

## **Effects on gender equality**

This is a translation of the [quality requirement 'effects on gender equality'](#) in the Dutch government's Integrated Assessment Framework (IAK).

### **Description**

On 18 May 2018, the Minister of Foreign Affairs (the minister responsible for coordinating action on the Sustainable Development Goals (SDGs)) agreed to adapt the Integrated Assessment Framework (IAK) to include a component showing how new policy and legislative proposals are likely to affect achievement of the SDGs.<sup>1</sup> The quality requirement 'effects on gender equality' has therefore now been added to the IAK. By the term gender equality we mean that everyone is accorded the same rights, duties and opportunities, regardless of sex or gender. Gender equality relates to both equality before the law and equal access to material and non-material resources.<sup>2</sup> This should not be confused with gender-neutral policy, which is not under discussion here.

### **Application**

Central questions:

Can the proposal affect equality between men and women (why/not)?

- a. How does policy or legislation contribute to reducing existing inequality between women and men? (Explain by following the steps in the flow chart).
- b. If (a) does not apply, are safeguards in place to maintain the existing degree of equality between men and women? (Explain by following the steps in the flow chart).

## **General information on the SDG 5 quality requirement**

### **General: what and why**

The quality requirement 'effects on gender equality' charts how and to what degree proposed policy or legislation will impact on gender equality in the Netherlands. This quality requirement was drafted in response to SDG 5, which the Netherlands is actively committed to pursuing.

Some measures manifestly impact on equality between women and men. The effects of other measures may be less direct, but equally strong. It is of crucial importance that you consider gender aspects carefully, and that you do not come too readily to the conclusion that there will be no impact on equality between women and men. This quality requirement creates an opportunity to reflect on this. It does not have to lead to an adjustment of your policy. As long as you are aware of the consequences. These do not necessarily need to be decisive, but they should be taken on board.

### **Contents of the quality requirement 'effects on gender equality'**

The quality requirement comprises two separate parts. The first deals with the effects of the proposal on equality between women and men. You need to identify these effects and, where relevant, indicate how negative and/or restrictive effects have been minimised. If this is not possible, you should give reasons. The second part pertains to consultation of the parties who will be affected by the proposal, or their representatives.

Some questions or parts of the quality requirement may not be relevant. If a section or question does not apply, give reasons why this is the case. You may see effects materialising that were not obvious at first.

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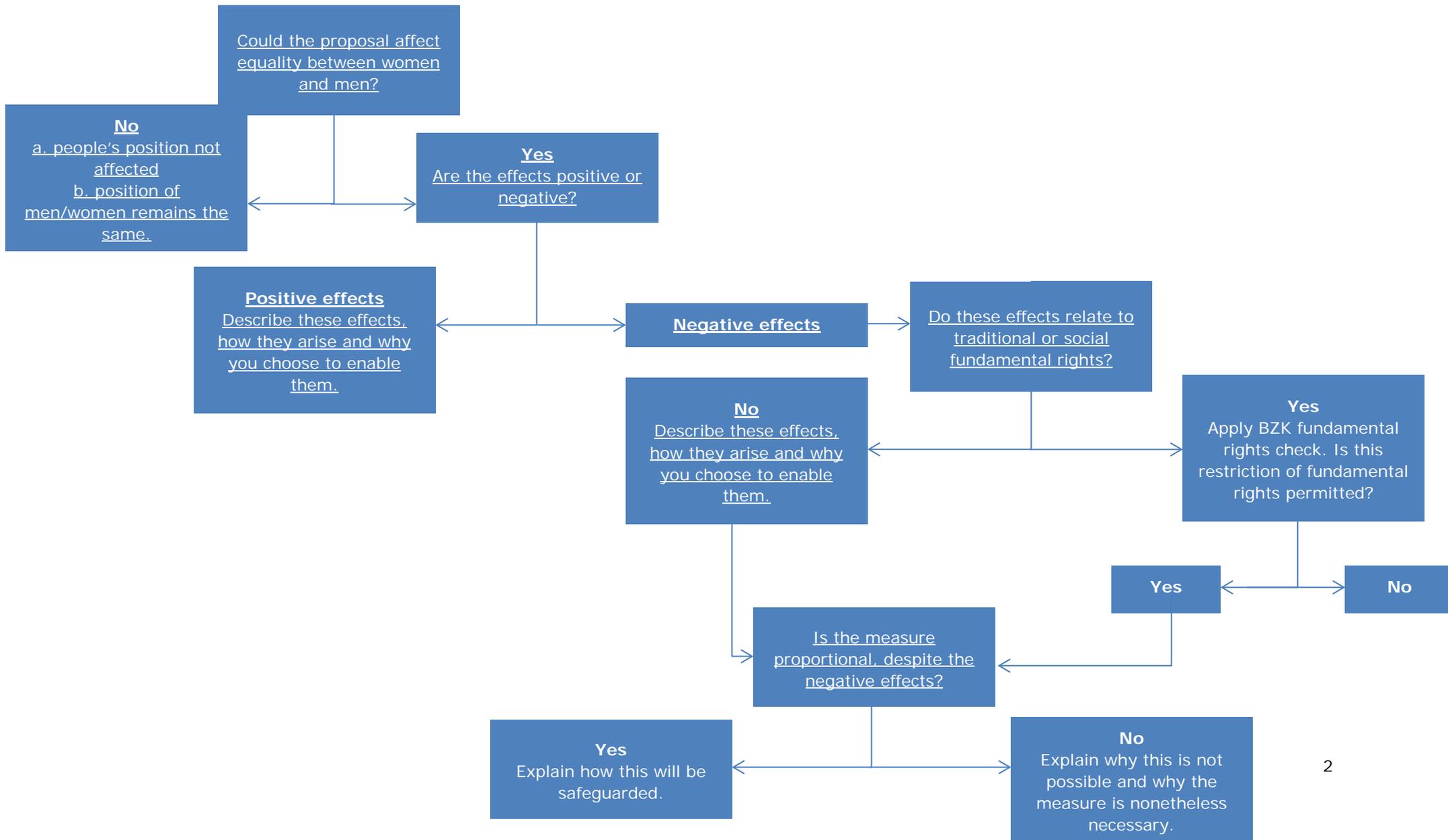
<sup>1</sup> <https://www.rijksoverheid.nl/binaries/rijksoverheid/documenten/kamerstukken/2018/05/18/aanbiedingsbrief-tweede-nederlandse-sdg-rapportage/brfbz.pdf>.

