

PARLIAMENTS and GENDER EQUALITY

Gender mainstreaming
in legislatures



Empowered lives.
Resilient nations.

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Preface

For over a decade, the United Nations Development Program has been at various venues continuously and actively promoting gender equality within parliamentary work. Our work has had three main goals: to attain gender parity, to achieve legislations in favor of equality and against discrimination, and to turn legislative bodies into more egalitarian institutions.

The designation, by popular mandate, of a greater number of women in parliaments is a legitimate aspiration of the citizenry in order to obtain a larger measure of justice and advancing in the democratization of political power. This is why the UNDP backs countries to comply with the political rights of women as acknowledged and subscribed in international and regional commitments such as achieving gender parity.

UNDP's actions are oriented towards backing the efforts of countries and their institutions for promoting the electoral and political reforms that favor the entry and permanence of a larger number of women into the State's institutions. Additionally, the institutional cooperation we offer prioritize the strengthening of leadership capabilities of women and their articulation in inter-party agreements that promote concrete advances in the exercise of women's rights, encouraging various alliances within parliaments and within parties, but also with other State and public stakeholders.

A priority aspect of our collaboration has to do with providing support for legislative reform processes oriented towards eliminating any discrimination bias and favoring a greater equality in the countries of the region.

Another core action of UNDP cooperation is the support given to the region's members of parliament to define strategies, and establish gender policies and plans that allow countries to progress in the processes of gender mainstreaming in legislative activities and within the institution itself.

Strategies used to make progress along this way include exchanges of knowledge, debates on legislation, generation of research and knowledge products on the issue and strengthening various networks. There is also a growing demand for systemizing experiences and carry to fruition horizontal and South-South cooperation between legislative bodies.

The experience accumulated by the UNDP with other institutions is synthesized in the proposal we hereby present today: “Parliaments and Gender Equality. Gender mainstreaming in legislatures”. This contribution has come about as part of the regional project “Knowledge Pro-Equality”, supported by the Spain Fund-UNDP, AECID, “Towards an Inclusive and Integrated Development”.

This document outlines a series of strategic steps or stations for guiding a process that generates legislative changes for the purpose of attaining gender equality. It also shows concrete and flexible paths to attain this goal. The publication provides important suggestions for making progress on this issue, it lends visibility to the achievements of various legislative bodies in the region and encourages others to start out in this challenge of advancing towards a full exercise of the individual and collective rights of both female and male citizens.

Heraldo Muñoz

UN Assistant Secretary-General,

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Introduction:
what is the purpose of this Guide?

The gender mainstreaming strategy was established in the Beijing Action Platform, in 1995. Since then, States have introduced measures aimed at incorporating gender equality in their institutions and policies. Despite commitments acquired and statements made in support of equality as a premise to development, efforts have not always led to the expected transformation of power relationships between women and men.

A revision of the impediments to a full adoption and institutionalization of gender mainstreaming has revealed the existence of weaknesses in the capacities of the State. Therefore, it is fundamental to ensure the development of capacities, so that public institutions may achieve the implementation of the mainstreaming strategy. This Guide is based on the document called *Destination Equality: Path for the development of institutional capacities for gender mainstreaming in public policies (2012)*, put together by the Gender Practice Area of the United Nations Development Program Regional Center for Latin America and the Caribbean, and it offers some guidelines for the development of capacities within the Legislative Branch for attaining gender mainstreaming in all its actions.

The proposed tool consists of a series of strategic steps or stations that guide a process oriented towards legislative change with gender equality as the arrival point. Parliaments that decide to involve themselves in this challenge will set out on a journey that includes a process of self-diagnosis, the definition of a Plan for the development of capacities and their implementation and evaluation. The methodology will be useful in reinforcing the political control activities under the Legislative Branch and in strengthening its responsibility to offer public information to the citizenry. These considerations evidence that gender mainstreaming will contribute to democratic governance in the region.

The Guide supports the development of six institutional capacities, even though each Legislative Branch may decide, in accordance with their needs and interests, which are the capacities on which work will take place or will be emphasized. The capacities are:

- Capacities for managing gender mainstreaming processes
- Cultural capacities
- Political capacities
- Capacities for establishing a gender equality agenda and control gender equality and diversity public policies
- Summoning power and capacity for forming alliances in order to promote gender equality
- Capacities for accountability and transparency

How to use this Guide?

This Guide is not a list of recipes and rigid requirements that can be applied in any context. It must be used as a guide to identify certain institutional conditions and capacities that need to be developed for the purpose of guaranteeing an adequate mainstreaming of the gender perspective and, through it, the construction of more egalitarian, representative and democratic parliaments. These conditions must be adapted to each of the implementation contexts. In other words:

- There is no single path to position the gender mainstreaming strategy in the Legislative Branch
- The rich experience of countries in Latin America and the Caribbean demonstrates various paths that sustain the approach and methodology adopted in this document.
- Gender mainstreaming in institutional structures and policies is not a short-term process, but rather necessitates long-term actions.

Several efforts exist to make synthetic catalogs for strengthening gender equality in the Legislative Branch, but available documentation rarely emphasizes sufficiently the development of the capacities needed for compliance of the mandate from the point of view of gender equality. This Guide takes into account the needs of various stakeholders in the region, as well as existing experiences in this State Branch in order to advance in gender equality and diversities.

Structure of the Guide. This Guide is organized so as to proceed from the general to the particular.

- Its first part offers some general approaches to the notions of capacities, development of capacities and gender mainstreaming in the Legislative Branch, so as to have a shared language and concepts in common.
- The second part sets out the sketches of a strategy for gender mainstreaming in the Legislative Branch. Six fundamental capacities are identified for generating organizational change within the Legislative Branch, mainstream the gender approach in all its actions and identify the role of this State Branch within the institutional framework for gender equality. Each capacity comes with its definition, the benefits deriving from its development and the results expected from it.
- The third part focuses on the stations on the path to gender equality. Each station has its specific steps and work tools. Going through these stations (i.e., the development of the necessary capacities) entails approaching core elements commonly mentioned by political and social stakeholders: leadership, information availability, learning, and dialogue with society at large and with the women's movement, accountability and transparency. These are key elements for promoting gender mainstreaming within the framework of democratic governance.
- Finally, there is a closing whose sense is to point out that, given that construction of an egalitarian society is a permanent effort, it shall be necessary to think of the challenge of developing capacities as a process of continuous improvement and, within this orientation, it is possible to start the cycle of strategic work anew.
- There are two Annexes offering practical tools. The first one offers a number of guiding questions for performing a diagnosis of gender equality within the Legislative Branch. The second Annex gives examples of specific actions that a Plan for developing capacities within the Legislative Branch may contain.



1

Clarifying ideas: institutional capacities
and gender mainstreaming

1.1. What is gender mainstreaming?

The term ‘gender mainstreaming’ was coined in the World Conference on Women, held in Beijing in 1995, although its antecedents may be traced to the Nairobi Conference of 1985. In general terms, it refers to the incorporation of the gender dimension as an intrinsic part of the decision-making and management processes. This makes it necessary for public policies to integrate equality of treatment, of opportunity and of results as goals to attain in all of the policy cycle.

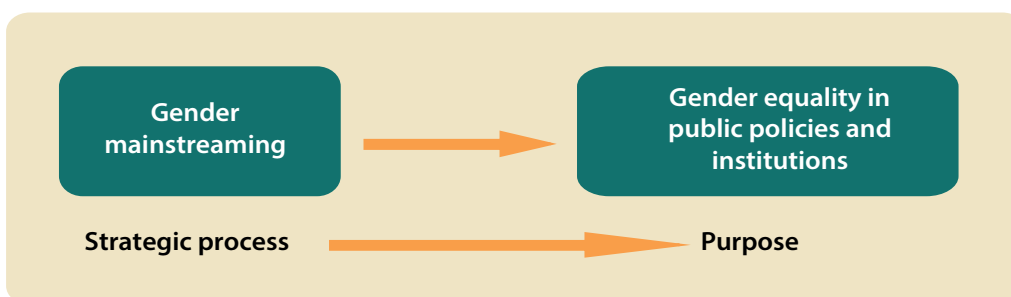
In 1997, the United Nations System defined gender mainstreaming as “the process of examining the implications for women and men of any type of planned public action, including legislation, policies and programs in any area”. Also, it is a “tool for making the interests and needs of men and women an integral dimension in the design, implementation, monitoring and evaluation of policies and programs in all political, social and economic realms”¹. For UNDP (2011), gender mainstreaming has the purpose of “integrating the interest in gender equality into all policies, programs, management and financial procedures, and in the cultural framework of an institution or organization”.

In a discussion dealing with the translation into Spanish of the term ‘mainstreaming’ as ‘transversalidad’, and also with the linguistic and theoretical difficulties related to it, De la Cruz (2009: 63) argues that the idea underlying this term is that an equality of treatment, of opportunities and of results between men and women must be “an integral part of the decision-making and management processes”.

Conceptually and methodologically, gender-mainstreaming implications are as follows:

- It is a strategy for attaining gender equality.
- It entails the implicit acknowledgement that inequality is a public problem and that institutions may reproduce it.
- It is understood that gender is an analytical concept for interpreting reality, but it is also oriented towards transforming institutional order and, therefore, has to be applied to every institutional action. It entails, therefore, the transformation not only of procedures, but also of the institutional goals and tasks themselves.

Figure 1. Gender mainstreaming and equality in public policies



Source: (UNDP, 2011:81).

¹ United Nations. Incorporation of gender perspective into all United Nations System policies and programs. General Secretary Report (E/1997/66) for the 1997 substantive period of sessions. Geneva. Economic and Social Council, from June 20 to July 25.

- Its application encompasses all orders and levels of institutional management (the decision-making in the financial, technical and managerial realms, among others).
- It is applicable to the whole cycle of policies, integrating the experiences, needs and interests of women and men and appraising the implications of each action on both human groups so as to ensure analogous benefits.

Table 1. Gender mainstreaming definitions

United Nations Economic and Social Council Definition (1997)	United Nations Development Program Definition(2000)	European Council Definition (1998)
<p>Gender mainstreaming is the process of evaluating the implications for men and women of any action planned, including those of a legislative nature, as well as policies or programs in every area and at every level. It is a strategy to ensure that the experiences, needs or interests of men and women are integrated into the design, implementation, monitoring and evaluation of policies and programs in every political, social and economic realm, so as to make sure that men and women benefit equally and inequality disappears. The final goal is to attain gender equality.</p>	<p>Gender mainstreaming has the purpose of integrating the interest in gender equality into all policies, programs, management and financial procedures, and in the cultural framework of an institution or organization. More specifically, it is a strategy for insuring that:</p> <ol style="list-style-type: none"> 1) Equality of men and women is included in every minor or major phase of the decision-making process of an organization. 2) The product or result of decisions made is systematically monitored regarding their impact on gender equality. (...) <p>An effective initiative in gender mainstreaming requires the complex interaction of numerous abilities and competences, usually coordinated in a work team assembled for that purpose."</p>	<p>Gender mainstreaming entails the reorganization, strengthening, development and evaluation of public policies, so that the gender equality approach is incorporated into every policy and at every level and phase, by the stakeholders normally involved in their preparation.</p>

Source: (UNDP, 2011).

- Technical expertise and political abilities are two supplementary and necessary dimensions for gender mainstreaming in an institution, because it is a strategic process that incorporates a strong component of technical expertise.
- it requires a qualified human team with specific competences and abilities to carry out.
- Aside from being an internal strategy in an organization, it requires articulation with other stakeholders in the institutional and social realms, as well as the participation of various stakeholders for the deployment of the policies.

To summarize, gender mainstreaming is a strategic process representing a set of activities or events, systemically or mutually related, in an organized or coordinated fashion, which interact in successive temporary phases in order to transform inputs into results that constitute the goal or purpose of the process (FLACSO, 2011)².

1.2. What are we aiming for? Gender-Sensitive Parliaments

The Legislative Branch is a fundamental institution of modern democracy. De Barbieri (2003) believes the Legislative Branch is a quintessentially public space, given that it is in charge of making laws, it controls public administration, within it the budget is discussed and a policy agenda is built. Besides, the Legislative Branch is the place of convergence of different social and political voices—which confront each other, but also negotiate among them—and, therefore, it is the place within the State where the citizenry is represented.

In view of these characteristics, it is necessary for the Legislative Branch to be sensitive and aware of gender equality, so as to be able to respond to the interests and needs of every citizen. This entails legislative measures for removing discrimination within society and also a transformation of the institution, for eradicating the practices of sexism and exclusion in its work, structure, culture and procedures.

What are we aiming for? Within the framework of democratic governance, a Legislative Branch that is efficacious, efficient and transparent in pursuing its tasks is one committed to the needs and demands of both female and male citizens, and to their political, economic, social and cultural rights. According to the Inter-Parliamentary Union (IPU, 2008), a democratic Parliament is

Gender mainstreaming within the Legislative Branch is the internal transformation of the institution (“how work is done”), of its results (“what is legislated” and “what content the legislation has”) and of its links (“who it has a dialogue with”, “who it controls”, “to whom is it accountable”).

² Quoted in UNDP-RSLAC (2012).

one that represents the political will and social diversity of a population and is also effective in its legislative and auditing functions. By extending these notions to cover the regulatory concerns for greater gender equality, we may establish the following functions.

- De jure equality. The Legislative Branch has an essential role in sanctioning initiatives for gender equality, non-discrimination and social diversity (ethnic, cultural, religious and sexual, among others).
- Inclusive representation. By means of its political representation functions, the Legislative Branch conveys messages to the citizenry concerning the affairs being appraised and the standards that should rule an inclusive democracy.
- Effective auditing. The tasks of auditing the actions of other public institutions introduce an important component of democracy and accountability, which contributes to the consolidation of transparent governments and to broaden the political incidence of social organizations within the framework of institutional rules previously agreed upon.
- Acknowledgment, enjoyment and exercise of human rights of women. The Legislative Branch, through its attributions of promoting and sanctioning rules, responds to the needs of women and men and may introduce greater measures for equality of treatment, of opportunities and of results in gender relations, thereby guaranteeing a true, substantive equality and social justice.

The international parliamentary context and the promotion of Gender-Sensitive Parliaments

Given the importance of the Legislative Branch in guaranteeing gender equality in democratic contexts, the Inter-Parliamentary Union (IPU) established, in 2012, an Action Plan for gender-sensitive Parliaments. This Plan has the purpose of supporting member countries in their efforts for promoting internal structures and procedures ensuring equality of treatment between women and men and a legislative agenda with a gender focus. Specifically, the IPU encourages national parliaments to adopt a gender perspective and to self-evaluate it by 2030.

While admitting the persistence of obstacles in the pursuit of greater gender equality, it is necessary to recognize the strong centrality of the Legislative Branch in the most recent advances in terms of equality and diversity in Latin America and the Caribbean. This Guide takes, as a starting point, the conviction that it is possible to take what has already been done and, from it, develop the capacities for action of the Legislative Branch in terms of gender equality and diversities.

In the path towards gender equality, it is not always necessary to begin from scratch and this is the case of the Legislative Branch. In fact, national legislative bodies in the region have initiated changes and innovations for the purpose of better responding to the equality challenges. Among other examples, it is possible to mention:

- The creation of gender equality commissions (second-generation commissions) exclusively focusing on equality between women and men and gender justice³.
- A broadening of the mandate for commissions on women.
- The emergence of Technical Units specializing in gender mainstreaming.
- The formation of women's parliamentary caucus in a greater number of countries in the region.
- The introduction of gender-focused accountability practices.
- The use of inclusive language.
- The preparation and implementation of institutional policies for gender equality in the Legislative Branch.
- The incipient introduction of tools of Gender-Sensitive Budgets.
- The implementation of structures for gender equality in regional parliaments.

Legislative groups for promoting equality actions

- Women's parliamentary caucus formed by women legislators with current mandates.
- Parliamentary commissions dedicated to gender equality and women's rights, usually called women's commissions or gender equality commissions, whose mandate is in compliance of international standards of women's human rights.
- Technical units dedicated to gender mainstreaming that cover all legislative actions. They are recent structures.
- Mixed groups of women legislators, women politicians and civil society organizations working jointly with the Legislative Branch. These groups are more like hybrid intermediation structures acting between State and society, since they are formed by representatives of public institutions and members of the organized civil society.
- Legislative observatories for gender equality or linked with specific issues that affect women's human rights.
- Committees overseeing the legislative gender agenda, formed by stakeholders from different areas, institutionally linked with gender commissions to ensure compliance with established commitments.

³First generation commissions are those that do not have a gender-exclusive mandate, but rather approach the issue of equality together with other social demands, such as the situation of children, of senior citizens and general social policies. Besides, many of these first generation commissions do not explicitly adopt a gender-equality perspective.

Some examples of legislative groups

The Technical Unit for Gender Equality (UTIEG, by its Spanish initials) was created in Costa Rica within the Legislative Assembly, for the purpose of establishing a gender equality policy that mainstreams the gender perspective in every administrative action, thereby guaranteeing to every person the respect of her/his rights, the existence of real opportunities for every person's full human development, and the institutional will to provide real equitable access to the institution's female and male officials. As an entity, UTIEG depends from the Legislative Assembly's Senior Directorate. One of its first results was to supply the Assembly with a protocol for the use of inclusive language.

The women's parliamentary caucus of Brazil, known as the Lobby do Batom, is the oldest of its kind in the region (1987). Although it lacks a formal structure, it is broadly institutionalized and is a reference for other countries. It had an essential role in passing the María de la Peña Act (Act number 11.340, dated August 7, 2006, on domestic and family violence against women).

In Panama, the Association of Female Parliamentarians and Former Parliamentarians (APARLESPA, by its Spanish initials) carries out efforts towards the regulation of the quota law and the promotion of political parity. In El Salvador, the Female Parliamentarians and Former Parliamentarians Group (AS-PARLEXSAL, by its Spanish initials) has carried out activities for political awareness, aiming at incorporating gender quotas in the electoral reform in the country.

1.3 How to achieve Gender Mainstreaming? Development of capacities

The UNDP gives a high priority to the development of capacities for gender mainstreaming within public institutions and policies as part of the processes leading to a full establishment of gender equality and democratic governance in Latin America and the Caribbean. Because of this, gender mainstreaming is understood to be a permanent decision-making strategic process, conditioned by the institutional context (UNDP: 6).

- The UNDP defines a capacity as the ability of individuals, institutions and society to develop functions, solve problems and define and attain goals through time in a sustainable manner (UNDP, 2010).
- The development of capacities is the process through which individuals, organizations and societies obtain, strengthen and maintain their capacity for establishing and attaining their development goals through time (UNDP, 2006).

In connection with State institutions, the development of capacities approach entails:

- 1) Acknowledging the State's and the Government's vision and goals.

