, class or political opinion so that all people shall have the same power to shape societies, faith communities and their own lives.

ACT Alliance is committed to ensure gender equality as a common value and an inalienable human right. The human rights principles of universality and non-discrimination apply to all people with whom ACT Alliance works. ACT Alliance considers gender mainstreaming as an appropriate strategy to achieve gender equality.

ACT Alliance recognizes the United Nations Security Council Resolutions, Conventions and UN documents which ACT has agreed to adhere to as part of this Gender Justice Policy and ACT Code of Conduct that specifically relate to gender. This includes: 2030 Agenda for Sustainable Development (SDGs) (2015), The Beijing Declaration and Platform for Action (1995), United Nations' Conference on Population and Development, Cairo (1994), The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) (1979), Security Council Resolution 1325, Vienna Declaration and Programme of Action (1993), UN General Assembly Resolution A/Res/67/146 Intensifying global efforts for the elimination of female genital mutilations (2012).

¹ UN Sustainable Development Goal 5

This policy applies to all ACT Alliance members also as a means to improve quality and accountability as an Alliance. **The Gender Justice principles cover the minimum standards ACT Alliance expects all members to comply with when developing a Gender Justice Policy.**

II. Key Definitions²

Key definitions of concepts that will follow have mainly been retrieved from *ACT Alliance training manual on Gender-Inclusive Rights-Based Development*:

Sex is a medical term that relates to the biological determination of the individual and the physical distinction and categorization as either male, female or intersex and their different biological functions.

Gender first and foremost refers to unequal power relations based on socially constructed norms and practices that are derived from a person's real or perceived sex. Gender is learned through socialization, and is often expressed in terms of masculinity or femininity. Gender inequality affects the equal right of people of all genders to enjoy their rights. Since gender is socially constructed, and thus context and time specific stereotypical notions of men and women's roles can be challenged and are changeable. In all societies, these roles have evolved and changed. The term gender is often used as if it is synonymous and interchangeable with the word women. This is not the case. The reason why gender approaches often focus on women and girls is because of the acknowledged discrimination and exclusion which most women and girls still face globally.

Gender equality is the equal enjoyment of human rights, opportunities, responsibilities, resources and rewards irrespective of gender or sex, including fundamental freedoms in the political, civil, economic, social and cultural fields of life.³ Gender equality is seen both as a human rights issue and as a precondition for, and indicator of, sustainable people-centered development.

Gender identity is a personal perception of one's own gender which may or may not match -with their sex assigned at birth. It includes all of the attributes and characteristics that different cultures attach to the belonging to one or the other sexes.

Gender mainstreaming is a strategy for attaining gender equality. A process of assessing the gender implications of any planned action. It is a strategy for making the concerns and the experiences of all people an integral part of design, implementation, monitoring and evaluation of policies and programmes in all economic, political and social spheres, so that all benefit equally and inequality is not perpetuated.⁴

² A more detailed list of Gender Justice Definitions and Terms are included in *ACT Alliance training manual on Gender-Inclusive Rights-Based Development; Module 2 Concepts* (June 2015) <http://actalliance.org/capacity-building/gender-inclusive-rights-based-manual/>

³ Based on the Universal Declaration on Human Rights, and especially the International Covenant on Civil and Political Rights (CCPR) 1966; Committee on Economic, Social and Cultural Rights (CESCR) 1966; the Committee on the Elimination of Discrimination against Women (CEDAW) 1979; and the Committee on the Rights of the Child (CRC) 1989.

⁴ Definition retrieved in 2010 from ECOSOC Report of the Economic and Social Council for 1997. A/52/2 Chapter IV, "Special Session on Gender Mainstreaming."

Gender-based violence (GBV) is any act of violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.⁵ Gender-based violence is an umbrella term for any harmful act that is perpetrated against a person's will and that is based on socially ascribed (gender) differences, like power inequalities, between females and males. Acts of GBV violate a number of universal human rights. The nature and extent of specific types of GBV vary across cultures, countries and regions. GBV includes e.g. sexual gender-based violence (SGBV), sexual exploitation and abuse, rape, forced prostitution, human trafficking, harmful traditional practices, intimidation, psychological violence and gender-based violence in close relationships, such as honour-related violence.

