

HRCM's Comments to draft National Gender Policy shared by the Ministry of Law and Gender

General comments:

- The current policy is targeted to a five year period. To ensure long term benefits of this initiative, it is important to include a section on Way Forward – which will indicate final review of the policy, lessons learnt, targets achieved and ways to ensure the continuity of the achievements after the end of the five years.
- The current policy includes 4 outcomes with targets and actions. It gives individual task forces, steering committee and stakeholders the flexibility to plan their specific actions to achieve the specified targets. To ensure timely actions from all the different institutions, it is important to include a timeline for development of strategies and actions plans to achieve the outcomes.
- It is very important for the National Gender Policy to include the private sector in addition to the public sector. This is because private sector makes up a large portion of our total work force and already lacks proper monitoring. Major businesses, companies, resorts and factories also fall under the private sector which has the power to influence economic empowerment of women living across the country. It is also important to target actions to promote institutional gender mainstreaming within the private sector.
- Sports are an area where women have fewer opportunities than men. This has the effect of limiting their participation in public sphere also discourages women to reach their full potential in the field of sports. It also has the potential to negatively impact the health and well-being of girls and women. Hence, it is important to consider incorporating this area into the National Gender Policy.
- Currently in the Maldives, Women Development Committees (WDC's) is the existing platform for women to actively participate in the decision making level. Hence, it is important for WDC's to be considered as an important partner or stakeholder in this policy. The participation of WDC's will also ensure that the more women will be aware



of this policy which will encourage them to lobby for the implementation of this policy in their individual communities.

- Champions and good role models are useful ways to promote positive messages of gender equality. Hence, we believe that incorporating actions on identifying gender champions and role models and encouraging them to spread this message will ensure the success of this policy and our objectives. For example in Australia, there is an active Male Champions of Change Group which brings together some of Australia's most influential and diverse male CEOs and Chairpersons.
- Gender equality will not be achieved without efforts to change peoples' views. Hence, it is important for all priority outcome areas to include actions and outputs to change attitudes and mentality of people from both genders (belonging to different social, geographical and economic backgrounds), in order reduce gender stereotypes and to overcome the structural and cultural norms that impede gender equality.
- Since many acronyms are used in the policy, it will be useful to include an Acronym list in the final policy.

Specific Comments:

1.2 Context

- To add Article 62 (a) of the Constitution which states that all the rights and freedoms specified in Chapter 2 are equally applicable to men and women.
- To add Article 62 (b) of the Constitution which states that the enumeration of rights and freedoms individually in this Chapter shall not be construed to deny, or negate other rights retained by the people which are not specified in Chapter 2.
- To include references to specific issues faced by women living in different situations and by women coming from different backgrounds. Women experience discrimination in different ways and hence, an inclusive gender policy must focus on these differences in order to ensure that the targets and actions include and encourage diverse methods and strategies. For example, women in rural populations, women from low income households and women living in more conservative communities do not have the same



opportunities to those living in urban populations, higher income households and more liberal communities.

- Second paragraph of Page 2 starts with issues in education and follow with statistics for maternal mortality rate, fertility rate and life expectancies. We recommend including statistics from other areas such as tertiary education and number of graduates joining the workforce because it will give a clearer picture of the trends and challenges to access to education and impact or result of education for women in general and also to women living in different atolls.
- First paragraph of Page 3 refers to issues and challenges to women's labor force participation. Including information on the need for introducing and strengthening matrimonial property, pre-nuptial agreements, flexible working hours and child care services will bring more comprehensiveness to this section.
- Second paragraph of Page 3 refers to issues and challenges to women's representation in governance and presents important statistics on female representation in different institutions. We believe that it is important to stress the need for changing perceptions within the public and private sector employers and decision makers because this will be crucial to increase opportunities for women in leadership.
- Third paragraph of Page 3 refers to prevalence of violence against women and efforts to end violence against women. First paragraph of Page 4 also refers to perceptions of gender roles, access to opportunities which influences documented patterns of gender in equality. We believe that it is very important to highlight the need for advocacy to make both men and women accept the principles and benefits of gender equality. Furthermore, reference to the need for safe homes as a place of protection for victims of domestic violence will also strengthen the contextual analysis of this issue.

1.3 Guiding Principles

- We recommend adding the following as guiding principles to the Gender Policy.
 - Non-discrimination for all as guaranteed by the constitution.
 - To take all appropriate measures to eliminate discrimination against woman by any person, organization or enterprise (Article 2 (e) of CEDAW).



2.1 Vision

- To include the following underlined phrase.

“The Gender Policy envisions a society where women and men have equal roles, equal opportunities and responsibilities in the economic, political and social development of the nation, and in which all individuals are able to achieve their full potential and realize their human rights.

2.2 Mission

- We recommend amending the mission statement to include the private sector.