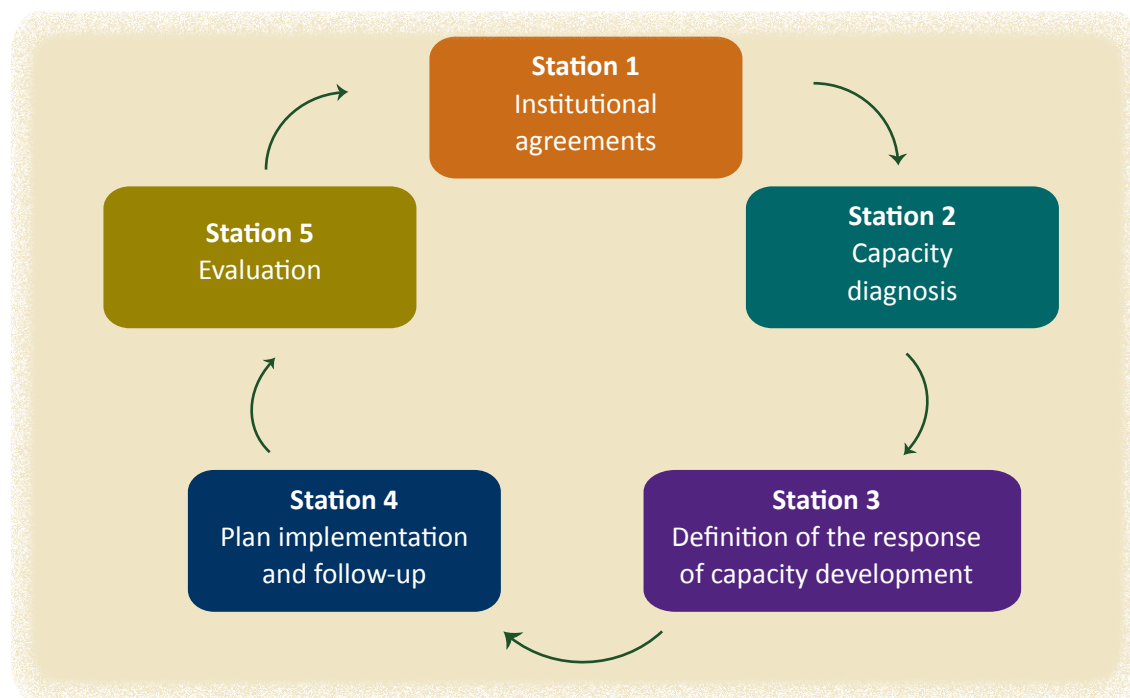
2) Taking the accumulated experiences of States and Government as an essential input and use their practical knowledge.

3) Strengthening the abilities for an efficacious leadership, coordinated planning and support, as well as the administrative and financial skills guaranteeing public institutions the development of their strategies and the attainment of their goals in a sustained manner through time.

In implementing the process for the development of capacities, the Guide proposes five steps called stations that organize the working methodology (see Figure 2). Institutional agreements are taken as a starting point; these are needed for promoting a gender equality strategy capable of attaining its goals, followed by an institutional diagnosis of the Legislative Branch. These are the foundations for designing a Plan for developing capacities and implementing specific improvement actions. As in every democratic policy, they must be accompanied by a final evaluation leading to subsequent discussion and dissemination of results.

Going through all five stations must be sustained on dialogue and exchange processes with stakeholders from the Legislative Branch (political authorities, women and men legislators and functional body), as well as active social stakeholders connected with the issue of equality (women's organizations, feminist movements, unions, universities and businesses), and State representatives from the Executive and Judiciary Branches.

Figure 2. Stations for the development of capacities in the Legislative Branch



Source: UNDP (2012).



2

Gender mainstreaming in the Legislative Branch: what does it mean?

2.1. An equality approach at every level

Gender mainstreaming in the Legislative Branch entails the adoption of an equality approach between women and men at different levels:

- In the internal structure and everyday functioning of this institution:
 - Gender mainstreaming entails the adoption of measures that take into account the needs and interests of women and men to make the Legislative Branch a workplace where equality is established in every kind of task.
 - This entails revising the conditions of access of female and male legislators to positions of responsibility and greater power inside the Legislative Branch. This institution exhibits significant gender-based segregation and exclusion at its most important power segments, such as the authorities of the House and the most prestigious commissions.
 - It also requires equal treatment for the functional body and therefore measures for promoting equality in administrative and technical careers should be promoted.

“In the Argentinian congress, equality between female and male legislators is asserted as a ruling principle. Nevertheless, from the point of view of female legislators, gender would be a constitutional, albeit informal, criterion in the distribution of positions of power and authority. The double standard employed to appraise the performance of female and male legislators, the decision-making “in closed circles” that are virtually monopolized by men, and the idealization of supposedly feminine qualities emerged as some of the dimensions of gender inequality in legislative work. Legislators, in contrast, qualified Congress as an egalitarian organization, placing a greater emphasis on its formal rules. The notorious disparity between the earnings of men and women may be explained by appealing to the notion of liminal conscience (Yancey Martin 2001), which suggests that males reproduce the socially dominant gender culture without necessarily being stakeholders of explicit discrimination” (Borner et al. 2009:86).

- In legislation, through the passing of initiatives oriented towards gender equality and inclusion, and the implementation of a parliamentary agenda where gender equality is central.
- The Legislative Branch must eliminate discriminatory legislation and work on standards that are in accordance with the concepts of equality and non-discrimination. Legislation must respect the provisions of the Convention for the Elimination of all Forms of Discrimination Against Women (CEDAW), so as to ensure that the human rights of women are acknowledged and guaranteed.

“In democratic States, the Legislative Branch is indisputably a space for agenda-building, in view of the fact that in it all voices, opinions, perspectives and interests of society converge for the formulation of laws and public policies; therefore, the legal framework legitimizing government actions is determined by the political stakeholders and negotiations inside the Legislative Branch (Martínez Medina 2010:23).”

- The legislative function is fundamental in revising and passing the budget from a gender perspective.
- In the political control and auditing of other public entities (through the monitoring of the Government’s public actions and of its main officials).
- The Legislative Branch is in a position to monitor compliance by the Government of international commitments in connection with human rights and women’s rights.
- Also, control and auditing become relevant for following up on development programs, social and health policies, etc., their adequate implementation and their related budgets.

The Legislative Branch and some control and auditing practices of policies and programs that affect women especially

The National Congress of the Dominican Republic has a Justice and Gender Observatory where female and male legislators from both houses take part, as well as other political and social stakeholders. The Commission for Gender Equity Affairs takes part on behalf of the House of Representatives, while the Commission for Family and Gender Equity Affairs and the Commission for Justice and Human Rights represents the Senate. Its goal is: “To establish, through follow-up and a qualitative and quantitative examination of sentences and other resolutions, issued by the courts of law and other instances of the Judiciary Branch, a space for thought concerning the preparation of proposals and policies, as well as to suggest the necessary legislative modifications leading to a greater efficacy and balance in the judiciary response for the integration of equality” http://www.observatoriojusticiaygenero.gob.do/quienes_somos/mision.html.

The Commission for Women of the Congress of the Republic of Guatemala leads the Inter Institutional Workgroup on gender violence, integrated also by the Justice System also takes part, and by the mechanisms for the advancement of women from other State branches. Within this framework, an evaluation was commissioned of the actual application of national standards for preventing and punishing violence against women in the 22 departments of the country, for the purpose of maximizing follow-up and political control activities. This process was closely followed by the Presidential Ministry for Women, the Office for the Defense of the Indigenous Woman, the municipal offices for Women and other entities of local governments. Among other monitoring practices by the Commission for Women it is included the visit to the national departments in 2010, which resulted in the “Final Report of the Commission for Women on the Department Tour”, for the purpose of monitoring three laws: 1) the Law to prevent, punish and eradicate intra-family violence and its regulations; 2) the Law against sexual violence, exploitation and people trafficking; and 3) the Law against femicide and other forms of violence against women.

The Legislative Branch and its involvement with international bodies of women's human rights

- Several woman legislators from the region accompanied the delegations of the Mechanisms for the Advancement of Women in the country presentations carried out in the 57th session of the United Nations Commission on the Status of Women, which met in New York in March 2013, in order to report the advances achieved concerning violence against women and girls.
 - The National Legislative Assembly of Costa Rica will take part, in 2013, in the presentation of the Periodical Universal Exam on human rights to the United Nations. Besides, a member of this entity of the State is a part of the Inter-Institutional Commission for the Follow-up and Implementation of International Obligations on Human Rights (created by the Executive Branch).
- In the representation work in pursuit of fulfilling the needs and interests of citizens.
 - By adopting a gender perspective, the representation function is broadened, given that the interests of a broad swath of constituents from different groups, including women, are incorporated.

Experiences in the representation of the interests of the citizenry in the construction of a legislative agenda for women

- In 2012, the House of Representatives of the Multi-National Assembly of Bolivia signed an Inter institutional Agreement for a Strategic Alliance with the United Nations Population Fund (UNFPA), UN Women, Marie Stopes International, World Vision, OXFAM and the Coordinating Association for Women, in order to strengthen a legislative agenda for the defense and exercise of women's and girls' human rights. This agreement contemplates mostly the construction of spaces for analysis and consideration, incorporating State stakeholders and civil society, as well as social movements. These spaces will be useful for validating legislative proposals (such as the Comprehensive Law against intra-family violence, the incorporation of femicide into the Criminal Code, the Migration Law, etc.). They will also be useful to disseminate the Law against political harassment and violence against women, the Comprehensive Law against person trafficking, the Ratification of the ILO's Agreement 189 and the dissemination of the Electoral Entity Act and its provisions concerning the political participation of women.
- The Women's Commission of the Legislative Assembly of Costa Rica works with the Follow-up Committee of the Legislative Agenda for Women. This is formed by female and male officials of different State entities, such as the National Institute for Women (INAMU, by its Spanish initials), the Costa Rican Social Security Fund, the Labor Ministry, the Office for the Defense of the Population, and by civil society organizations, such as the Association of Female Domestic Workers (ASTRADOMES, by its Spanish initials). This Committee meets with the Commission for Women for the purpose of promoting those initiatives it considered as having a high priority.

2.2. What is and what isn't gender mainstreaming in the Legislative Branch

- **Gender mainstreaming must not be confused with the adoption of affirmative action measures or with the presence of women.** Gender mainstreaming in the Legislative Branch is not reduced to increasing the quantitative presence of women in an institution. Affirmative action measures in the form of gender-based electoral quotas (and more recently parity) have been successful in the region for the incorporation of women in domestic legislatures. Undoubtedly, having a sufficient number of female legislators and even officials is strategic, but it must be said that this measure is not all there is to ensure gender mainstreaming. Affirmative actions are just one more measure in a range of actions that constitute a broader gender mainstreaming strategy (Rees, 2005).
- **Gender mainstreaming can't be reduced to incorporating isolated changes in the structure of the Legislative Branch.** Commissions or committees dedicated to gender related affairs are key to lead to initiatives that promote equality. But these structures, taken individually, are not enough. Even more so if just a handful of specific commissions deal with an equality agenda, as topics become either encapsulated or diluted in the broader agenda of the Legislative Branch (Borner et al., 2009).
- **Gender mainstreaming is not the approval of a law establishing equality between women and men.** There are emblematic aspects in a gender equality agenda and among them the Law for the equality of opportunities and treatment between women and men stand out. But gender mainstreaming should result in the passing of a set of laws within a framework of gender equality and the equality of diversities, that encompasses all political, economic, social and cultural rights of women and men.
- **Gender mainstreaming doesn't correspond solely to technical entities.** Gender mainstreaming is a strategy with a deep political and transforming sense, oriented towards changing the power inequalities between women and men. In this sense, the instruments and structures for mainstreaming are means, and the goal should not be confused with the strategy. For example, the Technical Units for gender mainstreaming that exist today in some legislative bodies in the region acquire meaning and impact inasmuch as the elected supreme political authorities explicitly acknowledge a commitment with these entities.

“Effective application of the mainstreaming strategy requires all institutions to have the capacity to incorporate gender perspective in policies, plans, programs and in their very institutional management. Nonetheless, this is frequently a weak area that stands in the way of institutional efforts for attaining established gender and general development goals. Therefore, having institutions with the capacity to mainstream gender perspective becomes a means to attain both equality and development goals (UNDP, 2012:13/14).”

In short, gender mainstreaming requires the Legislative Branch to incorporate gender perspective as an integral part of its structure, its operation, mission and culture.

- Women must be adequately represented in the Legislative Branch, in its political and functional bodies, as well as in its authority structure. Today there is even talk of the gender parity principle in political representation, a criterion in force in Costa Rica, Bolivia and Ecuador, established in the Quito Consensus (2007) and reasserted in Brasilia (2010).
- Within the legislative body, beyond presence, women must have equal access to opportunities and services, so as to ensure the acknowledgement and free exercise of their human rights.
- The gender and diversities equality agenda must be explicitly incorporated into a hierarchy and taken into account in every other initiative of the Legislative Branch and, to this end, it must be comprehensive.

What is diversity in the legislative agenda?

The diversities approach intends to go one step beyond the right to cultural diversity of historically discriminated ethnic-racial groups, such as aboriginal and Afro-descending groups. It intends to include, under the diversities mantle, other forms of living and feeling that have to do with age, gender, sexual orientation and gender identity, special or handicapped needs, economic condition, religion, place of dwelling (rural or urban), etc. This acknowledgement allows consideration of the strategic needs and interests of individuals and their incorporation into the planning and design of public policies. The idea is not to make a list of diversities, but rather to acknowledge women as a heterogeneous, differentiated group, with specific aspects to contemplate for achieving full respect of their human rights. This approach is related to the concept of intersectionality or crossed connections, which is understood to refer to compounded, double or multiple discrimination, resulting from the interaction between two or more forms of discrimination. For instance, the intersection of gender, age and ethnic origin. In mainstreaming gender and incorporating a diversities outlook, full attainment and defense of human rights are sought, as well as confronting the multiple forms of exclusion that persons face.

What are the political benefits and returns of gender mainstreaming in the Legislative Branch?

The gender mainstreaming strategy is a political, technical and cultural challenge and presupposes a broadening of the capacity for action of the Legislative Branch. In this sense, it offers political advantages to position the Legislative Branch within the State's institutions and within the framework of democratic development.

- The incorporation of gender perspective will strengthen the legislative institution's function of political representation and that of making laws, programs and policies.
- Gender perspective will allow the removal of discriminatory restrictions and practices against women (either in the form of "gender blindness", "gender bias" or "gender neutrality"), in an institution that is symbolic of democracy⁴.
- This perspective will be useful in promoting an egalitarian culture, by defying gender stereotypes from a significant political and State entity.
- The development of capacities for gender mainstreaming will broaden the number of interlocutors of the Legislative Branch, thereby increasing its leadership within the efforts made towards attaining gender equality.
- The development of capacities for gender mainstreaming will endow the Legislative Branch with improved instruments for its political control function.

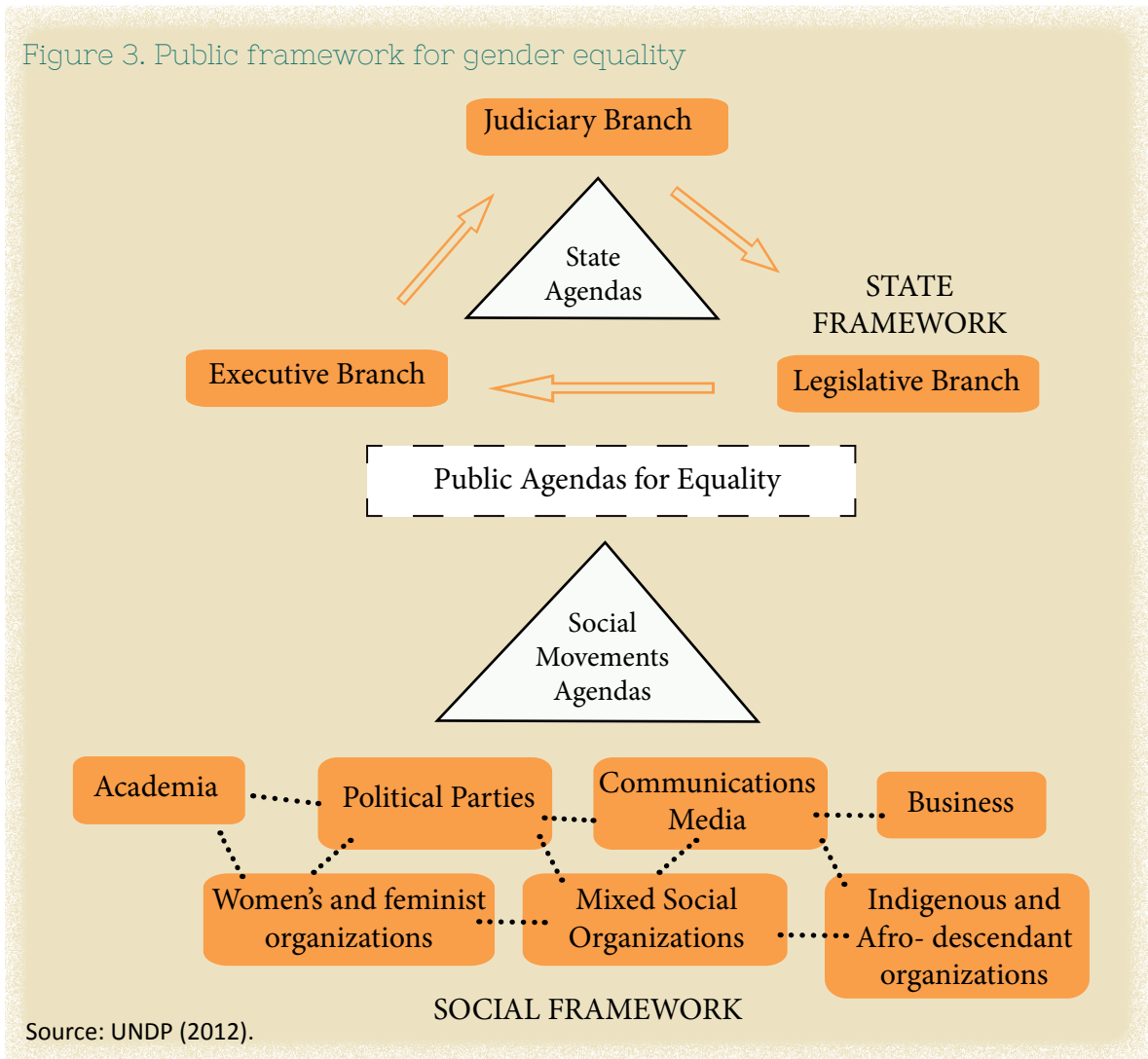
2.3. The Legislative Branch as part of the public framework for gender equality.

In the context of the citizenry, the Legislative Branch must actively commit to gender-mainstreaming, because this strategy has ceased to be the exclusive domain of mechanisms for the advancement of women of the Executive Branch. It is necessary to think in multiple articulations with multiple State and non-State stakeholders, but with public interests that allow for the generation of an adequate flow between government entities and the public. Taking into account that there is a public infrastructure for gender equality, the Legislative Branch may place itself as a fundamental node, given that it is both a sounding board and a representative of the public's diversity of interests.

The Legislative Branch is not an isolated institution, but rather is inserted in the midst of a set of stakeholders from different origins who, taken as a whole, make up a public framework, as shown in Figure 3. In this sense, the development of capacities for summoning various groups and establishing alliances should give it a leadership position.

