



## Plan International submission on the International Aid (Promoting Gender Equality) Bill 2015

June 2015

## A. Introduction

Plan International Australia supports the introduction of legislation which embeds the priority of gender equality within decision-making and monitoring of Commonwealth overseas development and humanitarian assistance.

To this end, this submission maintains that:

1. The promotion of gender equality through overseas development and humanitarian assistance is **so important it should be enshrined in law**;
2. Improved reporting on gender equality supported by Australian aid will both **improve its effectiveness** and help **inform the Australian public** about the tangible and transformative impact of Australian aid; and
3. Adopting this legislation has the potential to **improve Australia's standing on the international stage as a transparent champion for gender equality** and bolster our authority to advocate that recipients of Australian aid as well as other international donors follow our lead in this regard.

Our support for such legislation is founded on Plan International UK's experience – as part of a broader coalition of civil society organisations - successfully advocating for the introduction of similar laws within the United Kingdom (UK). By way of background, we note that the UK passed the *International Development (Gender Equality) Act 2014* (UK) in 2014 after this law was introduced to parliament by Conservative MP William Cash, with strong support from both major parties.<sup>1</sup> The UK Act is substantively very similar to the current bill under view. We draw on the UK experience to demonstrate that similar reforms within Australia are politically uncontroversial, feasible and at the forefront of international best practice.

## B. Gender and development: a critical combination

Empowering women and girls to participate fully in social and economic life across all sectors of society is an essential ingredient for inclusive economic growth and will be key to the achievement of the forthcoming sustainable development goals. Reality confirms this - for example, a number of studies have shown that increasing the number of girls benefiting from education has a positive effect on a country's per capita economic growth.<sup>2</sup> Others have demonstrated the vast social, economic and health-related advantages of secondary education for girls and women.<sup>3</sup>

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<sup>1</sup> <http://www.theguardian.com/global-development/2014/mar/04/development-bill-gender-equality-law>

<sup>2</sup> Elizabeth M. King and Andrew David Mason, *Engendering development through gender equality in rights resources and voice* (2001).

<sup>3</sup> Plan International, *Children in Focus. Paying the price: The economic cost of failing to educate girls* (2008).

The widely accepted view that women and girls must not be left behind in the drive to economic empowerment, universal education, and social and political progress is shared by the Australian Government which has established gender equality as a core priority of the Australian aid program.<sup>4</sup>

*a. Gender within humanitarian disasters*

Gender is also critical within both disaster risk reduction and humanitarian interventions following disasters and crises because their impacts are gendered. For example, girls are more likely to be severely harmed or killed during natural disasters than boys.<sup>5</sup> One study commissioned by Plan International in Africa estimated women and children are 14 times more likely than men to die in a disaster.<sup>6</sup> When disasters strike, girls also face an increased risk of: child marriage,<sup>7</sup> violence (including sexual violence, exploitation and trafficking),<sup>8</sup> and never returning to school.<sup>9</sup>

We note that DFAT processes, which ensure that the Humanitarian Partnership Agreement (the primary mechanism for humanitarian funding for Australian NGOs) processes are responsive to the different needs of women, men, girls and boys, reflect the importance of mainstreaming gender within humanitarian disaster responses.

*b. To be effective programs and interventions must address gender*

On the basis of the above, it is clear that to be effective development policy, programs and humanitarian interventions must speak to gender. To illustrate the importance of mainstreaming gender within overseas development and humanitarian assistance, Baroness Jenkin, in her second reading speech for *International Development (Gender Equality) Act 2014* (UK) made the following remarks:

“Programmes implemented in the developing world ensuring that children receive regular health checks and vaccinations are very often targeted at mothers, unintentionally reinforcing the stereotype that childcare is very much their remit only. By simply changing the word “mother” to “parent”, or including pictures of fathers and children in literature and posters, we can challenge the

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<sup>4</sup> See Speech by the Foreign Minister on 18 June 2014, available here:

[http://foreignminister.gov.au/speeches/Pages/2014/jb\\_sp\\_140618.aspx](http://foreignminister.gov.au/speeches/Pages/2014/jb_sp_140618.aspx)

<sup>5</sup> Elizabeth Gibbons, ‘Climate Change, Children’s Rights, and the Pursuit of Intergenerational Justice’, *Health and Human Rights Journal* 1 (16), (2014), 21.