Intersectionality is a theory and an approach that seeks to examine how various socially and culturally constructed categories, such as gender, class, disability and other axes of identity, interact on multiple and often simultaneous levels, contributing to systematic social inequality and oppression. Intersectionality holds that the classical conceptualizations of oppression within society, such as racism, sexism, homophobia, and religion-based bigotry, do not act independently of one another. Instead, these forms of oppression interrelate, creating a system of oppression that reflects the "intersection" of multiple forms of discrimination.

Sexual and reproductive health and rights

Sexual rights are the rights of all people to decide freely and responsibly on all aspects of their sexuality, including protecting and promoting their sexual health, being free from discrimination, coercion or violence in their sexual lives and in all sexual decisions, expecting and demanding equality, full consent, mutual respect and shared responsibility in sexual relationships. **Reproductive health rights** concerns the complete physical, mental and social well-being including the concerns of persons with disabilities (PWDs), in all matters related to the reproductive system including a satisfying and safe sex life, capacity to have children and, freedom to decide if, when and how often to do so.

III. Gender Justice Policy Principles

To achieve gender equality and empower all women and girls (SDG 5) **ACT members will:**

Principle 1: Ensure gender balance in participation, decision-making, representation and staffing⁶

Participation and empowerment are part of the process and definition of development. Therefore people have a right to take part in decisions that affect their lives. ACT Alliance works with a gender-inclusive rights-based perspective which always includes consultations with and participation of people irrespective of gender, building upon their own capacities. This includes the identification of barriers to people's participation during all phases

⁵ UN Declaration on the Elimination of Violence Against Women, 1998, in Article 1.

⁶ SDG 5 Target 5.5 Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life; SDG 5 Target 5.5.2 Proportion of women in managerial positions

of the programme cycle. Women and men have full participation, including women being empowered in decision-making, in all areas of ACT's work from planning through to final programme evaluation.

ACT Alliance respects the promotion of gender balance at all levels and in all human resources requirements. This means that in the composition of ACT secretariat, members of ACT alliance offices, a field team, an evaluation team, the governance bodies, the advisory groups and the forums the gender balance will be gradually improved until parity is achieved. A gender ratio of 60:40 is considered reasonable. Anything less than 40% of women or men should require corrective action. It is equally important to consider equality of women and men in terms of seniority and roles in the context of gender balance.

Gender balance is a human resource issue that concerns equal participation of women and men in all areas of work. It is conducive to a diverse workforce, enhances the agencies' capacity to serve the entire population and improves the effectiveness of programmes.

All staff⁷ are treated equally and offered equal opportunities for promotion etc., unless recognised gender imbalances calls for explicit affirmative action. Performance indicators shall be gender sensitive and both female and male leadership shall be valued with a gender-sensitive lens.

Principle 2: Ensure gender equality through gender mainstreaming in all strategic areas including programme design

ACT Alliance commits to gender mainstreaming as a strategy for attaining gender equality, and to the process of assessing the implication of gender of any planned action, in all areas and at all levels.⁸

Gender justice will be mainstreamed in advocacy, development and humanitarian programmes, and through practical application of ACT Alliance gender justice policy and gender-focused advocacy at national and international levels. Attention to gender equality is integrated in design, analysis, planning, implementation, performance, personnel policy, monitoring, assessment, reporting and evaluation thereby changing the content and direction of these practices at project and programmes and institutional level to achieve gender equality and women's empowerment. Gender will be mainstreamed in all the advisory groups.

When mainstreaming it is important to identify and use reporting and accountability mechanisms for monitoring gender mainstreaming.

ACT members generally consider risks when designing new programmes and interventions. This should include consideration to empowerment of women and gender equality.

⁷ Staff: Staff refers to full time, part time, or casual persons working in ACT Secretariat or for ACT members, and those engaged on short term contracts such as but not limited to: consultants, researchers, photographers etc. working in any project location.

⁸ SDG 5 Target 5.1 End all forms of discrimination against all women and girls everywhere; SDG 5 Target 5.1.1 Whether or not legal frameworks are in place to promote, enforce and monitor equality and non-discrimination on the basis of sex.

A PMER-L design based on PANEL+ encompasses a gender inclusive rights-based approach⁹ in advocacy, development and humanitarian programmes that ensures and promotes human dignity and recognises intersectionality in relation to sex and gender. Gender analysis is crucial in programme design to examine the relationship between women and men and their access to and control over resources and benefits, their gender roles and the constraints they face relative to each other. A gender analysis should be integrated into all needs and sectoral assessments or situation analyses and shall include the full life-cycle.