⁴ It is said that an action or policy is "gender blind" when it is not sustained in the needs of women and therefore discriminations are produced even though this may not be the intent of the policy in question. "Gender neutral" policies are those that consider that inequalities between women and men are irrelevant to the solution of their problems and therefore its measures' differential impacts are not taken into account. Gender-neutral measures generally worsen inequalities. "Gender bias" is present when a policy displays an androcentric preference; that is, when the policy in question is ruled by the needs and life conditions of men. In fact, these policies are discriminatory.

Figure 3. Public framework for gender equality



Identifying stakeholders

State framework for gender equality. Virginia Guzmán (2001) considers that there is an institutional framework in the region for gender equality representing all public institutions, programs, laws, sector and inter-sector instances (inter-institutional commissions, technical gender units, etc.), as well as formal and informal networks promoted by the State. The mechanisms for the advancement of women of the Executive Branch have been essential in this framework. These mechanisms (institutes for women, ministries for women, etc.) are in charge of national plans for ensuring equality between women and men and are the face of the State before international accountability entities for women's human rights (CEDAW, CSW, regional conferences of women's ministers, etc.) These mechanisms emerged as a result of the First World Conference on Women, carried out in Mexico in 1975, but gained greater visibility at the Beijing Conference, in 1995.

Nowadays, aside from these mechanisms —known as “primary” mechanisms—, there are multiple actors in all three branches of the State. Fernós (2010) speaks about “secondary” mechanisms due to the high number of gender units in the form of national commissions, ministry divisions, agencies for the defense of women and gender programs within judiciary branches, etc. These secondary mechanisms complete the platform of the relevant State framework for the Legislative Branch.

Social framework for gender equality. Social organizations are active in promoting equality ideas, and also for implementing, together with the State, measures that transform gender order. Given the necessary co-responsibility of social stakeholders, introduction of the term social framework is key (see above figure).

Public framework for gender equality. This is the result of adding the State and social frameworks; its nature is mixed and it encompasses all stakeholders involved with gender equality initiatives, irrespective of their origin. As summed up by Guzmán (2011: 46), “private and public stakeholders constitute a complex network of interactions, with both horizontal (stakeholders from the same level of government) and vertical (relations between stakeholders operating at the inter-state, state, sub-state and local levels) interactions which, as a whole, constitute spaces for interacting and having fluid borders, especially when identifying peripheral stakeholders. Within spaces for interaction, actors hold different positions of centrality and various interactions are woven between different stakeholders⁵.”

Supra-national framework. There are international entities for women’s human rights, as well as regional entities constituted by the States themselves. At these levels, States renew their commitments towards creating full gender equality. There are spaces that group the mechanisms for the advancement of women of the Executive Branch, such as the Council of Ministers for Women of Central America and the Dominican Republic (COMMCA, by its Spanish initials) of the Central American Integration System (SICA, by its Spanish initials), the Meeting of Ministers and High Authorities for Women (RMAAM, by its Spanish initials) of Mercosur, etc. But there are also regional parliamentary entities with gender commissions and action protocols for safeguarding the rights of women, such as the Forum for Chairpersons of Legislative Bodies (FORPEL, by its Spanish initials), Parlaten, Parlatino, among others. This supranational framework is essential, because it fosters the dissemination of practices and ideas that are taken up and reformulated by the various legislative bodies in the region (Rodríguez Gustá and Madera, 2013). Source: adapted from UNDP (2012).

⁵ Quoted in UNDP (2012: 21).

Currently, an overview of the region's legislative bodies allows witnessing the way in which these are in constant interaction with various stakeholders. Some links are time-specific, but others are more permanent. In some countries, the legislative body would seem to sustain and consolidate public frameworks for equality. The main stakeholders of the public framework for equality, of which the Legislative Branch is a significant articulation and projection node, are the following (among others):

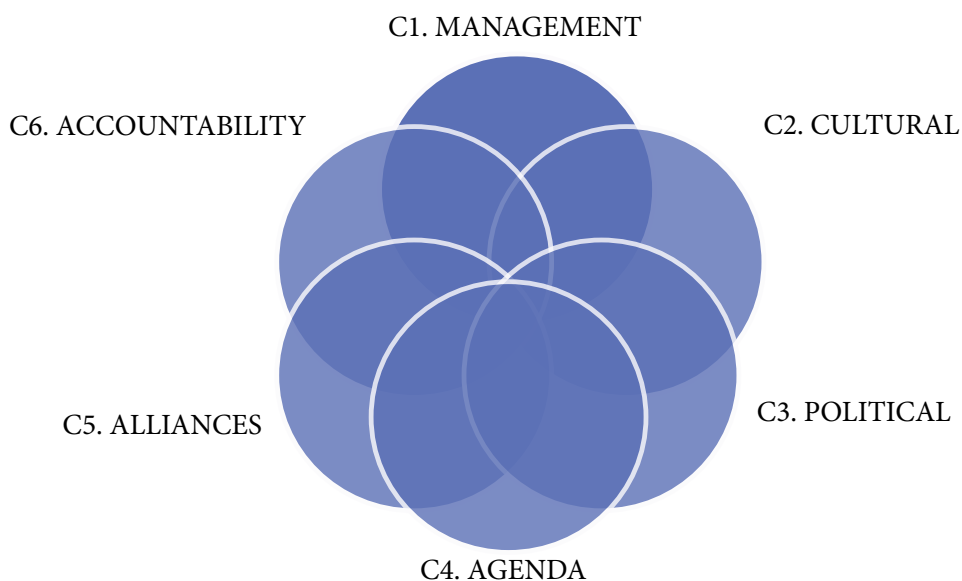
- State institutions (Executive and Judiciary Branches, as well as regional and local Government levels).
- Legislative peers from other countries, especially within the region.
- Networks of women politicians and women politicians in general.
- Feminist movements.
- Women's organizations.
- Social stakeholders with agendas of gender equality and diversities.
- Organizations in favor of sexual diversity.
- Organizations in favor of ethnic and racial equality.
- Research groups and academics.
- Women judges.
- International technical cooperation agencies.

2.4. What capacities must be developed for working in an atmosphere of equality?

The Legislative Branch is an institution of a dense political nature, given that its members are chosen by female and male citizens in free elections and, therefore, must exercise functions of representation of the interests of said citizens. Once elected, legislators endeavor to give society direction and therefore have an influence on the fate of citizens. This Guide emphasizes those capacities that refer to the articulations between the Legislative Branch and other organizations and public or private agencies.

Six institutional capacities are set out below. Each of them is essential for establishing gender mainstreaming and each of them responds to a specific purpose in the mainstreaming strategic process. These capacities are supplementary and mutually reinforcing; this is why we opted for a diagram made of overlapping and reinforcing circles (Figure 4).

Figure 4. Institutional capacities for gender mainstreaming in the Legislative Branch



For illustrative purposes, for example, a Legislative Branch with a poor capacity for summoning social stakeholders will lose legitimacy before the citizenry, thereby negatively affecting the projection of the gender equality agenda. A technical body without gender specific formation will consider equality issues to be a technocratic affair, and this will prevent it from facilitating the substantive transformation processes that mainstreaming entails.

C1: Management capacities

C2: Cultural capacities

C3: Political capacities

C4: Capacities for establishing the gender equality agenda

C5: Capacities for summoning and establishing alliances

C6: Capacities for accountability and transparency

C1: Management capacities

What are they?	What is the expected result?
They are the human, technical (information systems, document collections), materials (infrastructure, equipment), financial and organizational (processes) resources at the disposal of the Legislative Branch for facing gender mainstreaming processes in the organization, its activities and outside links.	The Legislative Branch considerably improves its capacity for managing gender mainstreaming processes.

These capacities refer to internal actions of the Legislative Branch giving support to gender mainstreaming. Human resources must be conceived of in a dynamic manner and not just as a “stock” of technical staff of the Legislative Branch. They must be made aware of and trained within the gender perspective, and interact with political and social stakeholders so as to constitute a system for managing knowledge in favor of equality within the institution. In order to measure these capacities, the Legislative Branch could opt for certifying itself as per the management programs for gender equity being offered by the mechanisms for the advancement of women in several countries in the region (Brazil, Mexico, and Uruguay, among others).

What are the benefits?

In terms of knowledge and information:

- Capitalization of the “know-how” and experiences of the different stakeholders of the Legislative Branch.
- Having compared information on legislation that effectively guarantees substantive equality.
- Building a document collection on experiences, projects and studies regarding gender equality that lends support to the legislative process.
- Detailed analysis of the possible impacts of law initiatives on men and women.

Parlamenta Portal

Bipartisan Uruguayan Women's Caucus created the Parlamenta Internet Portal, which gives access to a series of tools for creating awareness regarding women's political representation and allow work within a gender equality approach. Aside from giving information on the activities having to do with gender affairs, the Portal offers access to domestic laws, relevant international standards and bibliography. In the words of the site itself: "Parlamenta seeks to strengthen the presence of women in the legislative realm, making their individual and collective parliamentary actions visible, especially those in favor of the rights of women and gender equity, and creating new channels of communications within the parliamentary environment, party communities, the citizenry, organized civil society and the media".

(<http://www.parlamento.gub.uy/parlamenta/index.html>).

With regards to human teams:

- The existence of personnel duly trained to advice and collaborate with the continuity of initiatives for gender equality, capable of interacting fluidly and with the possibility of applying their formally acquired knowledge, as well as their experiences.
- The existence of personnel with a high capacity to respond to new problems, with autonomy, flexibility and collaboration capacity, as well as able to work within a network.
- Organizational careers offering the same conditions to women and men..

Study Center for the Advancement of Women and Gender Equity (CEAMEG, by its Spanish initials)

The House of Representatives of the Congress of the Union (Mexico) has five study centers that offer, in an objective and timely manner, technical support and analytical information services for supporting compliance of the House's functions. Since 2005, the Study Center for the Advancement of Women and Gender Equity (CEAMEG, by its Spanish initials) has been providing information and knowledge for the purpose of assembling a gender agenda. The Center is under the House of Representatives' General Secretariat and its functions are established in the Congress of the Union's Constitutional Law. CEAMEG carries out activities for dissemination and promotion, as well as training and regular studies. It carries out linkage activities with NGOs and academic centers, and puts out the monthly digital bulletin "Women's Human Rights and Gender Equality". CEAMEG is directed by a Committee of female legislators.

Legislative schools in parliaments of the region

The creation of the Legislative School of Ecuador (2011) is an interesting example of the establishment of an institutional space with the goal of promoting research and the compilation of a body of knowledge on the parliamentary institution. A permanent space for training members of the Assembly on different areas of expertise is also being proposed. Worth mentioning among other activities, is the organization, in June 2012 — together with the Legislative Technical Unit—, of a course on “The Gender Perspective in Law”, which sought to contribute to the analysis, making and passing of more equitable, just and inclusive laws, by way of training both male and female legislators on the issue.

In 2010, an Agreement was signed between the female legislators of the Union of Parliamentary Women of Bolivia (UMPABOL, by its Spanish initials) and AMUPEI (Organization of Women for Equity and Equality), for the purpose of developing the project for setting up a School for Strengthening the parliamentary work of multi-national and departmental assembly members. This initiative is carried out in coordination with the Graduate Studies Unit of Development Science of the San Andrés University (CIDES - UMSA) and with public universities from all of the country’s departments. The course has for modules: State, citizenry and democracy; parliamentary management; media management; and gender agenda.

Regarding organizational processes:

- Establishment of more innovative mechanisms for exchange and dialogue, such as conferences and communities for best practices within the Legislative Branch.
- Installation and maintenance of transparent and complete information systems for legislating on issues of equality.
- Financial and material resources available for analyzing and producing institutional policies and strategies for gender equality and diversities.

The year 2010 saw the beginning of an external consulting for designing and implementing a Communications and Visibility Strategy for the Group of Women in Parliament in the Legislative Assembly of El Salvador. A consultant, supported by the Institutional Press Unit of the Legislative Assembly and by the Press Units of the different political factions, prepared and implemented an Operational Communications Plan for the purpose of disseminating the existence and the work of female Representatives in the framework of the Group of Women in Parliament. Awareness and training workshops on gender and communications were carried out with the Press Units. One of the most relevant products was the preparation and presentation of the Group of Women in Parliament’s work and accountability report.

C2: Cultural capacities

What are they?	What is the expected result?
<p>Culture provides tools and interpretive frameworks for action (Swidler, 1986). In an organization, culture affects gender equality because the beliefs associated with the value of what is masculine and what is feminine have an influence on the power available to men and women. Also to be considered are informal practices and the manner of interaction between male and female legislators and female and male officials, which are based on the (usually biased) perception of the work of women and men and their potential contributions to the accomplishment of the institution's goals.</p>	<p>.The Legislative Branch is an institution where equality of treatment and respect of individuals prevail, thereby promoting the full development of their skills.</p> <p>.An itemized agenda concerning gender equality and diversities has a value similar to items traditionally considered important (Economy, Infrastructure, National Security, among others).</p>

A culture of equality entails respect for the capacities and experiences of both women and men, as well as for their class, ethnic and religious origins, and their sexual orientations. Beyond individuals, a culture of equality entails giving value and hierarchy to the issues of gender, socio-cultural diversity and sexual orientations. In Tichy's view (cited in UNDP, 2012), given that an organization's culture is the place of intersection of the individual with the social and collective dimensions, it is necessary to revise the repercussions of opinions, meanings, everyday practices, interpretations and shared arguments inside the institution, for the purpose of establishing a sense of equality and to avoid discrimination against individuals.

“Organizational culture is usually an ‘invisible’ factor within organizations, which refers to the set of informal practices and rules that condition the power relations in decision-making, the processes for communication and exchange, the value given to individuals and to the issue, etc. The everyday construction of what is feminine and what is masculine and their associated values must be made visible in this process, since it conditions the opportunities available to men and women, as well as the institutional action itself” (UNDP, 2012: 29).

What are the benefits?

Regarding human relations inside the Legislative Branch:

- Awareness of discriminatory treatment and sexual harassment in the workplace.
- Eradication of discriminatory practices and sexual harassment situations.
- Egalitarian treatment for female and male legislators, and eradication of depreciation of the contribution of female legislators in legislative activities.
- Institutionalization of family co-responsibility measures for female and male legislators and officials.

Within the framework of the Gender Institutional Policy (in force since 2012) the Legislative Assembly of El Salvador passed the Attention Protocol against cases of violence and discrimination in the legislative function, which has been validated by the Group of Women in Parliament.

Concerning a legislative agenda:

- Visibility of gender-related issues as a problem of all the legislative body and not merely as a “woman’s affair”.
- Commitment of Legislative Branch authorities with the initiatives promoted by both male and female legislators, both in issues of gender and in other fields.
- Establishment of a hierarchy of gender equality and diversity issues in the legislative agenda.
- Establishment of a hierarchy of women’s parliamentary caucus, of the commissions dealing with gender equality and diversity affairs in the Legislative Branch and in gender technical units.
- An inclusive and representative legislative agenda.

Mexico: experiences of the Senate’s Commission for Equity and Gender.

For the LXII Legislature (2012-2015), the Senate’s Commission for Equity and Gender established, among its goals, “to promote a change in institutional culture and in the management processes of the Senate, in favor of equality”. The established lines of action are:

- . Generate a diagnosis of the work situation of the Senate’s female personnel, for the purpose of knowing the positions they hold, their salaries, to verify whether there is sexist communication or not, if actions have been established to promote work/family co-responsibility and eliminate sexual harassment.
- . Develop internal campaigns for promoting a culture of equality and respect within the Senate.

Mexico: experiences of the Senate's Commission for Equity and Gender.
(cont.)

- . Establish mechanisms to deal with sexual harassment instances in the Senate.
- . Promote affirmative actions for promoting equality and equity in family responsibilities that improve the conditions of work competence and productivity and raise the standard of living of personnel.
- . Institute affirmative actions for increasing the number of women in decision-making positions, through offering the same opportunities to women and men in terms of access to the process of tselection, hiring and promotion of the Senate's personnel.”

Source: Work program of the Commission for Equity and Gender (2012). Senate. LXII Legislature.

C3: Political capacities

What are they?	What is the expected result?
The political capacity of the Legislative Branch is based on the existence of political and parliamentary agreements, such as alliances and negotiations between the political parties represented in Parliament, for the purpose of advancing an equality agenda. This capacity depends directly of the political will of the parties and of their interest in gender affairs and affects the possibility of starting a gender mainstreaming process.	The Legislative Branch has male and female leaders from the different political parties committed to a minimal gender equality agenda that goes beyond their ideological differences.

The Legislative Branch deploys its political capacity only if these wills are materialized and are capable of agreeing on joint actions. At this point, the role of political leaderships is worth underscoring, as is the need of having champions for equality among the parties represented in Parliament⁶. That is, leaderships are required in the Legislative Branch, for the purpose of promoting and agreeing on items on the agenda, also for lending legitimacy and priority to the issue of equality. It is fundamental that party leaders commit to equality and act as stakeholders of change.

⁶ The term champions of equality was introduced by Evangelina García Prince in her interview with the United Nations' Development Program's Gender Practice Area of the Regional Center for Latin America and the Caribbean: <http://www.youtube.com/watch?v=fdL-PzRc0XY>.

What are the benefits?

- Institutionalization of the political commitment to gender equality and diversity.
- Sending a message to society at large that gender equality and diversities are affairs of the utmost importance for well-being and justice.
- Establishment of a hierarchy of the gender equality and diversity agenda.
- Greater visibility in the legislative agenda of the problems facing women and appropriation of same by political authorities.

Leadership is “the capacity to influence, inspire and motivate people, institutions and societies, in order to attain and transcend goals (...). It is also the capacity to anticipate changes and respond to them” (UNDP, 2009).

One of the main achievements of the Women’s Parliamentary Group (GMP, by its Spanish initials) of El Salvador’s Legislative Assembly during the 2009-2012 legislative period was the formulation of the Gender Policy. The year 2012 also saw the institutionalization of the Commission for Women and Gender Equality, which generated an important change in approach regarding the Commission for Family, Women and Children which, up until that moment, had focused on women’s issues from the point of view of the family. Once the new commission was created, the Commission for Family, Women and Children switched its name to Commission for Family, Childhood, Adolescence and elderly.

Practical experiences in the region

Several recent experiences have demonstrated the effectiveness of inter-party agreements in promoting legislation that broadens the notion of gender violence and increases the penalties for crimes against women (Argentina, Brazil, Colombia, El Salvador), as well as laws that consolidate the sexual and reproductive rights of women (Uruguay).

Uruguay has a long organizational tradition of creating spaces for inter-party agreement and coordination, with the experience of the Women’s Consensus (1984), the Network of Women Politicians (1992), and the creation of Women’s Caucus (2000) and its later re-foundation as bipartisan Women’s Caucus (2005). The ideological and party diversity of the projects that have emerged from these spaces, as well as inclusion of male peers in promoting them, represent a core portion of the strategy adopted by women legislators to facilitate treatment and the passing of initiatives for consolidating a gender agenda in the Legislative Branch (Johnson and Moreni, 2011).

Practical experiences in the region (cont.)

In later years, the region has seen a parliamentary practice grow: that of creating of mixed caucus or groups of female and male parliamentarians, which operate as more or less formal structures of an eminently political nature, which bring together female and male legislators from different political affiliations, for promoting the agenda of gender equality within the legislative realm.