“The purpose of the Gender Policy is to provide framework to guide the process of strengthening procedures and practices to ensure equal rights, opportunities and benefits for women and men in government and private sector programs and services, as well as the work place, the community and the family. Each sector has an active role to play in line with the national and international commitments.”

2.3 Goal

- We recommend amending the goal statement as follows.

“Working in partnership with government institutions, civil society and other stakeholders, the policy aims to ensure the active participation and end discrimination and existing inequalities of Maldivian women and men in all areas and all levels of the social, economic and political development of the country.”

3. Policy Objectives

- We recommend amending the third objective to include girls, especially adolescent girls because gender based discrimination often starts in their childhood.

“Facilitate deeper collaboration and coalition-building between key stakeholders to address girls, especially adolescent girls, women’s and men’s needs and rights.”



- We recommend adding the following objectives to policy objectives.
 - Establish a timeline to develop strategies / action plans for each priority issues.
 - Establish a mechanism to allow the continuation of the policy objectives after the end of five years.

Priority Outcome 1 – Leadership and Governance

Outputs

- It is important to include a specific target for this outcome. As the Maldives Global ranking for gender equality and political empowerment is 120 out of 142 countries, we propose our target to be set for a rank above 100 by the end of the year 2021.
- It is important to include actions aiming to encourage individual female candidates who may not have the backing of a political party and those who may not want to be associated with a specific political party. This is also useful considering that it may take time for political parties to elect or select female members to executive positions within their parties.
- It is important to include actions aiming to raise awareness among voters on the importance of electing and encouraging female candidates. This can be further elaborated by educating the public on the specific ways in which female officials can bring a different perspective and make a difference in their lives.
- The current target to increase percentage of women elected to local government councils is at least 20% and the current target to increase percentage of women candidates in local council elections is at least 10%. It is important to increase the targets to increase percentage of women candidates because the current realities shows that a lot more effort is needed to achieve gender equality in leadership and decision making levels. Hence we propose to set the target to increase percentage of women candidates in local elections to at least 30%.
- The current target to increase percentage of women in decision making positions in the public sector – cabinet, state ministers, deputy ministers are set to as at least 30% while the target for magistrates and judges is at least 10%. We recommend keeping the target for magistrates and judges at 30% as well because the statistics for tertiary level



graduates demonstrates that there are many women qualified in law and judicial studies.

- We recommend including an output to increase participation of women in executive positions of political parties, because this will bring women to forefront of political parties and will increase their chances of being candidates for public positions.

Priority Outcome 1 – Leadership and Governance

Actions

- We recommend including different actions that will focus on empowering women from different groups because their realities and experiences are different from each other. Women living in rural areas, women from low income groups, divorced women are among such groups.
- We recommend including the following action to the first section on Political Parties.
 - Introduce legislative quotas as a temporary special measure.
 - Give incentives to political parties to increase numbers of female candidates in local and national elections. This could include increase in finance, national awards etc.
- We recommend amending the third action for Political Parties as follows.

“To begin initiatives for girls and boys to develop public speaking skills at school and to expand opportunities for young women and men to develop public speaking skills through encouraging the youth and women’s wings of parties to conduct public speaking workshops, and also providing opportunities for youth and women to speak at meetings, rallies.”

- We recommend amending the second action under the sub-heading Advocacy and awareness raising as follows.

“Assess media’s role on the coverage and representation of male and female candidates; design strategies to encourage media to promote gender equality and the value of women’s representation in governance including sensitization training for media professionals and to introduce rewards and incentives such as National Awards for media personnel’s working towards gender equality and empowerment.”



- We recommend amending the third action under the sub-heading Advocacy and awareness raising as follows.

“Build the capacity of women and men leaders to advocate for gender equality through workshops and training as well as hands-on implementation. Consider gender sensitization training as part of the orientation programs for MPs and local councils, judges and senior public officials from other areas.

- We recommend amending the fifth action under the sub-heading Advocacy and awareness raising as follows.

“Design a coalition to work together with the Ministry of Islamic Affairs to develop Friday Sermons and other means of conveying messages on women’s role as leaders in society under Islam and messages on equality and non-discrimination”

- We recommend amend fourth action under the sub-heading Institutional changes as stated below.

“Seeking means to link WDCs more effectively to island councils to promote women taking leadership roles and fulfill their mandate to voice women’s concerns to island councils. Create networking opportunities between dormant and active WDCs to explore means of creating more effective institutions. Strengthening WDCs legal mandate, improve funding for WDCs, increasing Local Government Authority’s role in monitoring and facilitating the work of WDCs and linking WDCs to the gender department of the relevant ministry.”