<sup>6</sup> Opolot, Simon, Lead Researcher. ‘Research to Investigate the Situation of Adolescent Girls in Disasters: An Analysis of Existing Interventions and Related Gaps. Synthesis Report of Studies Conducted in Ethiopia, South Sudan, Zimbabwe & Mozambique.’ Research Commissioned by Plan East and Southern Africa Regional Office, February 2013.

<sup>7</sup> Save the Children Alliance, *Child Protection in Emergencies* (2007).

<sup>8</sup> Plan International, *Because I am a Girl: State of the World’s Girls 2013: In Double Jeopardy – Adolescent Girls and Disasters*, 64.

<sup>9</sup> Save the Children, *Delivering Education for Children in Emergencies: A key building block for the future*, International Save the Children Alliance, (2008).

idea that a woman's place is in the home. By doing this, we can begin to combat the exclusion of women from wider society."

This remark highlights that well intentioned programs designed to help women and girls can inadvertently reinforce gender stereotypes which limit women's and girls' ability to participate within society. In Plan's experience, in order to be effective, even programs whose primary aims are unrelated to the promotion of gender equality (ie climate change adaptation, water, sanitation and hygiene (WASH) or youth economic empower projects etc) recognise the gender implications of their activities and build in a gender perspective from the beginning. Gender equality concerns are indivisible from the realisation of other rights and so must be mainstreamed through interrelated areas such as health, education, economic empowerment, humanitarian intervention and governance in order for development to be truly inclusive.<sup>10</sup>

### **C. Gender is so important it should be enshrined in law**

Plan International Australia commends the Australian Government on its commitment to ensure at least 80 per cent of all aid investments address gender equality and its policy emphasis "on women's economic empowerment – on promoting women's leadership in politics, business, communities and families and on eliminating violence against women and children."<sup>11</sup> Plan International Australia also understands that DFAT has already put in place mechanisms to track gender equality within expenditure and program performance<sup>12</sup> and that DFAT takes care to direct funds towards projects to promote women's rights and gender equality.

However, Plan International Australia believes that such reforms do not go far enough to ensure that all programs and humanitarian interventions supported by Australian Aid promote gender equality or are sensitive to issues to gender. Gender equality is so integral to effective development and responding to humanitarian disasters that this should be recognised and enshrined in law. In particular Plan International Australia urges that the Australian Government adopt legislation which, similar to the *International Development (Gender Equality) Act 2014* (UK), ensures that gender concerns are addressed in all Australian overseas aid programs and built into ODA delivery from the start.

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<sup>10</sup> See in general: Gender Mainstreaming: *Extract from Report of the Economic and Social Council for 1997* (A/52/3, 18 September 1997) <http://www.un.org/womenwatch/daw/csw/GMS.PDF>

<sup>11</sup> See Speech by the Foreign Minister, Julie Bishop on 14 June 2014: [http://foreignminister.gov.au/speeches/Pages/2014/jb\\_sp\\_140618.aspx](http://foreignminister.gov.au/speeches/Pages/2014/jb_sp_140618.aspx)

<sup>12</sup> See Recommendation 12 of the Australian Government Response to the Senate Foreign Affairs, Defence and Trade References Committee report: Australia's overseas aid and development assistance program, August 2014

Consequently, any proposed legislation should mandate that:

- DFAT officials, when making decisions about ODA expenditure and programming (including the provision of humanitarian assistance) are required to take into account the extent to which such promote gender inequality; and
- The Australian Government reports on an annual basis how the Commonwealth used ODA to promote gender equality in recipient countries.

The adoption of a law similar to the *International Development (Gender Equality) Act 2014* (UK) contains the potential to dramatically improve how Australian overseas development and humanitarian assistance addresses gender inequality in our region. To quote UK Secretary of State for International Development Justine Greening in the United Kingdom:

“[The UK Act means] every time a request for development assistance comes to my desk, and my successors’ desks, we will be legally required to establish how it will contribute to reducing gender inequality. This is really important because gender equality isn’t something that can simply be tacked on to overseas programmes as an afterthought. It needs to be built in from the start.”<sup>13</sup>

Plan UK understands that a soon-to-be released independent evaluation of how the *International Development (Gender Equality) Act 2014* (UK) has been implemented to date demonstrates its positive impact on UK development policy. Since its implementation, every business case for overseas development and humanitarian assistance signed off by the UK Secretary of State for International Development has contained a clause outlining how gender equality has been considered. This has had a discernible impact on UK-funded development projects such as a road building project which has set a target for the number of women employed as part of the project, to a project on transparency in the extractives sector which will monitor to what extent women and girls are benefitting from the proceeds of mining. Perhaps the most significant consequence of the Act has been that gender equality has gone from being seen as the responsibility of one team in the Department of International Development, to being everyone’s responsibility.