This is the case of the Special Senate Commission or “Women’s Bench” in Argentina, of the Union of Women in Parliament of Bolivia (UMPABOL, by its Spanish initials), the Legal Office for Women’s Affairs, in Brazil, the Accidental Bi-cameral Commission for the Defense of Women’s Rights (CAM, by its Spanish initials) in Colombia, the Group of Women in Parliament (GMP, by its Spanish initials) in El Salvador and the Peruvian Group of Women in Parliament, Uruguay’s Bi-cameral Caucus of Women in Parliament and the Bi-cameral Parliamentary Group for the Rights of Women and Gender Equality in the Dominican Republic.

C4: Capacities for establishing a gender equality agenda

What are they?	What is the expected result?
<p>These capacities have to do with the development of the primary functions of legislative bodies: put together general legal framework, establish agendas and carry out institutional controls of the activities of the Executive and Judiciary Branches.</p>	<p>The Legislative Branch has a broad and articulated agenda for gender equality, without conceptual or technical contradictions, with short-, medium- and long-term action priorities.</p> <p>The Legislative Branch has institutional devices to follow-up on and evaluate the actions of the other public powers, especially the Executive Branch in its different jurisdictional levels, as well as to observe-compliance of the international commitments concerning women’s human rights.</p>

Required capacities are linked with two questions:

- **Gender equality agenda.** This alludes to the capacity and possibility of producing legislation in agreement with the advances in gender equality in the different dimensions of social relations. This explicitly means building a gender agenda with its own profile and incorporating a gender perspective in all initiatives. A fundamental tool in the gender equality agenda is the Analysis of Gender Impact applied to all initiatives.

The Legislative Branch's gender equality agenda

The gender equality agenda of the Legislative Branch should include the “classic” topics (violence, equality of opportunities, the protection of maternity, poverty in women, sexual and reproductive health), as well as those considered “last generation” (co-responsibility/reconciliation, care system, management of natural resources, displaced populations, gender and economics, political violence against women, etc.), and those problems identified by CEDAW as urgent for the legislative bodies (people trafficking and stereotypes).

The latest international approaches to gender insist on the need to incorporate a vision of crossed inequalities, thus allowing the consideration of situations deriving from race, ethnic origin, religion, sexuality and social class, which add up to the more often mentioned gender inequalities.

Federal countries: the challenge of legislative harmonization

In federal countries, it is fundamental to harmonize sub national with national laws, a task that is not always easy and requires additional legislative efforts.

The Commissions for Equity and Gender of Mexico's House of Representatives and Senate of the Congress of the Union have worked together in legislative harmonization, as per the recommendations made by CEDAW. To this end, four meetings took place in 2008, three of them at a regional level, the result of which was the formulation of 32 proposals for reforming the civil and criminal codes of the States, so as to eliminate provisions that go against the rights of women. Federal and local representatives, senators, the heads of institutes for women at State and municipal levels and authorities from the Federal Institute for Women took part in the work sessions. This process was called “Legislative National Congress in favor of women: Equality before the law, No violence in life”.

The rights of women in the constitutions

A gender legislative agenda may be facilitated when the Constitution acknowledges a wide range of rights for women. The Political Constitution of the Multi-National State of Bolivia (2009) has several articles incorporating the rights of women. Article 8 promotes respect for gender equity, article 14 prohibits discrimination against women, article 15 establishes the right to a life without violence, article 48 promotes wage parity, article 63 promotes the equality of rights and duties among members of the family, article 66 ensures sexual and reproductive rights of both women and men, article 147 guarantees the political rights of women, while article 338 acknowledges the economic value of domestic work, among many others.

- **Monitoring and comptroller.** This is the capacity for monitoring, evaluating and auditing the Executive Branch's public policies from within the framework of new legal and administrative provisions. Comptrolling capacities of the remaining public powers are fundamental to ensure the legislative agenda is not diluted within the State's apparatus and its initiatives lose strength or are not implemented. In this regard, a fundamental tool is the Gender-Sensitive Budget, an instrument allowing for the correction of biases from the Executive Branch, which has the budget initiative in Presidential regimes. In addition, Gender Impact Analysis shows the potential effects of initiatives on both women and men, and offers a basis for analysis to provide follow-up of public policies.

Gender-Sensitive Budgets (PSG, by its Spanish initials). This is a new way of looking at budgets. PSGs generate information concerning public expenditures assigned by the Government for the purpose of reducing gender gaps in sectors such as education, political participation, employment, health and social welfare, among others. PSG take into account the different needs and contributions of men and women in planning, executing, following-up and evaluating resources.

Gender Impact Analysis (AIG, by its Spanish initials) is a "technique for the prospective evaluation of standards; that is, an 'ex ante' study and analysis of the regulating project being promoted, for verifying if the impact on women and men has been taken into account at the time of planning the measures contained in its provisions, warning those in charge of adopting them of the desired and undesired consequences and proposing modifications to it, if applicable" (De la Cruz, 2009: 79).

What are the benefits?

- A Legislative Branch that has been updated and prepared to debate and sanction legislation for gender equality and to understand the international regulating framework in terms of women's human rights.
- Articulated gender agenda, underscoring significant topics for guiding the actions of the Legislative Branch.
- Development of the potential for political control on the part of the Legislative Branch, allowing for the generation of incentives within the Executive Branch for a better implementation of public gender policies.
- Strengthening the follow-up of public policies that may be later used by other social stakeholders.
- Strengthening the democratic political regime thanks to a better performance in the functions of the Legislative Branch.

Budget earmarked for gender equality

In **Mexico**, since 2006, the Federal Act for Budget and Revenue Responsibility established that the administration of federal public resources be carried out based upon gender perspective criteria. In 2007, for the purpose of developing gender indicators, the Commission for Gender Equity of the House of Representatives of the Congress of the Union convened an Inter-Institutional Workgroup on Budgets for gender equality, together with other public administration entities, with resources assigned by the Commission for the analysis of actions and follow up of budget disbursement. From 2008, an annex was attached to the Federation's Expenditure Budget, for identifying those expenses addressing equality between women and men. Also, beginning of the same year, jointly with the Ministry of Finance, quarterly reports are prepared based upon the earmarked Budget of the Federal Public Administration's entities (Budget Information System-Women), which are sent to the House of Representatives and are published in the portal of the National Institute for Women (INMUJERES, by its Spanish initials). From 2012, the reform to the Federal Act for the Budget and Revenue Responsibility provides for a clause for Mandatory Gender Budget, which stipulates that no reductions can be applied to budget programs nor to investments addressing equality between women and men, save for those cases contemplated by law and with an opinion by the House of Representatives. Also, this reform establishes: a) that evaluations of the programs must include information of the beneficiary population classified by gender.

Agencies and entities must present their results based on indicators classified by gender, for the purpose of measuring the impact and the incidence of programs in a differentiated manner between men and women; and b) that the System for Performance Evaluation shall incorporate specific indicators that allow for the evaluation of the incidence of budgetary programs for equality between men and women, the eradication of gender violence and against any form of gender discrimination.

C5: Convening power and alliance-formation for gender equality

What are they?	What is the expected result?
<p>They are the abilities for establishing action horizons and initiating coordination and articulation processes with various significant social and political stakeholders. This requires summoning and bringing together different stakeholders for the purpose of putting together a gender and diversity agenda, agree on the language, add interests and identify needs, work with those “sense frames” allowing to receive, interpret and process issues related to gender equality and diversity, and transform them into an institutional agenda for legislative action⁷.</p>	<ul style="list-style-type: none">• The Legislative Branch plays a key role in the consolidation of a public framework for gender equality, that leads and nurtures because of its summoning power, its nature as an optimal space for negotiation, and as sounding board for the various social interests, channeled by means of the political parties and their representation tools (audiences, etc.)• This makes it possible to listen to the voices of groups with greater difficulty of access to entities of power, which are brought together and articulated by the Legislative Branch.

The process and action of giving direction and sense to an area of public policy and of ensuring compliance with its goals (known as governance in accordance with Pierre and Peters, 2007) is an increasingly complex affair in our societies. It requires the combined contributions of State and non-State stakeholders, both public and private, thereby making it necessary to establish channels of communication for the exchange of information and the debate of ideas. It also entails consolidating alliances for promoting and maintaining these channels. In this sense, an adequate development of capacities for convening various stakeholders and establishing alliances would position the Legislative Branch as a leading node in the public framework for gender equality and diversities.

⁷ This definition rests on the distinction between public agenda and institutional agenda worked by Guzmán (2001): “... public agendas are integrated by all matters that the members of a political community perceive as objects of legitimate concern and deserving of public attention. The institutional agenda, in turn, is constituted by the set of problems, demands and affairs that have been explicitly accepted, ordered and selected by decision-makers as objects of their action” (11).

Brazil's Female Parliamentarians Caucus take part in the National Forum for Women in Political Parties (created in 2006); this is a multi-party meeting space for women parliamentarians from various political parties; it has the support of the Ministry for Policies for Women, for the purpose of putting together strategies that promote and strengthen the participation of women in the structures of power and decision-making, with incidence from within the parties, in order to seek the inclusion of gender issues in electoral agendas and of women in the parties. The Parliamentary Caucus of Women meets regularly with various organizations of the women's movement.

Tri-partite Commissions are formed in Brazil with the participation of representatives from the Executive Branch, Congress and social organizations, for the purpose of facilitating the participation of those interested in proposing reforms to the legislation on different issues. This promotes the generation of consensus before the processes are presented in the Congress.

Thus, for example, the Tripartite Commission was set up in 2009 for the purpose of discussing the electoral legislation in terms of gender quotas.

The Workgroup for the Political Incidence of the Rural Women of Colombia is an organization working for the purpose of strengthening and empowering rural women, of promoting their rights and improving their standard of living and participation in the decision-making process. An alliance between this organization and the caucus of women in Parliament (Accidental Bi-cameral Commission for the Defense of Women's Rights) promoted the inclusion of equality proposals in the draft for the Rural Development Act. Noteworthy in this case are the provisions for access to land, preferential finance, technological and marketing training and a focus on the effects of climate change.

Under the initiative for the public consultation "Mujer, tu voto tiene voz" ("Woman: your vote has a voice"), the Bi-cameral Caucus of Women in Parliament from Uruguay convened Uruguayan women in 2008 for the purpose of coming forth with any concerns, proposals and demands they wished to communicate to the political system, so as to enable political parties to consider them in preparation of their platforms with a view to the Presidential and Legislative elections of 2009, and to the Municipal elections of 2010.

What are the benefits?

- Consolidation of the Legislative Branch’s leadership in gender affairs through its capacity to establish a dialogue with multiple stakeholders.
- Exchange of ideas that allows the emergence of “know-how” and accumulated knowledge by different institutional and social stakeholders.
- Deepening of the Legislative Branch’s role of representation.
- A broadening of discussion spaces for gender equality and diversities.
- Greater incidence of social stakeholders in the elaboration of a gender agenda and its follow up.
- Visibility of the interests and needs of the most vulnerable groups as core affairs of the Legislative Branch.
- Building of public policy agendas more in line with social demands.
- Consolidation of both State and a public framework for gender equality.

C6: Capacities for accountability and transparency

What are they?	What is the expected result?
They are the capacities deployed for guaranteeing compliance with and communication of institutional standards and actions. Applied to the work of the Legislative Branch concerning gender equality, we may interpret them as the existing mechanisms for promoting accountability and transparency in the public sector’s actions in favor of attaining a greater gender equality, establishing institutional links for the co-production of results together with the other branches of the State (Executive and Judiciary branches).	The Legislative Branch regularly communicates its activities and provides public information to the public that can be easily appropriated by same and by organizations committed to gender equality and diversities.

What are the benefits?

- A deepening of accountability and transparency in the Legislative Branch and promotion of new forms of institutional overseeing.
- Greater knowledge by the Legislative Branch of the execution of public expenditure.
- The setting up of gender equality awareness among public institutions.
- Development of more efficient mechanisms for public information and access by the public to the legislative work, such as webpages.
- Development of a structure and a strategy of public communication with regards to legislative work and gender initiatives.
- Greater public knowledge of the activities of the Legislative Branch, of the work of female and male legislators and of the way public monies are disbursed.

2.5. Looking forward: stations in the path towards gender equality

This first iteration of the capacities and their dimensions will be explained in more detail in the following sections and will be inserted in the structure of Stations for the development of a legislative capacity to attain the mainstreaming of the gender perspective.

This path with stations also offers tools to facilitate the process of identifying capacity gaps, the implementation of a development Plan and the monitoring and evaluation of the strategy.

Practical experiences in the region.

The **Uruguay** Bicameral Caucus of Women in Parliament and the Group of Women in Parliament from **El Salvador**, as well as the Legal Commission for Women Equity of **Colombia** have instituted mechanisms of accountability through the publication of the agenda and achievements of the different spaces involved in promoting legislation and actions for the promotion of gender equity. These documents, as well as the information that refers to the actions of these groups are accessible to the public through webpages put out by the parliamentary caucuses themselves (as in the case of Uruguay and Colombia), or through the official webpages of the corresponding parliaments (El Salvador). Specifically, Uruguay's Bicameral Caucus of Women in Parliament is accountable to Parliament and the citizenry in a public act that takes place very year, at the end of the legislature.

In **Brazil**, thanks to the efforts of the **Caucus of Women in Parliament**, 2009 saw the setting up of the Special Attorney's Office for Women in the House of Representatives. This Office is constituted by four women representatives, with one of them acting as Attorney. This agency must receive and redirect all claims of violation of women's rights and advice the commissions of both houses in issues of gender. Aside from overseeing the public policies of the Executive Branch, the Special Attorney's Office for Women reports to the public all that has been acted on by the Federal Congress.

Since 1997, women's organizations from the **Multi-national State of Bolivia** follow-up on compliance of the quota Law, in close coordination with the Electoral Agency. Even though there is no legislation in connection with this, the organizations take part in the process of reviewing the lists of candidacies, with an aim to ensure compliance with the percentage of female participation and alternation in the lists. In the 2009 electoral process, the organizations formally presented their claims of non-compliance to the media and to the Electoral Agency and the latter issued official communications to the political parties and groups, urging them to correct mistakes and deficiencies in the lists they had presented within the contemplated time constraints.



3

Starting the path. Stations for capacity development for gender mainstreaming

The development of capacities for gender mainstreaming in the Legislative Branch is a process that requires time, political will and human and logistic resources. But, above all, it requires an explicit strategy that follows a sequence of key stations or steps on a path whose ultimate destination is equality between men and women. Some organizations will follow the sequence presented here, but others may skip stations, in accordance with their conditions and interests.

The growing interest in a Gender-Sensitive Parliament

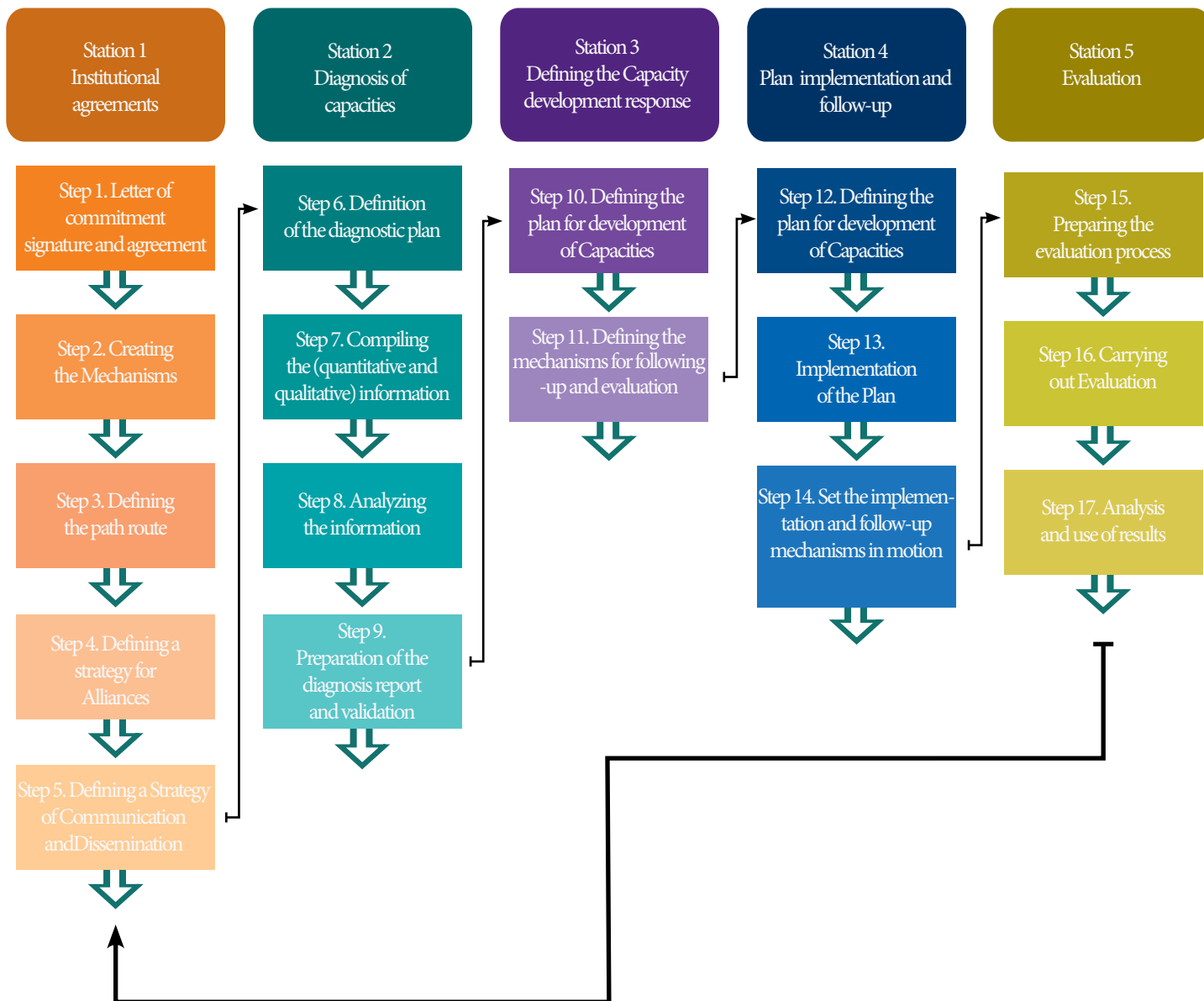
In the years 2012 and 2013, debate workshops took place in the National Congresses of Chile and Argentina in which female and male legislators took part, with a view to promote gender-sensitive parliaments. With support by the Inter-parliamentary Union, these events were attended by female and male legislators from other parts of the world, who shared best practices.

Thinking of it in terms of a **voyage** is another form of visualizing the process of developing the capacities for achieving gender mainstreaming: it has a point of origin, a path with various stations and, finally, a destination or point of arrival. The Legislative Branch will set out on a voyage that will be useful for the purpose of diagnosing and improving its capacities for achieving gender mainstreaming, and to transform itself into a leading institution for the promotion of gender equality.