<sup>2</sup> <https://eige.europa.eu/gender-mainstreaming/concepts-and-definitions>.

**Flow chart: quality requirement 'effects on gender equality'**

N.B. Ctrl+click on the underscored text for further information

BZK = Ministry of the Interior and Kingdom Relations



## **Flow chart**

### **1. Could the proposal affect equality between women and men?**

To answer this first question you need to identify intended and unintended effects, purely in terms of gender. You will need to explain what these effects are and how and why they arise.

Think carefully about any unintended effects, in particular in areas that may have no direct bearing on the theme of gender (e.g. unconscious bias in artificial intelligence).<sup>3</sup> The effects of these proposals may be different for men and women. If effects are intended, it is important to explain why you have chosen to enable them.

Finally, you will have to show whether either men or women will be affected by or will benefit to a lesser degree from the proposal, given existing differences. Only then will you have a complete picture of the effects.

### **1.1 Consultation and deliberation**

1. Which parties in the policy field have been consulted in order to gain a clear idea of the groups of people who will be affected by the proposal?
2. How do they assess the proposal? Have the consultations given you reason to amend the proposal?
3. How do these parties assess the effects and impact of the proposal on gender equality compared to the other relevant public interests that the policy/legislation aims to safeguard?

### **2. If the answer is 'no', there are two possible reasons for this:**

- A. The new policy or legislation will have no effect on people's position, or
- B. The position of men and women will not be affected.

### **3. Examples**

Fields in which social inequality between men and women can occur include:

- The job market: fewer women are in paid employment or hold senior positions; they work fewer hours on average; they work in different sectors and their hourly wages are lower.
- Care tasks: women bear the main share of responsibility for childcare, informal care and household tasks.
- Money: on average, women's annual income is lower and they have fewer financial assets.
- Safety: women feel less safe in public spaces and are more frequently the victims of violence (in dependent relationships). Men are more often the perpetrators of violence.
- Health: much medical knowledge is based on the functioning of male bodies, and many medicines have mainly been tested on men. Women have a longer average life expectancy, but also spend more years in poor health.

A few other examples:

- Policy to combat youth unemployment may have different effects on young men and young women because they are trained to work in different sectors/occupations.
- Policy on pensions and life insurance may have a different impact on men and women given the differences in life expectancy.
- An allowance for low incomes will probably benefit more women than men because women are over-represented in the lower income groups.
- A scheme to help young people involved in anti-social behaviour into employment or training will benefit more boys than girls.

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<sup>3</sup> <https://www.volkskrant.nl/es-b06c2e0d>

- Fiscal policy may have a different impact on men and women because men often earn the highest income within a household.

#### **4. Negative effects**

The Netherlands is bound by both national and international regulations that prohibit discrimination between women and men and call on governments to reduce inequality. That means negative effects must be avoided wherever possible, and where they cannot be avoided they must be proportional.

#### **5. Does the proposal affect fundamental rights?**

In some cases, a proposal will have the effect of restricting women's access to resources or their ability to exercise their fundamental rights. This runs counter not only to the quality requirement 'effects on gender equality', but also to women's rights as defined in various national and international human rights instruments, including the Constitution, the European Convention on Human Rights (ECHR) and the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). A contravention of this kind will, in principle, not be permitted and should therefore be avoided. If the proposal is nonetheless considered desirable, your reasons for adopting it in this form will have to meet some very strict requirements. In this case the proposal will have to undergo a check for compliance with fundamental rights. It is therefore important to identify whether the result of this check points to a possible gender component.

#### **6. Is the measure proportional, despite negative effects?**

The more profound the effects on the lives of women and/or the more directly a proposal affects inequality between women and men, the more comprehensive the assessment of the quality requirement will have to be. You should focus on the following:

##### 1. Are there alternatives with fewer negative effects?

If there are no alternatives, why is that? Could the reason relate to how you have defined the problem? If alternatives are available, aren't these better? Why/why not and why not choose them? In answering this question you need to demonstrate why the proposed intervention should be chosen, despite different effects on men and women.

##### 2. Have supplementary measures been taken to keep the effects to a minimum?

This question requires the policy officer to consider possible compensation for or mitigation of the effects. If neither is possible, you should explain why.

A precondition in applying the quality requirement 'effects on gender equality' is that the status quo for gender equality and empowerment of women and girls suffers no reversals. In so far as there are negative effects, measures will need to be taken to compensate or mitigate them or at any rate to ensure no negative impact on gender equality.