#### **D. The need for better data on gender equality and Australian aid**

Consistent and rigorous tracking of gender equality expenditure and program performance is vital to ensure policy is evidence-based and that impact is measured and improved. At present, DFAT’s reporting on the gender impacts of Australian aid focus largely on headline figures (such as the “number of women survivors of violence receiving services such as counselling”)<sup>14</sup> and give only a limited picture of the effectiveness of Australian aid in redressing gender inequality.

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<sup>13</sup> Telegraph, 13 March 2014

<sup>14</sup> See for example Appendix 5 of the *DFAT Annual Report 2013-2014*.

As such, improved parliamentary oversight of spending and progress made towards gender equality - mandated by law - has the capacity to elevate the visibility of the Government's pre-existing priorities for overseas development assistance, while raising the transparency and accountability within Australia's aid program. Moreover, the requirement to report progress made to Parliament would serve to highlight to the Australian public how Australian aid contributes to gender equality in our region.

### **E. Australia's international leadership on gender equality**

When speaking in favour of the International Development (Gender Equality) Bill in January 2014, UK Prime Minister David Cameron observed that "...the Bill will make Britain have a leading role in examining gender equality before we deploy aid and other resources."<sup>15</sup> Similarly, were Australia to adopt such a law, this would necessarily lift our standing to advocate that both recipients of Australian aid as well as other international donors improve how they allocate resources in a manner which promotes gender equality. In this regard, William Cash MP, prior to the passing of the UK Bill, noted the Bill's potential to act as "a prototype for other legislation elsewhere in the world, so that we can have harmonious legislative arrangements wherever DFID is working. I hope it will be a beacon to other people throughout the world".<sup>16</sup>

As we approach final agreement on the Sustainable Development Goals (which will specifically address women's and girls' empowerment through gender-specific goals, targets and indicators), Australia can play a critical role in promoting gender equality through taking the lead in adopting such legislation.

### **F. The need for consultation about the implementation of legislation**

We note that the current Bill, while committing the Government to incorporate gender equality concerns in its decision-making and reporting, does not prescribe how this is to occur. As such, the implementation of this act will be a matter of interpretation over time. The advantage of such an approach is that the interpretation of these legislative obligations can be informed by current best-practice in this area as it evolves over time.

NGOs like Plan International have extensive expertise administering and reporting on programs which are gender transformative and empower women and girls. In this regard, we urge that if this Bill, or similar legislation is passed, that civil society actors are consulted to determine how the aid program is designed and implemented to support gender equality, and how gender equality outcomes should be measured. We note that Plan International UK is currently participating in such

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<sup>15</sup> 14 Jan 2014, House of Commons Liaison Committee

<sup>16</sup> William Cash MP, 11 Dec 2013, House of Commons Public Bill Committee

conversations with the UK Government as well as in its “one year on” review of the *International Development (Gender Equality) Act 2014* (UK).

### **G. About Plan International Australia**

Plan International is one of the world’s most experienced and largest children’s development organisations. We work in 50 developing countries globally, including Asia, South East Asia and the Pacific. Plan is independent, with no religious affiliation.

Since 2007, Plan has produced a global annual report entitled *Because I am a Girl* that maps the state of the world’s girls with a particular focus on their needs and rights. The reports provide the evidence, including the voices of girls themselves as to why they need to be treated differently from boys, men and women so that girls can reach their full potential. The report has looked at a range of topics including economic empowerment, girls in disasters and girls’ education. In recent years, girls’ education has become a key focus of Plan’s development work as a powerful means of addressing disadvantage and eliminating child marriage.

In closing, we thank you for the opportunity to provide this submission and for your consideration of it.

**Plan International Australia**