The stations being proposed are based on five fundamental premises (UNDP, 2012: 32):

- Having its own knowledge and capacities. All institutions have existing capacities and therefore have different potentials available.
- Joint responsibility. Each person belonging to an institution, regardless of his/her position or hierarchical level within it, has a responsibility to implement the gender mainstreaming strategy, albeit in different ways.
- Internal change. The legislative institution commits to an internal change, also as a way to demonstrate to the public its leadership regarding a true transformation of the gender order.
- Appropriation. Centrality and conduction of the development of capacities for gender mainstreaming must be embraced by all of the individuals in the Legislative Branch, both by those who have been elected by the public and by those who hold technical and administrative positions.
- Adaptation. The process of developing gender-mainstreaming capacities must respond to the very characteristics of the national Legislative Branch, taking into account the growing centrality of this institution in the deepening of a public democracy.

Figure 5. Proposed path



Source: UNDP (2012).

The proposed methodology for going through the different stations adopts a qualitative and participatory approach. This will allow the compilation of information to carry out an evaluation of available capacities and those that it will be necessary to develop. Besides, this methodology will detect the attitudes and positions towards gender equality of those who constitute the institution and will allow the involvement of every individual, since the process for developing capacities must be open and democratic.

Completing the path may take around two years. The maximum time allowed would be two years and a half. The first and second stations may jointly take between three and five months of work. Stations three and four, from one and a half to two years, depending on the variety and depth of the actions to be implemented, while station five and the closing (evaluation and dissemination) may take some three additional months.

3.1 FIRST STATION. Institutional agreements

It is advisable to physically record the commitment of the parties by signing an inter-party Agreement and establishing the work mechanisms that will allow developing the strategy and appropriating gender mainstreaming as a goal for all the Legislative Branch. By using a quick, initial diagnosis of the gender equality situation, the work mechanisms will be provided with input to put together the full strategy that will guide the process, beginning with a detailed diagnosis, following with the preparation of a Plan, its implementation and ultimately the appraisal of its results. This first station is fundamental for ensuring the sustainability of the process and is made up of five steps.

Some questions and answers on this first station

How long does it take? The first and second stations should be completed in three months of continuous work at the most, starting at the beginning of the process and ending at the reporting of the diagnosis.

What resources are necessary? Logistic resources, offices, meeting rooms and human resources. For illustrative purposes, it would be expected that the Legislative Branch would earmark resources for carrying out the initial brief diagnosis, which requires the hiring of a team of experts on gender mainstreaming within political institutions; but resources are also needed for updating information systems, processes and procedures to make a gender-oriented legislation analysis feasible.

Who should be informed of the strategy of developing capacities? All male and female legislators should be aware of the political agreement, the strategy kick-off and the goals established in the **Inter-party Agreement**. They should also actively participate in it. In turn, the technical and administrative staff must be informed and involved in the process.

■ **Step 1. Inter-party Agreement signature.**

The gender mainstreaming strategy within the Legislative Branch is a voluntary activity and should therefore be based on a sustained political commitment on the part of the participants. A formal and explicit way of consolidating this commitment is the signing of an Inter-party Agreement that establishes the scope of

the strategy, both in terms of the blocks or party factions, and of the institution's authorities. In the case of bi-cameral legislative branches, it is fundamental that the commitment includes both the House of Representatives and the Senate. This commitment should establish, in general terms, the general procedure, the relation between all parties involved, the resources made available and the main chronogram for measuring progress. But the initial commitment should not be confused with the policy that is specifically put together.

It is a high priority that the authorities of the Legislative Branch (Chairpersons of both Chambers and of Commissions) and the authorities of the party blocks appropriate the capacity diagnosis and commit to using the tool in an adequate manner.

Right after establishing the inter-party commitment, not all stakeholders' opinions will necessarily be the same. Composition will vary with the interests of the Legislative Branch, but it is essential to ensure the presence of different visions and opinions.

- Female and male legislators will take part, as well as key authorities from the Legislative Branch (chairpersons of both the House and the Senate, and of Commissions, as well as party or political block leaders), and the technical staff of the Legislative Branch.
- Female and male officials will take part, as well as union representatives, in case there is some kind of officials' association.
- Depending on the institutional context, representatives of the feminist movement may also take place, as well as representatives from women's social and academic organizations, as well as other social and political stakeholders. Networks of women politicians should have a high profile in the initiative.

Some examples of political agreements for legislative agendas

In **El Salvador**, the Group of Women in Parliament established a "minimal" but feasible legislative agenda for the 2010/2011 and 2012/2015 periods. By the way, identification of common themes and the establishment of the agenda were supported by expert women consultants, who endeavored to consolidate the different visions and interests of female representatives in specific, feasible outlines.

The **Costa Rica** Legislative Agenda, through Agreement 19 of the Ordinary Session of the Legislative Directory Nº 76-2007, dated October 3, 2007, formalized its commitment to promote actions in favor of gender equality and of adopting a Gender Equality Policy that incorporates the gender perspective in every function of the institutional action.

- **Step 2. Creation of work mechanisms.** Once a political agreement has been reached, teams are formed. The constitution of four teams is suggested, each of them responsible for reinforcing the process of capacity development from different angles.
- **Equality committee.** Constituted by both female and male legislators. It is politically responsible for the strategy of the development of capacities necessary for attaining gender mainstreaming. It is in charge of decision-making.
 - It will be responsible for applying the strategy for developing capacities in the Legislative Branch and will facilitate the conditions to achieve this.
 - It will take part in the preparation of the diagnosis and in the Plan to develop capacities, as well as in the validation of the results of both processes.
 - It will request periodical reports of the technical team responsible for following-up on the Plan, and shall reorient actions whenever it is considered necessary.
 - It will request external evaluation of the Plan's implementation, once it has been completed.
 - It will foster critical thinking on the issue once the Plan has been undergone evaluation.
- **Technical team for equality.** It will be in charge of the "day-to-day" management of the strategy for developing capacities for gender mainstreaming.
 - It will technically advise the Committee in charge of informing about the whole cycle of application of the strategy for developing capacities.
 - It will carry out the diagnosis and will design the Plan. If necessary, additional personnel will be hired to carry out these tasks.
 - It will implement the Plan for the development of capacities, making the necessary resources available and carrying out the corresponding follow-up.
 - It shall establish the mechanisms that may be necessary to carry out an objective evaluation of the results attained through the Plan's implementation. To this end, it may make use of an external team. It will disseminate the main findings, for the purpose of setting up a continuous improvement process.
- **Expert external consulting team** on gender mainstreaming themes in the Legislative Branch.
 - It shall carry out the capacity diagnosis as per the decision made by the Technical Team for equality and the Equality Committee.
 - It will present an action Plan that will be debated and approved by the equality Committee and by the Technical Team for equality.
 - It will lend its aid in implementing and following-up on the Plan, working jointly with the Technical Team for equality under the political supervision of the Committee for equality.

- **Social overseeing team** on gender mainstreaming issues in the Legislative Branch.
 - This shall be made up of stakeholders outside the Legislative Branch, coming from the world of academia, from women’s organizations, the feminist movement, companies committed to equality and international agencies in favor of women’s human rights.
 - It will follow up on the commitments taken by the Legislative Branch and shall examine the attained goals in accordance with the terms established therefor. This team will aid in offering a critical, yet constructive, view of what has been done, in order to lend support to a continuous improvement process.

The Committee for Equality may incorporate a person for each political block/caucus, as well as other legislators, both male and female, with an interest in gender affairs. We recommend it should not have more than eight members and advise the presence of both male and female legislators from strategic committees inside the Legislative Branch (Budget Commission, Infrastructure Commission, Constitutional Affairs Commission, etc.)

The Technical Team may be made up of permanent or hired technical personnel, and by advisors to the legislators (both male and female). We recommend it not exceed four people, but it should be in constant contact with male and female legislators and with personnel linked with the gender structures of the Legislative Branch (political caucuses, mixed groups, technical units and/or commissions), as well as with the Commission for reform and/or legislative modernization (if such exists). It will be made up mostly by officials, although we recommend the presence of some legislators (either male or female), in order to prevent gender mainstreaming from becoming devoid of political content and be reduced to merely technical issues.

The external Consulting Team must be made up by individuals with experience in female political participation and gender mainstreaming in political institutions. We recommend it should not have over three persons.

The Public Oversight Committee may be made up by individuals with an acknowledged trajectory in defending women’s human rights, who usually have considerable convening power and are effective mediators between potentially conflictive interests.

■ **Step 3. Define the travel path.** A first, rapid collection of information must be carried out, allowing the Legislative Branch to have, at least, a general panorama of the need to set in motion a strategy for the development of capacities for the purpose of gender mainstreaming and, taking that as a starting point, think in specific actions for the shaping of a Plan. A first snapshot of the situation in the Legislative Branch could have the following questions as a guide:

- What do the members of the Legislative Branch think or know about gender issues?
- What attitudes do people have in work from a gender equality perspective?
- What do people know about specific actions by the Legislative Branch in terms of gender equality and diversities?
- What is the specific progress that the Legislative Branch has achieved in this regard?
- Which are the main challenges to continue making progress in terms of gender equality and diversities?

Based on these questions, input may be gained for establishing a basic action path.

What must a travel path contain

The path must have the following at least:

- The goals of the process and the expected results.
- Available material, human, economic and logistic resources.
- A distribution of tasks, functions and responsibilities in the process.
- A process chronogram.

■ **Step 4. Defining a strategy of alliances.** A strategy for developing capacities for gender mainstreaming in the Legislative Branch requires multiple allies at its various stations. These potential allies are from within the institution, but can also come from the rest of the State's apparatus, from the political parties, from public organizations, agencies of the United Nations System and other international human rights entities, as well as from the regional legislative realms. For example, the UNDP supports several domestic initiatives in gender equality and the Legislative Branch (in Uruguay, Argentina, El Salvador, Dominican Republic and Costa Rica, among others), some of which appear in this guide as examples. The Legislative Branch may renew its policy of alliances with the public and gender mainstreaming will be an opportunity to have more open channels for dialogue with public, political and social stakeholders.

Stakeholders with whom to form strategic alliances.

Stakeholders that are commonly present in alliances

- **Mechanisms for the advancement of women, such as national institutes for women and “secondary” mechanisms (gender units inside ministries, gender observatories of offices for public defense, etc.)**
- Networks of women politicians and women politicians in general.
- Women’s social organizations.
- Social organizations with equality agendas (networks against violence, against people trafficking, etc.)
- Feminist movement.
- Organizations in favor of sexual diversity.
- Groups in favor of ethnic and racial equality.
- Research centers and academics.
- Women judges.
- United Nations agencies and other international technical cooperation agencies.
- Regional legislative entities (ParlAméricas, Parlatino, PARLACEN, MERCOSUR Parliament, Andean Parliament, etc.) and their structures specifically dedicated to dealing with gender equality issues.

Less explored stakeholders

- Enterprises in favor of non-discrimination
- Unions (especially those with gender commissions)
- Networks of women entrepreneurs

Support of supranational legislative bodies

The Interparliamentary Forum of the Americas (FIPA, by its Spanish initials), known as **ParIAméricas** since 2011, permanently established the Group of Women in Parliament in 2003. The Quito Meeting's (2010) Final Statement established: "2. Working to ensure the mainstreaming of the gender perspective in legislative actions, and in each and every drafting of laws, for the purpose of improving the position of women's rights and to eliminate all forms of exclusion".

The Latin American Parliament (**PARLATINO**), in its November 2012 meeting in Panama, issued the statement known as "Transforming agendas in order to attain the future we want" in which it committed, among other things, to "Promote the establishment of strategic alliances and endeavor to achieve the effective function of parliaments in domestic dialogues, as well as in regional conferences related to CIPD, OMDs and the 2015 Post Agenda, ensuring the participation of male and female parliamentarians in these conferences, for the purpose of promoting the agenda of rights and gender equality, giving priority to those issues that are especially relevant for Latin America and the Caribbean in the 2015 Post Agenda".

The Central American Parliament (**PARLACEN**) has a Commission for Women, Children, Youths and Family, as well as a Block of Women in Parliament. With the momentum given by both structures, November 2012 saw the official creation of the Parliamentary Council for Gender Equity in Central America and the Caribbean. It will be a mechanism for bringing together the legislative bodies of the countries in the Central American Integration System (SICA, by its Spanish initials), for the purpose of joining efforts, thus allowing for greater advance and the promotion of the legal framework of women's human rights and public policies concerning gender."

In its Thirtieth Ordinary Meeting, held in Managua in 2013, the Forum for Chairpersons of Central American and Caribbean Basin Legislative Branches (**FOPREL**, by its Spanish initials) issued the 250113 Gender Resolution, encouraging the authorities of the legislative bodies of party States to adopt regulations that ensure that the Gender Perspective becomes mainstream in the activities of each of the parliaments that are a party to the Forum, as well as to create Gender Units in those agencies who still don't have one."

The Andean Parliament formed the Caucus of Women in Parliament in 2011, for the purpose of advancing the inclusion of gender issues within the Andean Community. It also issued two relevant statements, the "Declaration for the protection of the rights of women and children" (2011) and "The Andean region must adopt public policies and action plans to protect and prevent violence against women".

- **Step 5. Defining a strategy for public information.** It is suggested that the strategy for developing capacities for gender mainstreaming contemplates giving information that is both available to the public and easy to interpret, so as to be useful by other institutions and stakeholders. This is a fundamental step, since it contributes to a greater transparency in the Legislative Branch. It is not enough to do something; it has to be adequately communicated.

3.2 SECOND STATION. Diagnosis of capacities

In this station, the Legislative Branch will carry out a self-analysis of its own situation in terms of gender mainstreaming. The diagnosis will be an input for designing and implementing a strategy to develop capacities. From their different positions (political and technical), individuals belonging to the institution will walk through the path of gender issues emphasizing both the achievements and all of the challenges remaining to overcome.

In general terms, the diagnosis for the development of capacities for gender mainstreaming in the Legislative Branch allows approaching the following questions:

- What are the strong and weak points for mainstreaming the gender perspective and where do we identify the most pervading gaps?
- Taking into account the individual context of each Parliament, which are the capacities that need to be given highest priority?
- What are the entry points for optimizing the work of our organization in terms of gender equality and diversities?
- How can we continue making progress in terms of gender equality and respect for diversity?

This Guide considers that the process of putting together a diagnosis of capacities is as important as the final product (the diagnosis itself), because it triggers a process of awareness and de-naturalization of inequalities. Through qualitative and quantitative techniques for collecting data, the necessary inputs will be obtained for arriving to an image of the situation of the Legislative Branch, the axis of which are the capacities pointed out in the first portion of this Guide.

The Equality Committee, the Technical Team and the Social Overseeing Committee will examine the results of the diagnosis for the purpose of getting to an **institutional commitment** to proceed with the implementation of the Plan for developing capacities.

The diagnosis must rest on agreements and consensus, so this Guide proposes carrying out discussion and debate meetings, focus groups and interviews. The data and input for analysis may be supplemented with documents (Legislative Branch regulations, yearly proceedings, statistical databases, standards, etc.).

It is necessary to remember that the legislative institutions are not isolated from the social and economic context of a country, so it is suggested to have both an organizational diagnosis and a diagnosis of the country's situation.

Diagnosis carried out in the region

The **Dominican Republic's** House of Representatives carried out an "Institutional Gender Diagnosis" (published in 2012) for the purpose of knowing and evaluating the institutional strengths and weaknesses for the real and effective gender mainstreaming in the legislative activities in preparation for putting together an Action Plan. The diagnosis had the following specific goals: 1) To determine the competences in accordance with the legal, political and social mandate of the House of Representatives; 2) To detect which aspects of the organizational operation, of its culture, of the internal and external structures, etc., may facilitate or hinder the preparation of an Action Plan allowing the House of Representatives to continue making progress in gender mainstreaming in all its actions; 3) To determine the dimensions of the resources earmarked for its process of gender incorporation and institutionalization (installed capacities, organizational culture in favor of the gender perspective, gender units, personnel policies, positioning of communications and dissemination media, among others). Among various findings, it was found that the Institutional Strategic Plan did not incorporate the gender perspective and its incorporation was therefore recommended for the 2012/2016 Plan. Also, its human resources policy did not incorporate gender perspective, so harassment against female officials was not investigated; this, in addition to a marked gender-based job segregation. An analysis of the organization's culture revealed informal practices that were excluding and discriminatory in nature (Bardají Blasco, 2012).

- **Step 6. Defining the diagnosis plan.** For the purpose of carrying out an adequate diagnosis, it will be necessary for this diagnosis to follow these basic steps. Firstly, a compilation of the necessary information must proceed for the purpose of obtaining an exhaustive snapshot of the institutional capacities for gender mainstreaming, making use of qualitative and quantitative techniques, as well as a revision of documentation. Secondly, the information must be analyzed based on the institutional capacities for the purpose of preparing a report that is validated by the different stakeholders in the Legislative Branch.

What should be sought? On table 2 we propose a **scheme of orienting questions** for the purpose of diagnosing the six capacities of the Legislative Branch in following the six capacities already pointed out. The complete instrument, “Guide of questions for the diagnosis of capacities for gender mainstreaming in the Legislative Branch”, is included as Annex I.

Table 2. Brief summary of the Guide of questions for the diagnosis of capacities for gender mainstreaming in the Legislative Branch (Annex 1)

C1: Development of management capacities (extract)

Human Resource endowments. Examples of questions:

- To what degree does the Legislative Branch have adequate endowments of personnel, material and infrastructure resources to carry out its representation, legislation and auditing tasks?
- Is there a trained permanent body in terms of gender equality and diversities?

Internal structures. Examples of questions:

- Does the Legislative Branch have specialized structures, such as gender (or similar) commissions or parliamentary groups of women (or caucuses of women in parliament)?
- Is there any kind of technical unit or advising center within the Legislative Branch that works from a gender perspective?

Gender perspective knowledge. Examples of questions:

- How would you qualify the degree of knowledge of female and male legislators in terms of gender mainstreaming and international standards on women’s human rights?
- How would you qualify the degree of knowledge of female and male legislators in terms of gender mainstreaming and international standards on women’s human rights?

C2: Cultural capacities (extract)

Visualization of gender issues. Examples of questions:

- Is it possible to identify more and less valued issues by the authorities of the Legislative Houses and the political fractions?
- To what degree are the issues of interest to female legislators valued in the same way than the issues promoted by male legislators?

Formal rules. Examples of questions:

- How would you characterize the language used in the facilities, commissions and in the discussions within party blocks and fractions?
- Is there evidence of frequent use of non-inclusive and/or sexist terms?

Informal rules. Examples of questions:

- Have measures for promoting reconciliation between work and family and joint responsibility of men and women been established for the women and men who take part in the political and administrative work of the Legislative Branch?
- Have mechanisms been established to make claims and carry out investigations of sexual harassment in the workplace?

C3: Political capacities (extract)

Alliances between party blocks regarding gender issues. Examples of questions:

- To what degree do female and male legislators who exercise political leadership in the Legislative Branch initiate agreements and political dialogue for the purpose of making progress on a “minimal” gender agenda?

Results of alliances. Examples of questions:

- To what degree are parliamentary agreements and/or conferences promoted for approaching gender issues?
- Have existing agreements led to activities linked to gender equality in terms of legislation, representation and/or auditing?

C4: Capacities for establishing a gender equality agenda (extract)

Experience of male and female legislators. Examples of questions:

- What training do female and male legislators have in terms of gender equality?
- **Existence of institutional provisions.** Examples of questions:
- What institutionalized provisions are there in the Legislative Branch that concentrate a critical mass of male and female legislators and technical administrative personnel with a specific equality mandate?
- How is the work carried out in accordance with these provisions acknowledged?