Principle 3: Adopt a board-approved gender justice policy

The Gender Justice Policy principles make up the framework that explains the basic principles on which an organisation’s gender policy is based, and thus gives direction to achieve gender equality.

To strengthen quality, accountability and commitment across the Alliance, each ACT member should have a board-approved Gender Justice Policy that meets or exceeds the provisions set-out in the outline of a Gender Justice Policy within 3 years of the adoption of this ACT Alliance Gender Justice Policy.

It is important when developing their own Gender Justice Policies that ACT Alliance members ensure that the policy applies to their entire staff, volunteers and all those who are given access to projects and communities. The gender policy shall be accompanied by implementation plans of action and have an in-built monitoring and reporting mechanism for accountability.

Principle 4: Ensure training and capacity development provided for all staff

ACT Alliance is committed to supporting its members in developing their Gender Justice Policies through Webinars and ACT *Alliance training manual on Gender-Inclusive Rights-Based Development*. The Manual contains training materials that explore key concepts, introduce practical analytical tools, and facilitate reflection on strategies for integrating gender equality and human rights principles and standards. The training manual also contains reference documents and lists of supporting service agencies.¹⁰

ACT Alliance members are expected to provide training to their staff and others in their newly- developed policies. This includes induction of new staff and periodic refresher training for existing staff.

Gender awareness and expertise in the implementation of gender sensitive programming should be part of all Terms of Reference for all positions in ACT member organisations or with their contracting parties (e.g evaluation or audit contracts or implementing partners), from the middle to the senior levels.

Principle 5: Ensure that communities, partners and others are informed of the policy

ACT Alliance believes that accountability to the communities we work with, and transparency in all we do. Building the capacity of communities and partners is a significant component of good practice in order to achieve gender justice. Gender-sensitive monitoring and reporting mechanism should be in place and feed-back should be downward as well as upward. Masculinities and gender roles shall be given particular consideration.

⁹ PANEL+: participation, accountability, non-discrimination, empowerment, and linking to human rights. The plus indicates explicitly addressing gender equality. See ACT Alliance training manual *Gender inclusive rights based manual* <http://www.actalliance.org/what-we-do/issues/gender-inclusive-rights-based-manual>.

¹⁰ <http://actalliance.org/capacity-building/gender-inclusive-rights-based-manual/>

Each ACT Alliance member should develop plans for awareness-raising on the policy in communities where they or their partners work.

ACT Alliance members should work with local partners to develop their understanding of the policy, and work with them to mainstream Gender Justice in their own programmes through gender sensitive trainings, and PMER-L tools.

Principle 6: Promote strategies that guard against human rights violations perpetrated on the grounds of people’s gender identity

All people, irrespective of sex, sexual orientation or gender identity, are entitled to enjoy the protections provided for by international human rights law, including in respect of rights to life, security of person and privacy, the right to be free from torture, arbitrary arrest and detention, the right to be free from discrimination and the right to freedom of expression, association and peaceful assembly.

ACT Alliance acknowledges that human rights violations based on gender identity constitute legitimate areas of human rights concern. Women, men, girls, boys and intersex persons who do not conform to social or cultural conceptions of gender are often victims of persecution, discrimination and gross human rights violations. ACT Alliance strongly opposes any discrimination, persecution and violence against persons based on gender identity or sexual orientation.

Principle 7: Ensure protection from gender-based violence

ACT Alliance holds a zero tolerance approach to gender-based violence (GBV)¹¹, not only in armed conflicts¹² but also during peacetime.¹³

ACT Alliance recognises that GBV is a continuing global problem that takes place in all countries, religions and social classes. GBV includes harmful traditional practices such as female genital mutilation (FGM) and child, early and forced marriage (CEFM).¹⁴ GBV directed at women is one of the most commonly occurring violations of human rights.¹⁵

ACT Alliance holds a zero tolerance approach to all forms of violence, abuse, neglect and exploitation of all people it works with. GBV including SGBV, often occurs in acute emergencies and affects women, boys and girls

¹¹ SDG 5 Target 5.2 Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation; SDG 5 Target 5.2.1 Proportion of ever-partnered women and girls aged 15 years and older subjected to physical, sexual or psychological violence by a current or former intimate partner in the previous 12 months, by form of violence and by age; SDG 5 Target 5.2.2 Proportion of women and girls aged 15 years and older subjected to sexual violence by persons other than an intimate partner in the previous 12 months, by age and place of occurrence

¹² In situations of conflict, GBV is often practiced or tolerated by government and non-government actors.