Priority Outcome 2 – Economic Empowerment

- The baseline 2014 numbers given for women and men labor force participation rates in the second Output is 58% female and 79% male. Hence, we recommend further clarifications of these numbers as it is not clear whether these statistics are presented separately for each gender or whether it is presented after calculating both genders together,
- No target has been included in the second output to increase women’s and men’s labor force participation rates while reducing gender gap. Since the baseline states that it is 58% for female and 79% for male, we recommend setting a target of at least 80% for both female and male.



- We recommend including an additional output as stated below. This is because private sector includes small businesses and other entities.

“Increase female gender equality and gender sensitivity within the private sector.”

- Since migrant workers and expatriate workers makes up a large part of our work force in certain industries, it is important to specify whether there will be efforts made to improve rates of participation of women and men in non-stereotypical employment will also include towards the selection and employment of migrant workers and expatriates.
- We recommend amending the 3rd Action under the subheading Productive assets as stated below.

“Create mechanisms to increase women’s access to commercial loans and to increase the availability of interest free loans for small businesses owned by women and to ensure specific provisions for rural women and women from low income households.”

- We recommend adding the following points to second Action under the subheading Structural and institutional changes.

“Create safe working environments.”

“Strengthen the implementation of Sexual Harassment Act”

- We recommend amending the first action under the subheading “Breakdown stereotypes” as follows.

“Prioritize training and hiring of women and men in fields where they are under – represented; monitor progress. Increase awareness among men and women on the opportunities and scope for advancement in these sectors.”

- We recommend amending the second action under the subheading “Breakdown stereotypes” as follows.

“Review and restructure TVET Programs to offer skills training for young men and women in line with market demands, promoting non-traditional options for both sexes. To make efforts to decrease the stigma attached to non-traditional work so that the men and women participating in these programs will not be discriminated or discouraged.”

- We recommend amending the third action under the subheading “Expand Opportunities” as stated below.



“Design strategies to increase female representation at senior management level in business of both public and private sector including on boards in line with national targets.”

- We recommend including the following points for the sixth action under the subheading “Expand Opportunities” as stated below.

“Improve database of female graduates who joins the workforce upon graduation and a database of female graduates who does not join the workforce after graduation”

“Facilitate the formation of a private organization to encourage collective effort for the advancement of female entrepreneurs.”

- We recommend including the following point for the fifth action under the subheading “Tourism sector” as stated below.

“Give tax incentives to resorts/businesses that introduce and maintain employment practices that facilitate and encourage female employment.”

Priority Outcome 3 – Institutional Gender Mainstreaming

Outputs

- We recommend including the following point as an output under this section.

“Pass the Gender Equality Act and to explicitly state that Gender Mainstreaming is a legal duty under the Gender Equality Act.”

Actions

- We recommend amending the 11th Action under this section as follows.

“Develop capacity of the Gender Division of the MOLG to carry out its mandate through training, technical and budgetary support.”

Priority Outcome 4 – Gender Based Violence

Outputs



- We recommend including the following as an output.
“Engaging with international partners to facilitate trainings and research on gender based violence.”
- “Establishing government run safe houses, in different parts of the country, by 2021.”

Actions

- We recommend including actions to raise awareness among the general public, law enforcement officials, public officials and families on the provisions of the Domestic Violence Prevention Act.
- We recommend including actions of the importance of carrying out research to analyze the effects of domestic violence of the physical, psychological, sexual and reproductive health of the victims, especially female victims.
- We recommend to including actions for stakeholders to establish ways to develop mental health of both men and women and to monitor implementation in this area.
- We recommend including the following as an action under this section.
“Guide and coordinate the advancement of women’s health, especially mental health.”
- Representatives from MOLG, HRCM and one UN Agency have been proposed as MGEM Assessors. Civil Society also plays an important role of complementing and monitoring government’s work in all areas. Hence, we suggest including representatives from local NGOs to increase their participation, to ensure transparency and to increase diversity among MGEM Assessors.

4. Implementation

National Steering Committee

- We recommend the formation of a technical level sub-group to provide technical and administrative assistance to the National Steering Committee.
- We recommend considering the participation of NGOs and private sector in the National Steering Committee.



Annex A – TOR for MGEM Advocates

Team Composition

- We recommend including the procedure for replacing MGEM Advocates once the specified employee leaves the institution. This is because employees often change their work places and the absence of a uniformed procedure with replacement deadlines might lead to prolonged periods of an institution being without MGEM Advocates.
- We recommend including a point on institutional commitments towards the work of MGEM Advocates.

Responsibilities

- We recommend increasing the percentage of time that MGEM Advocates should dedicate to gender mainstreaming tasks to 30%. This is because the current percentage of 20% may lead to difficulties in carrying out their gender mainstreaming tasks while balancing other tasks.

Annex B – Guidelines for MGEM Ministry Certification

Human Resources

- We recommend including the following as a guideline for MGEM Certification under this section.

“The existence of confidential, reliable and accessible grievance mechanisms for victims of work place harassment and gender based discrimination.”

21st October 2015