C5: Convening power and alliance-formation for gender equality (extract)

Effectiveness in the construction of the agenda. Examples of questions:

- How effective has the Legislative Branch been in incorporating issues linked to gender mainstreaming and to women's empowerment and autonomy?
- Which are the topics that promote consensus and a minimal gender agenda?

Contents of the agenda. Examples of questions

- To what degree are diversity and crossed inequalities visualized as a part of gender inequality in legislative work?
- What is the situation in connection with critical issues for the CEDAW Committee: sexual and reproductive rights, stereotypes, violence against women, people trafficking?

C6: Capacities for accountability and transparency (extract)

Conditions for accountability. Examples of questions:

- Are there enough resources and incentives for the Legislative Branch to promote real accountability processes?
- Are there enough resources and incentives for the Legislative Branch to prepare a political strategy oriented towards raising awareness, inform and persuade the State of the need to implement greater initiatives in terms of equality and equity?

Existence of an operational structure and a communications strategy. Examples of questions:

- Is there a permanent structure for institutional communication within the Legislative Branch, dedicated to gender issues or dedicated to all legislative issues?
- How is it endowed and what is its work agenda? What are the media at its disposal?
- What abilities does it have?

■ **Step 7. Compile information.** The compilation of qualitative and quantitative information will serve as a baseline for the Legislative Branch to design a Plan and have a reference horizon for the purpose of evaluating its progress in terms of its development of capacities for gender mainstreaming.

A **qualitative approach** allows for the recording of assessments and perceptions regarding gender equality. Given that inequality and discrimination dynamics are generally informal and pervade everyday actions, a qualitative approach allows for the identification and de-naturalization of debasing situations and to detect the existence of biases and unequal assessments of men and women.

Quantitative information will be an extremely useful supplement and may contribute solid evidence of the existence of inequalities that often remain invisible to the eyes of both male and female legislators and of technical personnel. The numbers that establish the presence of women in positions of authority in both Houses, and in commissions and positions of power within the political parties present in the legislature are telling, as are the wage differences and the proportion of male officials to female officials, among other empirical figures. It will also be essential to know what the sources of gender statistics available in the country are, for the purpose of legislating with a gender perspective and carry out a Gender Impact Analysis (GIA) of parliamentary initiatives.

Who to ask and how to do it. These guides will be useful for:

- In-depth interviews/focus groups with male and female legislators.
- In-depth interviews/focus groups with authorities (of the House, of commissions, party blocks/fractions)
- In-depth interviews/focus groups with technical/administrative personnel of the Legislative Branch and with advisors (of both genders) to both male and female legislators
- In-depth interviews/focus groups with organizations of the civil society with an interest in the political incidence on equality, gender and diversity issues
- In-depth interviews/focus groups with the equality mechanism (Executive Branch)

■ **Step 8. Analyzing information.** The Equality Committee and the Technical Team for equality carry out the information analysis or “processing”. There are, at least, four elements to consider (UNDP, 2012: 53):

- Different opinions and visions will be found regarding the issues put forward. These must be contemplated in the diagnosis so as to obtain a representative image of the Legislative Branch.
- A representative image is also achieved by combining qualitative with quantitative results. They supplement each other.
- The consideration of confidentiality is emphasized in this process. Therefore, it is fundamental to guarantee confidentiality in a protocol at the beginning of the methodological path.
- Within the information framework considered as reserved for institutions, it is also necessary to insist on the possibility of making the general nature of findings public. This gives the Legislative Branch an opportunity to consolidate its transparency and accountability practices.

The analysis may be accompanied by ancillary tools. We suggest the use of two tools that are especially useful for ordering later analysis.

A first tool is a situation status matrix, where all information is put in and ordered as a SWOT.

Table 3. Summary situation status matrix (example)


Capacities	Identified Strengths	Pervading Weaknesses	Opportunities for development	Threats and risks to development
Management	Recently approved financial resources. Ongoing law digest.	Low density of specialists.	Sensitive legislative authorities. Universities sensitive to training of HHRR on gender. Supra-national parliamentary meeting spaces.	Discontinuity of legislative financing. High legislative turnover. Low levels of professionalization of technical bodies
Cultural	Existence of a group of legislators and officials (male and female) open to equality.	Masculinized organization language. Pervading negation of the problem by legislators.	International campaigns in favor of equality. Public and private authorities open to the issue.	High legislative turnover. Scarce progress in equalization processes.
Political	Existence of a solid group of committed parties. Political leaders with a will to change.	Existence of detractors within the parties. Pervasion of a low level priority for the issue in the face of other, 'more important' issues.	Successful international experiences. Creation of a caucus of women in parliament. NGO strong activism. Raising of awareness in the face of public discrimination incidents.	High legislative turnover and high legislative leadership turnover.
Agenda	Groups of male and female legislators with habits of working together. Built Experience of jointly drafting legislation. Working methods for the control of public policy.	Scarce counseling trained staff. Lack of technological means for monitoring policies.	Creation of the women's caucus. Request for support for monitoring of policies made by the Audit / Comptroller. Comparable international experiences.	High legislative turnover. Executive resistance to legislative control Presence of leaders not committed to gender equality.

Table 3. Summary situation status matrix (example)

Capacities	Identified Strengths	Pervading Weaknesses	Opportunities for development	Threats and risks to development
Convening other parties and establishing alliances for gender equality	Legislators from active NGOs. Political legislative leadership to broaden the frame of the debate. Previous consulting experiences.	Absence of institutional frameworks for the formulation of policies in a participatory manner. Endogamic legislative political culture.	Convening international campaigns. Support of multi- and bi-lateral cooperation. New active NGOs. New interest from the private sector.	Political resistance to convening NGOs, the private or academic sectors. High legislative turnover. Organized and influential anti-equality groups.
Accountability and transparency	New team of institutional communication. New communications instruments. New frameworks for legislative accountability.	Scarcity of personnel specializing in accountability. Organization culture that is contrary to the communication of activities	New legislation forcing parliament to be accountable for its activities. New international experiences. Availability of new media for communication.	Political resistance to accountability. Resistance of public and private organizations to the dissemination of information (or low quality of it).

Another practical instrument for information analysis and later planning of actions is the one put forth in Table 4 which, by means of a color code, identifies risks and threats. This instrument contributes to taking a further step in analysis, since it allows a clearer regrouping of the dimensions with more weaknesses and of issues requiring a greater intervention. The color code is assigned like this: green for a dimension found present at acceptable levels as per expectations (although there can be room for improvement), yellow for dimensions requiring important development efforts, and red for those lacking any visible strengths and which require a high priority development effort.

Table 4. The semaphore (example)

Light 	Identified capacities	Why?	Ways to improve
Red	Cultural capacities	Broad denial of the problem by legislators. Pervading discriminatory practices in the legislative organization: distribution of positions, language, etc. Generation of spaces for raising awareness.	Identify (female and male) legislators who may be ‘champions’ of the issue and” “disseminate its relevance. Modify regulations as a precursor element of cultural change. Use supranational spaces as support.
Yellow	Convening and alliance forming capacities	Existence of few links with NGOs, the private sector and academia. Endogamic political culture in legislative work.	Generation of spaces of mutual knowledge. Gradual generation of trust and establishment of specific and growing goals for joint action. Conclude an agenda of common issues.
Green	Management capacities	There is promising group of specialists. Enough financial resources for a first work phase. Organized document collection. Manifest political commitment.	Maintain team through time. Ensure financing to the activities of the WG. Strengthen media for exercising the power of control.

The consolidation of capacities to attain gender equality is a medium- and long-term process. recommendation is made not to get demoralized by the apparition of some deficiencies in the relevant capacities. The challenge is to overcome weaknesses with strengths and remember that, even through difficulties, it is possible to go on by consolidating a gender equality agenda and working towards the construction of a more egalitarian institution.

- **Step 9. Prepare the diagnosis report and validate it.** Once the information has been analyzed, the following step is the preparation of the report. It is recommended that this report be brief and concise, as length will make reading it difficult. A more extensive report could be prepared, but ensuring that its dissemination is in an executive summary format.

For the purpose of **preparing the report**, organization of its content in five blocks is recommended (UNDP, 2012. 55): a) an introduction framing the process institutionally; b) a justification of the reasons for carrying out the diagnosis; c) a summary of the methodology employed; d) the results of the diagnosis; and e) a synthesis of the main findings, preferably grouped in accordance with the capacities of the Legislative Branch. The report must be accompanied by the annexes with the interview guides, used matrices, etc.

Structure of a diagnosis report

The **El Salvador** Legislative Assembly carried out a gender diagnosis in 2010, for the purpose of having inputs for the formulation of an institutional gender policy and its Action Plan. For this diagnosis, a consulting team and a Gender Institutional Technical Team were formed with representatives of the unit heads and of the heads of the Assembly's regional offices and their (male and female) technical advisors. The report "Gender Diagnosis of El Salvador's Legislative Assembly" has the following structure: Chapter I includes a domestic and international overview of human rights regulations; Chapter II presents the "philosophical framework" of the diagnosis; Chapter III identifies the progress made in incorporating the gender perspective into legislative work; and Chapter IV puts forth the challenges for incorporating gender equality into said work, including the following: the representation of women, obstacles to an equitable representation, the promotion of cultural changes and public access, the transformation in the decision-making political process, the organization of services, the resources of the legislative function from the perspective of gender, advice from a gender perspective and the auditing and transparency functions with a gender perspective.

Source: Alda Fació Montejo et al. (2011), Gender Diagnosis in the Legislative Assembly of El Salvador.

Validating the report with different stakeholders is essential. Different ideas may emerge during validation. The intention is to arrive at a consensus and a shared vision. If this is not possible, it is essential to record the different opinions, although **the main recommendation is to achieve agreements in order to continue making progress towards the attainment of gender equality and respect for social diversity.** The **Overseeing Committee** plays an important role in the document's final review and in guaranteeing that the different visions are represented in its text.

In the absence of agreement, it is convenient to report the differing stances, as they will be taken into account in the implementation strategy of gender perspective.

3.3 THIRD STATION. Defining the response for capacity development

The diagnosis provides information on the institution's status and, based on it, harmonized actions are planned for developing the capacities needed to achieve gender mainstreaming. Some advice follows (UNDP, 2012: 57):

- **The diagnosis' findings must be directly linked with the Action Plan.** The threat/risk and opportunities factors identified in the diagnosis must be taken into account when planning.
- **A clear time frame must be established.** When beginning the process of putting the Plan together, a time frame must be clearly established for it. It is advised to contemplate a minimum of two years from the beginning of implementation until the closing of the evaluation.
- **A Plan must be realistic to be feasible.** It may not be possible to deal with all of the Legislative Branch's capacities, so it is therefore recommended to work on those that are considered high priority or very significant with regards to the country's social and political contexts.
- **It is essential to continue with a participatory methodology.** A greater participation in the implementation of gender policies is beneficial for organizations, because participation enables appropriation of the policies by all their constituents. This is even clearer in the case of the Legislative Branch, given its political nature and the fact that the exclusion of any party stakeholders may lead to a paralysis of the Plan.

■ Step 10. Defining the Plan for developing capacities and its main contents

The product of the Second station is a situation status of the factors involved in the capacity to mainstream gender; this allows identifying strengths, weaknesses and various degrees of development.

The Plan for developing capacities requires renewal of an **Inter-Party Agreement**, which is usually promoted by the caucuses of women parliamentarians or party groups of women in parliament. In turn, the Committee for Equality previously constituted shall have an active role in revitalizing the political agreement needed to shape the Development Plan. Without a renewed, solid inter-Party Agreement, the adequate implementation of an effective Development Plan is jeopardized.

Considering the information produced in the Second station, a first step is to define the Plan's goals, the priorities for intervention and the results expected from said interventions. The goals, priorities and expected results must be validated by multiple stakeholders, but especially by legislative authorities, for the purpose of continuing to make progress in programming activities and resources.

When beginning work on designing the Plan for the development of capacities needed for gender equality in the Legislative Branch, it is necessary to update the initial conditions that gave way to the process. These conditions are:

- **Inter-party political agreement:** the will to move forward with the process of developing capacities requires an explicit agreement. It is advised to record that agreement on a **Letter of intent** or on an **institutional statement**⁸.
- **Participation of different visions and perspectives:** as in the diagnosis, various legislative, State and social stakeholders may give their opinion concerning the sense and the priorities with regards to the development of capacities.
- **Reference Teams:** the teams in charge of conducting the planning process must be consolidated.
- **Public communications:** the process's progress must be available for dissemination to a wider audience.

Once the goals have been approved, a more operational step is set in motion; this contemplates the determination of those activities that will make it possible to attain each of the goals. The execution time allotted for each activity must be adhered to, ensuring the commitment of those responsible and the availability of needed resources.

The reference teams must establish the spaces and methodologies so as to be able to identify the high priority actions and the goals contemplated within the time frame that will be established. These spaces may be:

- Team meetings.
- Meetings with the highest legislative authorities for validating the progress made in determining priorities and goals.
- Workshops with male and female legislators and personnel of the institution.
- Workshops with representatives of social organizations.

⁸ In some countries, this inter-party political agreement which has given way to a Plan for developing capacities has taken the form of an institutional gender policy. In other cases, no gender policies have been developed, but agreements have been reached, which have given way to Development Plans with interesting progress on gender issues. We think it is important to underscore that there may be various paths that lead to the same goal, but there is no doubt that an agreement leading to a Plan is indispensable.

Reference teams must establish a time frame for preparing the Plan that includes the above different spaces and the expected products.

The Plan's contents. The Plan for developing capacities for adopting the gender perspective should be recorded in an integrated document, one that is both technical and political.

- It is technical in nature inasmuch as it defines specific action goals, resources to be employed and a time frame of tasks and responsibilities.
- It is political in nature inasmuch as it requires a commitment from the Legislative Branch to reduce the gaps in capacities identified in the diagnosis, for the purpose of institutionalizing the gender approach in the institution's work, in legislative initiatives and in its links to the framework of gender equality.

In other words, the Plan translates the Inter-Party Agreement for gender equality and diversities into a set of specific instruments for action, with well-defined goals and a time frame.

Institutional Gender Policies in the region

In 2013, the **Costa Rica** Legislative Assembly passed the Gender Equality and Equity Policy for the Legislative Assembly (PIEGAL, by its Spanish initials). Its general goal is "To establish the institutional lines of action for incorporating the gender perspective into the work of the Legislative Assembly's administrative, legislative and political control functions, and the strengthening of gender institutionalization in Congress". The policy has four strategic axes that lend structure to the more specific Action Plan: 1) Institutional strengthening for gender equality and equity; 2) Administrative management with gender perspective; 3) Legislative management with gender perspective; 4) Political control with gender perspective.

The **El Salvador** Legislative Assembly has its Institutional Gender Policy (PIG, by its Spanish initials), which regulates the institution's strategies, actions, tenets and values, so as to make sure they are in line with the domestic and international instruments on human rights. It contains six strategic lines that break down into a Plan with specific goals and actions: 1) Promotion of political and civic participation by women; 2) Gender in legislative work (institutionalization by main function); 3) Institutional human resources policy with gender perspective; 4) Auditing with gender perspective; 5) Awareness and capacity generation with gender perspective; and 6) Technical support and policy follow-up.

We have developed an Orienting Guide of Plan Goals and Actions (see Annex II) that offers a detailed list of possible actions that may be a part of this Plan. To this end, experiences developed in various countries have been brought to bear. Table 5 shows a brief summary of this guide. It presents the goals to attain under each capacity and the main areas that should contain measures in favor of equality, with examples of actions that are developed in more detail in Annex II.

Table 5. Brief summary of the Orienting Guide of Plan Goals and Actions (Annex II)

C1: Development of management capacities

Goal: Training a critical mass of permanent technical staff in gender perspective, making use of sufficient technological and financial resources and of updated information, for the purpose of assisting in the preparation of bills.

Areas for action:

- Human resources of the Legislative Branch.
- Available information to legislate with a gender perspective.

Examples of actions

- Workshops for raising gender awareness and for training on gender perspective and the use of specific instruments, such as Gender Impact Analysis (GIA) and Gender-Sensitive Budget (GSB).
- Introduction of a manual for using non-sexist language.
- Development of document collections for legislation and auditing tasks.
- Incorporation of information systems with data classified by gender.

C2: Development of cultural capacities

Goal: To set up a culture of equality and a dynamic of respect within the Legislative Branch, acknowledging differences and transforming gender issues into a commitment of male and female legislators. The rules and procedures of the Legislative Branch must be inclusive and promote the active participation of women.

Areas for action:

- Everyday perceptions and assessments.
- Intervention for the eradication of sexist practices and sexual harassment.
- Intervention in infrastructure and work schedules/leaves.
- Intervention in the organization of legislative work.

Examples of actions

- Workshops for reflecting on the use of inclusive language.
- Gender training workshops.
- Setting up and implementation of a protocol for preventing, reporting and punishing sexual harassment in the workplace.
- Introduction of equality measures in functional careers (extended paternity and maternity leaves and joint responsibility).
- Infrastructure transformation (day care services, lactating services, universal accessibility for persons with disabilities).

C3: Development of political capacities

Goal: To attain a commitment by (male and female) leaders of the political parties represented in parliament, for the purpose of promoting a gender perspective in legislative work.

Areas for action:

- Formalization of a broad Inter-Parliamentary Agreement.
- Agenda of dissemination activities and establishment of a work agenda.

Examples of actions

- Signing of an Inter-Parliamentary Commitment Agreement with minimal equality items.
- Broadly disseminating this agreement in the mass media, as evidence of the commitment by political representatives with gender equality and diversities.
- Conferences and meetings between political authorities. Participation of political authorities in gender equality events.
- Regular summons from leaders of the Legislative Branch and of political parties' to their members for the purpose of ensuring progress in gender equality and diversities and its institutionalization.

C4. Development of capacities for establishing a gender equality agenda

Goal. To consolidate the capacity of the Legislative Branch for producing legislation that promotes effective standards and policies for gender equality and to audit the implementation of public gender policies on the part of the Executive Branch.

Areas for action.

- Legislation in harmony with international standards for women's human rights.
- Provisions for following up on public policies.

Examples of actions

- Introduction to an Analysis of Gender Impact in preparing bills.
- Raising awareness among both male and female legislators regarding various legislative initiatives that promote effective policies for gender equality in the region and the world.
- Consolidating technical advising teams that work together with male and female legislators in producing gender equality legislation.
- Generating spaces for the exchange of ideas between legislators and specialists, for the purpose of promoting legislative production.
- Strengthening women's and/or gender equality commissions.
- Creating or consolidating legislative institutional spaces for promoting legislation and compliance with women's rights.
- Giving a greater dissemination and visibility to the controlling activities carried out by the Legislative Branch, in accordance with its constitutional mandate.

C5. Development of convening and alliance-making capacities

Goal. Promoting the leadership of the Legislative Branch in the public framework for gender equality and diversities, developing summoning and communications channels with various stakeholders, as well as working jointly with them.

Areas for action.

- Channels for summoning and disseminating information.
- Establishment of conferences and instruments for joint work.