¹³ UN Resolutions 1325 and 1820 describe ACT Alliance’s guiding principles on GBV.

¹⁴ SDG 5 Target 5.3 Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation; SDG 5 Target 5.3.1 Proportion of women aged 20-24 years who were married or in a union before age 15 and before age 18; SDG 5 Target 5.3.2 Proportion of girls and women aged 15-49 years who have undergone female genital mutilation/cutting, by age

¹⁵ The United Nations’ Office of the High Commissioner for Human Rights’ Committee on the Elimination of Discrimination against Women (CEDAW) defines it as “violence that is directed against a woman because she is a woman or that affects women disproportionately”, in its General Recommendation.

particularly including women, boys and girls with disabilities¹⁶. This is a serious and life-threatening protection issue which often goes unreported. To save lives and maximize protection, prevention and responses are needed from the humanitarian actors from the early stages in a crisis and in the continuum towards long-term development cooperation and advocacy.¹⁷ In humanitarian crises the dependency of affected populations on humanitarian agencies for their basic needs creates an additional ethical responsibility and duty of care on the part of all ACT Alliance staff, and staffs have an obligation to report this according to the Code of conduct.

Principle 8: Ensure access to Sexual and Reproductive Health and Rights

ACT Alliance wants to ensure access to Sexual and Reproductive Health and Rights (SRHR)¹⁸ for all individuals, so that they can make their own informed decisions concerning their sexual relations, contraceptive use and reproductive health care, free from discrimination, coercion, and violence.

ACT Alliance believes that access to SRHR is a prerequisite for ensuring the enjoyment of other rights and for poverty reduction as it enables girls' education and women's economic empowerment. The inclusion of family planning, age-of-consent minimums, access to sexual and reproductive health care and context and culturally relevant and age appropriate comprehensive sexuality education (CSE)¹⁹ are all essential elements for human rights and dignity and holistic, sustainable development.²⁰

ACT Alliance acknowledges that young people have a right to information and education, including sexuality education – a right embodied in several international treaties and conventions, including the Convention on the Rights of the Child. Traditional attitudes on gender roles and inequitable power relations in relationships is associated with risk factors such as earlier sexual debut, increased sexual risk behaviour, low rates of condom and contraceptive use, increased unwanted pregnancies and higher rates of HIV infection.

IV. Plan for developing and rolling out the policy

ACT Alliance expects that within three years of the adoption of this policy, all ACT Alliance members are expected to have aligned, revised or developed board approved Gender Justice Policies in line with the principles outlined in this policy.

ACT Alliance has consistently worked on gender justice and in order to support members in developing and adopting their gender justice policies, ACT Gender Justice Community of Practice will support the Alliance-wide through training and accompaniment during 2018 -2020.

¹⁶ https://www.add.org.uk/sites/default/files/Gender_Based_Violence_Learning_Paper.pdf

¹⁷ According to UNICEF (Geneva, 2008), the first 72 hours after a disaster has struck or a conflict broken out, the worst human rights violations against women and children occur: kidnapping, forced (para) military or gang enrolment, rape and all other forms of SGBV.

¹⁸ SDG 5 Target 5.6 Ensure universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action and the outcome documents of their review conferences ; SDG 5 Target 5.6.1 Proportion of women aged 15-49 years who make their own informed decisions regarding sexual relations, contraceptive use and reproductive health care; SDG 5 Target 5.6.2 Number of countries with laws and regulations that guarantee women aged 15-49 years access to sexual and reproductive health care, information and education

¹⁹ <http://unesdoc.unesco.org/images/0023/002357/235707e.pdf>

²⁰ <http://www.unfoundation.org/what-we-do/campaigns-and-initiatives/universal-access-project/briefing-cards-srhr.pdf>

Several members and individuals within ACT Alliance have gone through training based on *ACT Alliance training manual on Gender-Inclusive Rights-Based Development* (June 2015). ACT Alliance will establish a roster of Training of Trainers who can be supportive in developing and rolling out the policy with the facilitation of the training manual.

V. Policy Review

This policy will be reviewed every four years. If there is any significant programme or contextual changes, the policy may need to be reviewed more frequently. ACT Alliance expects each ACT member to also review their policy at a minimum every four years and more frequently if there is significant programme or contextual changes.