

LEGISLATION AFFECTING WOMEN: RECOMMENDATIONS

The following recommendations to increase the capacity for women's leadership in peace building were developed by a coalition of women convened by The Institute for Inclusive Security in January 2009. They include women from Afghanistan, Bolivia, Colombia, Israel, Kashmir, Lebanon, Liberia, Palestine, the Philippines, Sri Lanka, Sudan, and Uganda.

Preamble: Historically, women have been excluded from the legislative process. These recommendations are intended to empower women in legal literacy and to increase their participation in legislation.

TO IMPROVE CAPACITY BUILDING FOR WOMEN'S ENGAGEMENT IN LEGISLATION AND LEGISLATIVE PROCESS

GOVERNMENTS SHOULD

1. Engage in constitutional reform to ensure that international law, gender equality, commitments under the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Millennium Development Goals, UN Security Council Resolution 1325, and other international legal instruments governing anti-discrimination and women's rights are incorporated into constitutions.
2. Eliminate legislative ambiguity caused by the blend of customary and formal legislation by:
 - a. Eliminating customary laws that discriminate against women
 - b. Increasing the use and authority of statutory and codified laws designed to protect women from discrimination
 - c. Aligning all laws and implementation mechanisms with the reformed constitution and international law
3. Ensure legislative budgets allow for the formation of entities such as public defenders to protect and defend women from gender-based violence and all forms of discrimination.
4. Ensure that women are involved in the legal reform process and drafting of legislation.
5. Involve non-governmental agencies to advocate on women's legal issues.
6. Promote quotas for women's participation in all levels of government and legislative bodies. Quotas should be used as a minimum requirement, not a maximum.

DONORS AND MULTILATERAL ORGANIZATIONS SHOULD

1. Provide a continuous flow of funds to support legislative reform for women and ensure that the programs are sustainable. Ensure that money is used to introduce legal protections for women and to increase women's ability to build capacity in the legislative process. Require accountability for the funding.
2. Ensure that women participate in donor meetings regarding funding for legislative reform. Require that at least 50 percent of those providing and receiving funds are women.
3. Promote partnerships and cooperation among organizations and encourage coalitions to make more efficient use of available funds. Promote coordination among donors who contribute to legislative reform to ensure consistency in the protection of women.

CONTRACTORS AND NON-GOVERNMENTAL ORGANIZATIONS SHOULD

1. Coordinate organizations that focus specifically on women's issues and have them agree on one inclusive legislative reform agenda and strategy.
2. Monitor and track both implementation of the legislative reform agenda and violations of women's rights.
3. Publish reports on legislative and legal reform online. Make the reports accessible to everyone.
4. Ensure that legislative reform reflects the experiences and realities of women at the grassroots level. Require laws to be understandable to non-lawyers and to be translated into minority languages to ensure maximum dissemination and awareness.
5. Ensure transparency and accountability not only to donor organizations, but also to local communities. Require use of UN shadow reports and special rapporteurs for the monitoring of legislative reform.

ACADEMIC INSTITUTIONS AND THINK TANKS SHOULD

1. Conduct gender disparity research, gather gender-disaggregated statistics, and ensure that such research is utilized in policy papers. Make policy papers available for use in legislative reform as it applies to women's rights.
2. Organize relevant papers and publications as a single resource for dissemination accessible to all and published in mainstream newspapers and online.
3. Alter their curricula to be gender-sensitive. Incorporate and reflect women's experiences in research, coursework, and publications. Ensure that women are equally represented in the student body and among the faculty of political science and law school courses.
4. Be part of the governmental legislative process, along with civil society, particularly women's organizations.