Examples of actions

- Implementation of updating workshops, conferences and meetings with civil society organizations, the women's/feminist movement, men and women academics and people in charge of making public policies, for the purpose of compiling key social issues, as well as new issues requiring a gender perspective and, in general, the attention of the Legislative Branch.

- Dissemination in radio and TV programs.
- Promotion of public dissemination schemes.
- Setting up Consulting Councils on various issues, together with civil society organizations and promoting hybrid groups, such as the ones already in existence in El Salvador and Panama.
- Setting up networks on various issues, with their organizational epicenter in the Legislative Branch.

C6. Development of capacities for accountability and transparency

Goal. Strengthen the activities for transparency of the Legislative Branch through consolidation of the institutional communications and accountability procedures concerning actions taken in connection with gender equality and diversities.

Areas for action

- Comptrollership regular processes.
- Realms of public information dissemination.
- Substantive accountability processes.

Examples of actions

- Accountability specifically destined to communicate measures taken in connection with wide-ranging gender equality and diversities where the top political authorities take part.
- Setting up a legislative communications team.
- Setting up an interactive website allowing for public participation.
- Consolidation of public overseeing means by way of opening funds established for the purpose of compiling proposals from the public.

All this range of actions must be organized within a planning matrix that allows understanding the intervention's central nodes at a glance. As an example, we propose the following table, which orders the proposal and includes a series of examples. (Table 6)

Table 6. Planning matrix (example)

Capacity	Results	Goals	Activities	Chronogram	Responsible-parties	Resources	Threats and Risks
Capacity for management	Result 1: The LB has a trained technician with the means to promote gender equality initiatives	April: Three hired and trained individuals July: Documentation center completed and working, and adequately provided for.	Selection and hiring of technicians (male and female) Training of technicians. Center creation. Purchasing of document bases. Setting up of electronic consultation and information access media.	January to July	Gender affairs commission	2014: Human Resources: Publications: Equipment: Information systems:	Lack of real political commitment, especially reflected in operational aspects
Accountability and transparency capacity	Result 2: The LB has an institutional communications team	April: Two persons hired and trained.	Selection and hiring of (male and female) technicians. Training of technicians	January to April	Gender affairs commission	Human Resources:	Lack of real political commitment, especially reflected in operational aspects
	Result 3: The LB has a new, web-based platform for disseminating its legislative, supervision and representation activities	April: New platform developed. June: Information structure prepared for approval. July: Approved information and updating structure	Hiring of developers. Prepare contents and update them. Approval of dissemination structure	January to July	Gender Affairs Commission LB Information Office	Human Resources: Equipment: Information systems: Communications services:	Lack of real political commitment, especially reflected in operational aspects. Lack of political support to adopt the platform.

The Plan must be feasible politically and technically. The proposal designed must be submitted to political and technical validation before the different legislative authorities and other officials. Besides, it is convenient to carry out consultations with key gender equality leaders from the public. This feasibility analysis must include the following dimensions:

- **Political feasibility:** this entails finding out whether there is a political will that will support execution of the Plan and the identification of stakeholders that might veto or hinder its execution.
- **Budget feasibility:** budget availability must be analyzed for executing the Plan and ensure sustained financing of the activities or institutions consolidated in time, in order to enable gender perspective mainstreaming. This entails putting together a budget that generates and sustains these capacities through time.
- **Organizational feasibility:** it entails verifying whether a minimal capacity exists to carry out the Plan. Inasmuch as this capacity may be insufficient, the Plan must ensure hiring people that guarantee its execution as planned.

The feasibility analysis confronts the Plan with possible limitations in the political, budget and organizational realms. If these limitations cannot be overcome, the Plan should be re-designed with these limitations in mind.

■ **Step 11. Defining the mechanisms for following up and evaluating the Plan for developing capacities for gender mainstreaming**

This step contemplates two phases. The first phase is the final design of the Plan and the communication of its scope. At this phase, the Plan is re-designed to take into account any possible changes that had to be made for ensuring the conditions for an adequate execution.

The final design opens the space for communicating the Plan's goals, scope and activities, which must be materialized from the instruments available to the Legislative Branch, the Political Parties that make up the promoting alliance and the social gender institutions associated with the Legislative Branch through various agreements and alliances.

A **second phase** contemplates the development of a mechanism for monitoring and following up on the Plan. Before setting up a Plan for the development of capacities, it is necessary to prepare an instrument that enables its monitoring. Implementation of public actions is a critical moment requiring tools that allow for the identification of progress and of any deviations from the planned trajectory. These deviations or distortions may be negative or positive inasmuch as they may hinder or favor the process for developing capacities. In case these deviations are negative, their early detection is very desirable.

At this point, this Guide suggests putting together an instrument that clearly establishes the critical actions to be monitored, and identifies the indicators, the goals to attain and the parties responsible for carrying out monitoring (Table 7). In order to carry out monitoring itself, the instrument shown on Step 14 (Table 8) is suggested.

Table 7. Monitoring Matrix (example)

Capacity	Result	Indicators	Goals	Activities	Responsible party
Management capacities	Setting up a trained technical team for promoting gender equality initiatives	Number of trained technicians.	3 trained technicians as of 04/30/2013.	Hiring of technicians. Training.	Technical team for the LB Development of Capacities project.
Convening capacity and capacity for establishing alliances	Generation of a space for establishing mutual knowledge and trust between the LB and social organizations.	Work meetings carried out. Shared work standards.	12 work meetings as of 07/31/2013. 4 shared documents as of 07/31/2013.	Setting up of meetings. Preparation of agendas. Preparation of documents.	Technical team for the LB Development of Capacities project.
Capacity for accountability and transparency	The LB has a new, web based platform for disseminating its legislative, control and representation activities	Developed platform. Approved contents.	Platform developed as of 04/30/2013. Contents approved as of 07/31/2013.	Hiring of developers. Content preparation and updating. Approval of dissemination structure.	Technical team for the LB Development of Capacities project.

3.4 FOURTH STATION. Plan implementation and follow-up

Usually, it is supposed that once the Plan for the development of capacities has been put together, its implementation poses no great difficulties and that the mechanical application of the contents of the document is enough. Nevertheless, when things “start rolling”, reality is very different from this assumption.

Indeed, implementation sets in motion all the tensions and divergences that may have been identified during the Legislative Branch’s diagnosis. If these tensions are not duly considered, there is a very real risk that they may affect execution and generate deviations from the goals stipulated in the Plan. It is necessary to approach this process with great dedication, in order to facilitate the implementation of actions.

Beyond this general recommendation, it is convenient to remember that the contexts within which the Plan was designed may have changed or simply that some of the actions implemented may not be giving the expected results. **These are the path's unforeseen occurrences and they are an additional part of the process.** This is why some of the elements must be very clearly identified:

- a) Confirming the participation of the **responsible team** leading execution. This entails that the team must meet regularly, in order to follow up on the Plan's progress and to confront any tensions that may emerge at the moment of execution.
- b) Designing some **instrument** that clearly fixes the sequence of activities and tasks, as well as their interdependence and interconnection. In a certain way, the specific goal is to write a simple 'scenario' for executing the Plan that ensures articulation of all efforts and limits dissent on the procedures.
- c) Offering **information** to all parties concerning the Plan's execution.

■ **Step 12. Dissemination of the Plan for the development of capacities.** Dissemination of the Plan must be permanent and to this end it is essential that the public is aware of it and may follow its evolution. To that end, its internal and external communications mechanisms must be strengthened. The overseeing Committee may collaborate with its dissemination.

- Does the Legislative Branch's website contain easily comprehensible information concerning the Plan?
- Have any public meetings or conferences been convened with the participation of women's organizations and/or feminist and sexual diversity movements?
- Are the press and legislative TV channels being used for dissemination of the Plan?
- Are the academic centers informed about the initiative, as well as female experts on the issue?
- Is the Plan known by entrepreneurial and union stakeholders?
- Has a special event been organized for launching the Plan, calling on stakeholders from the other branches of the State?
- Have networks of exchange been established with journalists from the different media, so that they may disseminate news to a broader public?

■ **Step 13. Implementation of the Plan.** This is the most expected step, but it is during implementation that most serious problems emerge, even after an adequate analysis for Plan implementation has been carried out. Supplementing this Step with Step 14 is essential, as the latter has to do with setting in motion the follow-up mechanisms allowing for the detection and solving of obstacles.

- Disabling the transforming contents. A common problem in gender mainstreaming is reducing it to a technical issue, losing from view its transforming potential, especially at a cultural level.
- Conceptual confusion. Another frequent problem is confusing gender equality with quotas for women or for women-specific issues. Gender equality is a broader frame of actions that encompasses the above but is not limited to them.
- Lack of real commitment. Many times, the political will manifested at different times is not reflected in actual practice, due to the emergence of “urgent” affairs that are considered to be more important. At other times, political will is diluted because those in the (political and technical) middle hierarchy are less committed than top authorities. At other times, specific knowledge is lacking as to how to implement concrete gender equality actions in non-traditional issues and this interferes with the practical and operational commitment.
- Ceremonial adoption of the sense of equality. It is common that, in implementation, a politically correct language is employed, as well as an attitude that is apparently favorable to equality, but this does not translate later into a commitment of resources and actions in favor of gender equality.
- Resistance on the part of stakeholders that are not committed to equality. Not all stakeholders consider gender equality to be a real affair or even a priority. These stakeholders will try not to dedicate time, effort or resources to the actions contemplated by the Plan.

■ **Step 14. Setting in motion the mechanisms for implementing and following up on the Plan.** As a part of the execution process, the equality Committee and the technical team must establish a mechanism for process and product follow-up.

- Progress in implementing the Plan must be reported on by way of the Yearly Proceedings and in the Legislative Branch’s accountability.
- It may constitute a public overseeing instrument with the participation of organizations for gender equality.
- Organizations taking part in the shadow report for CEDAW’s Committee may have a leading role in the Plan’s follow-up.
- If existing, women’s and gender equality commissions of the political parties would be privileged stakeholders in following up on the Plan for developing capacities for gender mainstreaming within the Legislative Branch.
- By the way, gender and women’s rights commissions, as well as technical units for gender mainstreaming are internal stakeholders positioned to provide a detailed follow-up of implementation and to quickly identify obstacles and threats.

Table 8. Monitoring implementation (example)

Result	Activities	Goals	Period 1	Period 2	Period 3	Reasons for misadjustments
Generation of a space for mutual knowledge and trust between the LB and social organizations	Carrying out meetings between members of the LB and social organizations.	Goal contemplated (12)	4 meetings	4	4	Delay in convening organizations. Administrative delays. Initial mistrust by organizations.
		Goal attained	2	X	X	
		Redefinition on of goals	2	5	5	

The example (Table 8) entails a revision of progress in complying with the activities’ goals. In this case, a revision carried out after the first follow-up period is offered as an example, where a difference between what was contemplated and what was achieved can be appreciated and goals are redefined. Periods for carrying out follow-up or monitoring activities depend upon the type of activity or product, or upon the requirements set out by political authorities. In this case, each period may be either a four-month period or a quarter.

Regular product and process follow-up allows for identifying any deviations, in order to readjust processes and goals in a timely fashion. This follow-up is a parallel learning opportunity concerning execution inasmuch as some deviations may be produced because of inadequate design (and not because of execution). This learning may allow for the adjustment of goals and necessary processes, in accordance with better execution assumptions.

3.5 FIFTH STATION. Plan Evaluation

We have arrived! Arrival at the last station of the path towards the development of capacities for gender mainstreaming is very important. Evaluation is vital for grasping achieved progress, generating evidence concerning the quality of deployed strategies and measuring concrete change in the capacities.

Evaluation is an essential part of the Plan for the development of capacities itself; it allows for knowledge of how much progress has been made and what remains to be done in terms of learning and the challenges yet to be faced. This last station entails revision of the Plan and requires defining what will be evaluated, who will be doing the evaluation, when will evaluation be carried out, what resources and methodology will be used for evaluating and how results are to be disseminated.

Starting with a reassertion of the political agreement behind the initiative, the evaluation must be done by the team responsible for carrying out the process of definition of the problems, Plan formulation, implementation and follow-up.

Evaluation should be the responsibility of the Equality Committee, but the support of experts from outside the intervention is necessary in order to ensure different perspectives on the relevance, quality, effectiveness, efficiency and efficacy of the intervention.

■ Step 15. Preparing the process of evaluation

It is recommended that evaluation be carried out at the end of Plan implementation; that is, two years after the beginning of the process of development of capacities for gender mainstreaming. Some essential features to be taken into account are as follows.

- Defining who is to carry out the evaluation. It will be coordinated by the Equality Committee and the Technical equality Team, but should be carried out by an external team, for the purpose of guaranteeing objectivity. To this end, it is necessary to dedicate resources that may be contemplated at the beginning of the process for developing capacities.
- Defining what and how to evaluate. The evaluation should address exploring achievement of expected results and their sustainability. The whole Plan can be evaluated or a specific area within it. To this end, it is imperative for the Equality Committee to define the central aspects to be evaluated and for the technical team to collaborate in defining basic criteria (efficacy, efficiency, feasibility, sustainability, impact, relevance, etc.)

- Defining an evaluation timeframe. For a two-year Plan, evaluation should take roughly two months, for the purpose of having enough time to revise the input generated and produce specific information. Besides, once results are defined, it will be essential to set in motion a round for thinking and carrying out dissemination work.
- **Step 16. Carrying out the evaluation.** Once the main aspects of the process are defined, evaluation documentation should be prepared and widely disseminated within the Legislative Branch. As a suggestion, the document should go in detail into the following points:

- a) The evaluation process must have an **analytical method** that derives from the Plan's tintervention structure.
- b) The evaluation process must stipulate a **clear methodology** and clearly identify the information to be compiled, the techniques to be used (documentary analysis, interviews, etc.), the sources to be approached, the work team and the timeframe for activities.
- c) Evaluation should start out from expected results and record **achievements**. In every case, it must analyze the factors leading to the result.
- d) Evaluation should address dimensions that were not taken into consideration in a timely fashion and be sensitive to the ability to identify new factors, new evidence and new effects produced by the Plan.
- e) Evaluation should record anything learned through execution of the Plan.

The following matrix contributes to organizing the information:

Table 9. Aggregate evaluation matrix (example)

Expected result	Result achieved	Factors with incidence on the result	Lessons learned about future interventions
Constitution of a trained technical team for promoting gender equality initiatives	Team constituted in accordance with expectations. Sufficient budget.	Permanent political will on the part of legislative authorities.	Ensuring financing.
Generation of a space for mutual knowledge and trust between the LB and social organizations	Generation of a partial space for knowledge with public organizations. No advances in the construction of a space with the private sector.	Legislative political will. Good disposition from social organizations. Available budget.	Develop a specific strategy for the private sector. Programming by assuming a more extended timeframe. Document advances.

- **Step 17. Analysis and use of results.** When evaluation is carried out properly, addresses this purpose and is used correctly, it has an enormous potential to strengthen the foundations of the policies for equality, to promote learning and the production of knowledge in connection with the results of public actions concerning women and men and gender inequalities, in addition to supporting public accountability (UNDP, 2011b: 86)⁹.

The evaluation report should be disseminated and debated in different realms, allowing for the sharing of the processes of learning about the development of capacities in the Legislative Branch. The debate may be addressed with the following questions as starting points (UNDP, 2012: 70):

- What are the main findings of the evaluation?
- Which were the main results of the Plan for developing capacities for mainstreaming?
- What impact has the development of institutional capacities had on the reduction of gender inequalities, both inside and outside of the institution?
- Which are the main recommendations of the evaluation that are oriented towards increasing institutional capacities for the purpose of contributing to the achievement of gender equality in the country?

⁹ Quoted in UNDP-RSLAC (2012): 70"



4

Closing and beginning of a new cycle

In the beginning, this Guide pointed out that, for the UNDP, the development of capacities involves organizations, individuals and societies and entails an effort sustained through time so as to achieve the goals established concerning equality. In this effort, States carry out a central role. When applied to the Legislative Branch, the development of capacities for gender mainstreaming is a strategic process of continuous improvement so, in a strict sense, it is open-ended. This is largely due to the fact that gender relations are continuously generating situations of inequality, even when there are some aspects that begin to show an equality of conditions between women and men. Nonetheless, once progress consolidates, it becomes very difficult to go back.

The gender mainstreaming strategy for achieving equality between women and men is a long-term journey, so surely just one Plan will not be enough to ensure the continuity of progress. As in every process for continuous improvement, some deficiencies need to be overcome so as to be able to make progress with the following deficiencies in other areas. That is, it is necessary to make progress on some shortcomings and to develop capacities to think about advancing against other, more complex deficiencies. This, by the way, depends upon the continuity of political commitments and on the capacity of the organized civil society to influence decisions concerning demands for equality.

The Legislative Branch, in the context of a citizens' democracy, must think about renewing its strategies for developing capacities in accordance with the needs of the country concerning gender equality. In order to achieve this, based upon what was learned in a first cycle, it is suggested to begin the journey anew, in order to attain new goals and collaborate in the building of fairer States and societies from the perspective of gender. This Guide's intention is to contribute to the constitution of or increase in the capacities of the Legislative Branch to respond to the growing needs and demands of gender equality and diversities; to achieve this, it proposes a strengthening of the Legislative Branch's mandate, its working structures and its links with the public realm.

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Annex I

Station 2. Question guide for diagnosing capacities for gender mainstreaming in the legislative branch

C2: Cultural capacities	Question guide
Human resources endowment	<p>To what extent is the Legislative Branch endowed with adequate human, material and infrastructure resources for carrying out its representation, legislative and auditing functions?</p> <p>How would you evaluate the endowments of human, technical, material and budget resources of the organizational form(s) dedicated to gender equality and diversity present in the Legislative Branch (gender commissions/women's parliamentary caucuses/mixed groups/ Technical Units, etc.)? Does the staff have the technical knowledge and sufficient awareness to make gender mainstreaming effective?</p> <p>Is there a permanent functional body that is trained in gender equality and diversity? If so, how much is this staff's input put to good use in the course of legislative work? If not, how would you explain this lack?</p>
Information systems	<p>What are the usual sources of information used by male and female legislators?</p> <p>To what extent are there comprehensive and updated systems of information available for legislative work that incorporate gender indicators?</p> <p>If there available gender information for male and female legislators to use, what issues does this information deal with? How frequently is it used and by whom? How often is this information updated?</p>
Internal structures	<p>Does the Legislative Branch have specialized structures, such as gender commissions (or similar) or women's parliamentary groups (or caucuses formed by women)? Do these structures have experience in carrying out analysis of proposed legislation from a gender perspective?</p> <p>Is there some kind of technical unit or advice center within the Legislative Branch that works with gender perspective?</p>

C2: Cultural capacities	Question guide
<p>Knowledge of the gender perspective</p>	<p>How would you rate the degree of knowledge of male and female legislators concerning gender mainstreaming and the international standards concerning women’s human rights?</p> <p>How would you rate the degree of knowledge of the functional-body in terms of equality and the international standards concerning women’s human rights?</p>
<p>Existence of a collection of documents</p>	<p>Is there, in the Legislative Branch, a collection of documents containing compared legislation on gender and women, research, studies and work documentation on the issue? How well is this collection systematized and how available is it? Is the staff present well prepared to facilitate searches in and access to this collection by female and male legislators and technicians?</p>
<p>Instruments available for gender analysis</p>	<p>Is gender impact analysis currently being carried out in proposing bills? For what kinds of bills? If so, how would you evaluate this analysis? Are bills adequately modified based upon the results of gender impact analysis?</p> <p>Are there mechanisms and human resources that guarantee the continuity of gender equality bills beyond the elected terms that limit the function of female and male parliamentarians who propose these bills?</p>
<p>Financial resources</p>	<p>Does the Legislative Branch have regular financial resources to analyze bills from a gender perspective among other activities for promoting equality? Are these resources adequately identified and allotted and are they stable?</p>

C2: Cultural capacities	Question guide
<p>Perception of gender issues by female and male legislators</p>	<p>How are gender issues perceived in the Legislative Branch? Are they considered as everybody's business or merely "business concerning our female companions"?</p> <p>Do topics of interest to female legislators receive the same consideration and hierarchy as topics of interest to male legislators?</p> <p>Is a distinction possible between the issues that receive more consideration and those that receive less by the legislative and party hierarchies represented in the Legislative Branch? If these distinctions are present, what is the consideration standing of</p>
<p>Understanding of the issue</p>	<p>What is the perception of gender by most male and female legislators and how is gender inequality understood?</p>
<p>Conditions of access to positions of power and responsibility open to male and female legislators</p>	<p>To what extent do female legislators have access to hierarchically high legislative positions?</p> <p>Is it possible to observe a gender-determined segmentation in the composition of legislative commissions? Does this segmentation imply a different appraisal of those commissions that are dominated by males and those that are dominated by females? Are there differences in the technical and administrative resources that these commissions receive?</p>
<p>Informal rules</p>	<p>How would you characterize the language used in Congress, in the commissions and in discussions within party blocks? Is there evidence of frequent use of sexist terms? If so, who seems to be employing them and under what circumstances?</p> <p>In terms of having the floor and the consideration of interventions, is it possible to assert that men and women are given equal standing?</p> <p>Is it possible to identify prejudices regarding social reproduction tasks and those responsibilities specifically linked with the care of children?</p> <p>Have there been cases of stalking/harassment?</p>

C2: Cultural capacities	Question guide
<p>Formal rules</p>	<p>Is there enough consideration of the needs to reconcile work and family lives? Are there measures of joint responsibility in place (day care centers, lactating rooms, schedules that accommodate the needs of female and male legislators and minorities, paternity leaves, etc.)? Of what kind? Do these measures address only women or is joint responsibility by men encouraged?</p> <p>Are there mechanisms for denouncing and investigating sexual harassment/stalking situations that incorporate the necessary confidentiality and discretion precautions?</p>

C3: Political capacities	Question guide
<p>Alliances between and within blocks on gender issues</p>	<p>To what degree are party blocks unified around the issues of gender and diversity? Do party discipline principles apply or is there freedom of action concerning these issues?</p> <p>To what degree do male and female legislators with political leadership within the Legislative Branch initiate agreements and spaces for political dialogue in order to advance a gender agenda? What is the response that proposals made have been met with?</p>
<p>Results of alliances</p>	<p>To what degree are parliamentary agreements and/or conferences promoted for dealing with gender issues?</p> <p>Have there been agreements between various political sectors as a result of bills promoted by the gender structures that exist within the Legislative Branch (women parliamentarians/gender commissions/Mainstreaming Technical Units/Mixed Groups)?</p> <p>To what degree have formal or informal inter-party agreements within Congress led to activities linked to gender equality concerning legislation, representation and auditing tasks?</p>

C4: Capacity to establish a gender equality agenda	Question guide
Experience of male/female legislators	What experience do male/female legislators have concerning legislative production or in auditing the Executive Branch's actions? What is their training in these areas?
Existence of institutional resources	What institutional resources exist within the Legislative Branch that concentrate a critical mass of male and female legislators and technicians, with explicit mandates for dealing with gender equality issues? What is the history of these institutional resources in dealing with these issues? What is the degree of acknowledgement that they enjoy by the legislators that constitute them? How are they acknowledged by stakeholders?
Existence of technical teams	Are there technical support teams for female/male legislators in the course of their legislative and auditing functions? What are these teams' background and capacities? How well are these teams versed on instruments such as gender-aware analysis of budgets? What resources do they have at their disposal? What collections of documents are available to these teams? What are their links to
Use of instruments for monitoring and evaluating	Are there instruments for monitoring the implementation of public gender policies within the Executive Branch? How well-versed in the management of these instruments are male/female legislators and technicians? What is the political will manifested by male/female legislators concerning the use of these instruments?

C5: Convening and alliance-forming capacities for gender equality	Question guide
Effectiveness in constructing the agenda	<p>How effective has the Legislative Branch been in incorporating topics linked to gender mainstreaming, women empowerment and women autonomy?</p> <p>To what degree has the Legislative Branch taken care to ensure that laws passed abide by Constitutional principles and international standards concerning women's rights?</p>

C5: Convening and alliance-forming capacities for gender equality	Question guide
Effectiveness in constructing the agenda	<p>To what degree does the gender agenda combine “classic” issues (violence, equality of opportunities, protection of maternity, female poverty, sexual and reproductive health) with those considered to be “latest generation” (joint responsibility/reconciliation, care system, management of natural resources, gender and economy, etc.)?</p> <p>Have efforts been carried out to eliminate discriminatory legislation? Which of these efforts have been specific, continuous, discontinuous, etc. and how has this happened?¹⁰</p> <p>Are there issues linked to gender equality and diversity that can be identified as promoted by the political opposition, while others can be identified as promoted by the Government? Is it possible to reach agreements?</p> <p>What are the issues with a higher likelihood of reaching a consensus for the purpose of constituting a gender agenda and what are the issues with a lower likelihood?</p>
Agenda contents	<p>Within legislative work, to what degree are diversity and crossed inequality perceived as part of gender inequality?</p> <p>Within the legislative agenda, what is the status of women’s sexual and reproductive rights?</p> <p>What is the agenda of gender violence, femicide, people trafficking and other issues affecting the physical and moral integrity of women?</p> <p>To what extent are groups that have traditionally been excluded (ethnic/racial, religious, socio-economic, sexual preferences, etc.) represented in the legislative agenda?</p>
Linkage with constituents and inter-sector alliances	<p>What is the type of link that male and female legislators maintain with those groups they consider to be representing? Have enough spaces for dialogue been built? Have alliances between government and non-government sectors been encouraged and constructed for the purpose of exchanging views and promoting agreements on gender issues? What favors favor these alliances and what factors limit them? What kinds of results stem from these alliances?</p>

¹⁰Question taken from García Prince (2011).

C5: Convening and alliance-forming capacities for gender equality	Question guide
Convening and dialogue channels and stakeholders	<p>What are the channels for convening social stakeholders and add social and political demands to the agenda of gender equality and ethnic, sexual and cultural diversity?</p> <p>What is the kind of public stakeholder that participates the most through these channels? What is the type of stakeholder that participates less? With what specific groups of the organized public is there a greater level of dialogue?</p> <p>How much are public organizations and/or academic centers consulted for the purpose of assembling a gender agenda?</p>
Degree of issue diversity	<p>Is there enough diversity in terms of issues, orientations and interests? Can specific prejudices be identified which may have influence when establishing a dialogue with the various public organizations? To what degree is it possible to assert that there is an heterogeneous space for dialogue concerning political opinions and social visions?</p>
Political advocacy of civil organizations	<p>To what degree have the participation and voices of social stakeholders had an influence in the construction of a legislative gender agenda?</p> <p>To what degree have social stakeholders taken part in the construction of awareness and information campaigns promoted by the Legislative Branch in favor of gender equality and non discrimination?</p> <p>Has it been possible to establish follow-up mechanisms by the public concerning gender and diversity issues?</p>

C6: Capacities for accountability and transparency	Question guide
Conditions for accountability	<p>To what degree are there sufficient resources and incentives for the Legislative Branch to promote processes for real accountability in connection with actions carried out by the rest of the State concerning gender issues? If these processes are already in motion, how could they be characterized?</p> <p>Are there enough resources and incentives for the Legislative Branch to put together a political strategy oriented towards raising awareness, informing and persuading the rest of the State of the need to implement more initiatives in connection with equality? In case these processes are already under way, how could they be characterized?</p>
Existence of an operational structure and a communication strategy	<p>Is there a permanent institutional communication structure within the Legislative Branch dedicated to gender issues or is it dedicated to all legislative issues? How is it endowed and what is its work agenda? What are the means available to it? What are its abilities? Is there a legislative communications strategy in connection with gender issues or general issues of the Legislative Branch? What resources are involved? What goals and activities are being contemplated?</p>
Channels of information and communication with the public	<p>What is the process of public information that the Legislative Branch carries out like? Does this information incorporate gender issues?</p> <p>Is there enough communication, either through radio or TV spots, mail listings, or web interactive portals? Are they utilized? How frequently?</p>
Channels for receiving information and communicating with the State	<p>How rigorous and systematic are the procedures for requesting information and investigating the doings of the Executive Branch? Have these procedures been used to follow-up on gender issues and the State's international commitments concerning the international standards for women's human rights? Similarly, what is the exchange of information like that is carried out with the different levels of the Judiciary Branch concerning its compliance with institutional mandates? Are there resources for following up on the compliance of mutual responsibilities?</p> <p>In connection with this follow-up, are the structures linked to gender issues (female legislators/gender commissions/technical units for mainstreaming/mixed groups) involved?</p>

Annex II

Station 3. Guide for goals and actions of the Plan

C1: Development of management capacities

Goal. To train a critical mass of permanent technical staff on gender perspective, with sufficient technological and financial resources and updated information, so as to enable it to assist in the elaboration of bills.

Actions in the human resources area

- Creation of Technical Units (of a permanent character) for gender mainstreaming or permanent technical groups for gender equality issues.
- Workshops for raising awareness and for training on gender issues and in the use of specific instruments, such as Gender Impact Analysis (GIA) and Gender-Sensitive Budgeting (GSB) for male and female legislators, technical personnel and advisors.
- Designing organizational careers with measures in favor of equality in the functional body. In those countries where there are certification programs for gender equity management which are granted by equality mechanisms, the legislature may opt for such a certification.
- Training in using a manual for the utilization of non-sexist language.

Actions on information systems

- Systematic incorporation of gender affairs in internal communications of the Legislative Branch.
- The Legislative Branch's information systems will be able to offer information on the condition of women and disseminate international standards on women's human rights.
- Preparation of information with a gender perspective (statistics disaggregated by gender, websites and intranets with pertinent information).

C2: Development of cultural capacities

Goal. Setting up a culture of equality and an atmosphere of respect within the Legislative Branch, giving differences their due and transforming gender issues into a commitment by male and female legislators alike. Rules and procedures of the Legislative Branch have to be inclusive and promote an active participation of women.

Actions in connection with everyday perceptions and attitudes

- Setting up workshops for revising good practices and eliminating everyday biases that generate discrimination and inequality.
- Workshops for giving social and cultural affairs, an equal standing with economic, budget and infrastructure ones. For this purpose, it will be useful to resort to the paradigm of human development, which offers arguments in favor of the multi-dimensionality of development.

Actions for eradicating sexist practices and sexual harassment in the workplace

- Introduction of a non-sexist usage manual for debates within Congress, in commissions and in the context of the internal and external communications of the Legislative Branch. Its use should be mandatory.
- Revision of regulations and procedures for the purpose of identifying gender biases.
- Setting up institutional mechanisms for denouncing and addressing situation of sexual harassment in the workplace (including denouncing the use of verbal disparagement).

Actions for intervention in infrastructure and in work schedules/leaves

- Ensure that the “material culture” of the Legislative Branch facilitates joint responsibility in family and work lives for male and female legislators. This entails setting up and ensuring the adequate functioning of day care centers and lactation rooms.
- Introduction of working hours that adapt to the family needs of male and female legislators. Encourage paternity leaves and definition of maternity leaves that are convenient to both male and female legislators and general workers of the Legislative Branch, so as to promote the care of children by both parents.
- Ensure universal access to women and men with disabilities.

Action for reorganizing legislative work

- Ensure the numeric presence of female legislators in positions of responsibility in the Legislative Branch. This will entail working with the political parties, so as to ensure the participation of women within the positions of authority within party blocks and, especially, agree on the establishment of minimum quotas of female participation in:
 - 1) positions of authority in the Legislative Branch (presidency and vice-presidency in both Chambers).
 - 2) positions of authority in commissions, especially those that are the most widely sought and prestigious (budget, laws and regulations, etc.).
- This entails the introduction of measures of affirmative action within the structure of the Legislative Branch itself and in positions within the functional body functional.

C3: Development of political capacities

Goal. To achieve a commitment by male and female leaders of political parties with legislative representation, for the purpose of promoting a gender perspective in legislative work.

Action regarding Inter-Party Agreement

- Signature of an Inter-Party Agreement for committing to the establishment of minimum quotas for gender equality and diversities for each legislative period.
- Wide dissemination of this Agreement through the media, as evidence of the commitment of male and female political representatives with gender equality and diversities.

Actions for dissemination and setting up a work agenda

- Conferences and meetings between political authorities. Participation of political authorities in gender equality events.
- Authorities of the Legislative Branch and of political parties should regularly convene the rest of the legislators and party members for the purpose of ensuring progress towards gender equality and diversities and for guaranteeing their institutionalization.

C4: Development of capacities for establishing a gender agenda

Goal. Consolidation of the Legislative Branch's capacity for producing legislation that promotes effective standards and policies for gender equality and institutionalization of its own agenda concerning gender equality and diversity, from which to work on legislative affairs and on representation, auditing and Executive Branch oversight tasks.

Actions for building an articulated gender equality and diversities agenda

- Ensure the preparation of a gender agenda for the Legislative Branch that includes "classic" issues (violence, equal opportunity, protection of maternity, female poverty, sexual and reproductive health) and those considered "latest generation" (joint responsibility/reconciliation, care system, management of natural resources, displaced populations, gender and the economy, etc.).
- Incorporation of a crossed inequalities perspective, for the purpose of including racial, ethnic, religious, sexual and socio-economic considerations that add to gender inequalities.
- Introduction of a gender perspective in the preparation of bills.

- Raising awareness among male and female legislators in connection with the various bill initiatives that promote effective policies for gender equality within the region and throughout the world.
- Consolidation of technical advisory teams that work together with male and female legislators in the production of gender equality legislation.
- Generation of spaces for exchanges between male and female legislators and gender specialists for the purpose of promoting legislative production.
- Strengthening women’s and/or gender equality commissions.
- Creating or consolidating legislative institutional spaces for promoting legislation and women’s rights.
- Endowing the Legislative Branch with the necessary document collections for supporting legislative work.

Actions for following-up and controlling public policies in the rest of the State

- Strengthen the Women’s/Gender Equality commissions and their practices for requesting information from social and political stakeholders.
- Promote the constitution of an Equality Observatory based in the Legislative Branch.
- Setting up a protocol for **Gender Impact Analysis (GIA)** of bills, which will be applied to all bills. This protocol will offer a basis for measuring the impact of what is effectively implemented by the Executive Branch.

Gender Impact Analysis (GIA) is a “technique for prospectively appraising standards, i.e., an “ex ante” study and analysis of the standard being promoted, for the purpose of verifying if, at the time of planning the measures contained in the bill, its impact on women and men has been taken into account, warning those who will adopt it of both the desired and undesired consequences of implementation and proposing its modification if applicable (De la Cruz, 2009:79).

The introduction of GIA in everyday legislative work entails follow-up by trained technical personnel for the purposes intended (commissions’ advisors, Legislative Branch permanent staff, and female and male legislators’ female and male advisors) and the setting up of workshops for raising awareness among male and female legislators.

- Especially important is the introduction of GIA in the core commissions of the Legislative Branch, such as the Public Budget Commission.
- GIA should be supplemented with the introduction of **Gender-Sensitive Budgets**.

Gender-Sensitive Budgets (GSB). This new way of looking at budgets generates information about the public expenditures the government assigns, in order to reduce the gender gaps in sectors such as education, political participation, employment, health or social well being, among others. GSBs take into account the differentiated needs and contributions of women and men in planning, executing, following up and appraising resources.

Setting up **regular comptrollership processes** by the Legislative Branch of the actions of other State branches concerning equality, the protection of the rights of women, the eradication of discrimination, etc. This entails the use of constitutionally established procedures (convening to Congress, report requests, granting of audiences and invitations to gender/Women's Affairs commissions, etc.). It is essential to **activate their use in a regular way and to disseminate the results of these procedures** (Internet portals, mailing lists, radio and TV programs and spots, etc.).

C5: Development of convening capacities and establishment of alliances for gender equality

Goal. To promote the Legislative Branch's leadership in the public realm for gender equality and diversities, developing channels for convening and communicating with multiple stakeholders, as well as jointly working with them.

Implementation of workshops for updating, conferences and meetings with public organizations, women's/feminist movements, male and female academics and people who make public policies, in order to compile key social issues, as well as new topics requiring a gender perspective and attention by the Legislative Branch.

- Dissemination through radio and TV programs.
- Promotion of public dissemination plans.
- Setting up Consulting Councils by subject with public organizations and promotion of hybrid groups, such as the ones in existence in El Salvador and Panama.
- Constitution of topic-specific networks with their organizational epicenter located in the Legislative Branch.

C6: Development of capacities for accountability and transparency

Goal. Establishing transparency in depth in the activities of the Legislative Branch by consolidation of the institutional communication procedures and accountability of actions regarding gender equality and diversity.

- Ensure accountability specifically meant to report on the actions regarding gender equality and diversities with wide dissemination and participation by top political authorities.
- Constitution of a communications team or training the persons in charge of the current legislative communication teams, for the purpose of facilitating a permanent flow of information concerning the actions of the Legislative Branch and progress made in the

- process of setting up a strategy for gender mainstreaming in legislative work.
- Constitution of an interactive website providing for participation of the public.
- Consolidation of public oversight instruments by opening funds open to proposals by the public.

Tabla 10. Gender Impact Analysis (GIA)

Activity	Tasks
1. Implement a study of the way in which gender relations appear in the goals and design of a bill.	<ul style="list-style-type: none"> • Examine the assumptions of the relative worth of the men and women (explicitly or implicitly) contemplated in the goals. • Determine if the bill is in compliance with domestic and international legislation on human rights.
2. Carry out a careful study of the expected results of the bill and its possible effects on men and women, considering living conditions and the provisions regarding said bill's implementation.	<ul style="list-style-type: none"> • Identify the social, political and/or economic conditions of men and women before a given situation. • Examine the impact of gender preconceptions and stereotypes. • Appraise the way in which the bill would affect the current conditions of women and men and the way in which identified preconceptions and stereotypes might be eradicated.
3. Formulate proposals for correcting the bill so as to ensure or eliminate those gender inequalities that were not initially contemplated.	<ul style="list-style-type: none"> • If possible, incorporate affirmative action measures to equalize the rights and opportunities available to the female population on which the bill in question will operate.
4. Carry out an analysis of available public resources for the purpose of guaranteeing that results are in accordance with gender equality criteria.	<ul style="list-style-type: none"> • Carry out a detailed examination of the available budget.

Source: Caminotti and Rodríguez Gusta (2011)

PARLIAMENTS **and** GENDER EQUALITY

Gender mainstreaming
in legislatures



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