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Foreign Affairs, Defence and Trade Committee
Department of the Senate
PO Box 6100
Parliament House
Canberra ACT 2600

7 August 2015

Dear Committee Members,

United support for the International Aid (Promoting Gender Equality) Bill 2015

We write, as a group of interested international non-government organisations (INGOs), to communicate our support for legislation equivalent to the International Aid (Promoting Gender Equality) Bill 2015 (the Bill), which is currently before the Senate Standing Committee on Foreign Affairs, Defence and Trade (the Committee). The Bill seeks to embed the Government's investment priority of gender equality within decision-making, monitoring and reporting of overseas development and humanitarian assistance.

The Committee has received 15 submissions, 14 of which support the Bill. The only dissenting submission comes from the Department of Foreign Affairs and Trade (DFAT).

DFAT's primary concern regarding the Bill was that the systems and processes currently in place are sufficient, and the Bill is therefore unnecessary. We value the increased range of activity being undertaken internally within DFAT to strengthen monitoring, accountability and transparency in relation to gender equality, and the skill and commitment of the DFAT staff leading this work. We also welcome information about these processes that has been provided through DFAT's submission to the inquiry.

As a coalition of agencies supportive of the Bill, we consider it important to directly address the Department's position. We believe the current mechanisms are not sufficient to capture and communicate the extent of work currently being done to advance gender equality through Australia's aid program. We also consider that legislation of this kind could increase visibility and recognition of programs and investments advancing gender equality, which may, in turn, spur more and better attention to this priority area.

united against poverty

ACFID unites Australia's non-government
aid and international development
organisations to strengthen their collective
impact against poverty

To this end, the attached response outlines:

- Cross-INGO support for the Bill or similar legislation and the common grounds for this support;
- Limitations of DFAT's current planning, monitoring and evaluation processes which would be addressed by the introduction of such legislation; and
- The positive outcomes of the UK Government's adoption of the *International Development (Gender Equality) Act 2014*.

Thank you for considering our shared views.

Yours sincerely,

Marc Purcell
Executive Director, ACFID

Co Signed:

Julia Newton-Howes, CEO

Joanna Hayter, CEO

Helen Szoke, CEO

Ian Wishart, CEO



OXFAM
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Further joint submission to the Senate Standing Committee on Foreign Affairs, Defence and Trade Inquiry into the International Aid (Promoting Gender Equality) Bill 2015

7 August 2015



AUSTRALIAN
COUNCIL
FOR
INTERNATIONAL
DEVELOPMENT



IWDA INTERNATIONAL
WOMEN'S
DEVELOPMENT
AGENCY



1. Introduction

The Senate Standing Committee on Foreign Affairs, Defence and Trade Inquiry into the International Aid (Promoting Gender Equality) Bill 2015 (the Bill) has received 15 submissions, of which 14 support the Bill. Of these 14 submissions, 13 came from international non-government organisations (INGOs) which work directly on initiatives to promote gender equality through development assistance, including the Australian Council for International Development (ACFID), a peak body which counts 135 such INGOs among its members.

As a group of INGOs working on the ground to deliver programs that promote gender equality, we have a keen interest in working together to improve the effectiveness of the Australian aid program. To assist the Senate Standing Committee in its consideration of this Bill, we present here a summary of our shared views regarding the basis for support within our sector for the Bill (or equivalent legislation) and our response to DFAT's dissenting submission.

This further submission outlines:

- the grounds for cross-INGO support for the Bill or similar legislation and common suggestions for its improvement;
- how the introduction of the Bill or equivalent legislation could improve DFAT's current gender planning, monitoring, evaluation and reporting processes; and
- the positive outcomes of the UK Government's adoption of the *International Development (Gender Equality) Act 2014*, legislation which is substantively similar to the Bill under review.

2. Grounds for joint INGO support for the Bill or equivalent legislation

All agencies that made submissions to the Inquiry, including DFAT, agree that gender equality is critical to achieving effective and sustainable development outcomes. The 14 supportive submissions further state that, considering the domestic and international consensus regarding the critical importance of promoting gender equality (and Australia's likely future reporting requirements under the forthcoming Sustainable Development Goals), this commitment should be enshrined in Australian law.

2.1 The Bill represents an opportunity to strengthen gender practices within DFAT's overseas development assistance program

All 14 supportive agencies agree that legislation represents a strategic and effective way to improve current gender practices and match the Government's ambitious policy commitment to gender equality within its overseas development assistance (ODA) program with effective action. The agencies argue this Bill would do this in two overarching ways.

First, the Bill would improve transparency, monitoring, evaluation and learning on gender equality outcomes across the aid program. Greater transparency, obligatory gender considerations and more accurate and comprehensive reporting would better enable departmental staff and implementing partners to effectively achieve gender equality outcomes, and learn about good practice from each other (see section 2.3 regarding the sufficiency of current DFAT practices).

Second, the Bill would demonstrate, symbolically and strategically, that achieving gender equality is a priority now and into the future, and ensure this priority is reflected consistently across all areas of

DFAT's work. The Bill's requirement that the Minister for Foreign Affairs and Trade report annually on the aid program's contribution to advancing gender equality would ensure annual parliamentary engagement on the action being taken to progress what is a cross-party priority. This reporting requirement would also catalyse further information about the transformative impact of Australia's investment in development cooperation, for Parliament and the general public. Adopting this Bill could also raise Australia's international donor profile as a leader in championing gender equality.

2.2 Suggestions to strengthen the Bill

We jointly propose the following recommendations to strengthen the Bill, underlining our shared support for suggestions in individual agency submissions:

- gender equality be defined with greater clarity; and
- officials be required to provide evidence that gender has been considered when making ODA planning or budgeting decisions.

While not addressed in our prior submissions to the Inquiry, we also recommend that the Bill mandate that when the Government reports on an annual basis on its work to promote gender equality through ODA, it also reports on how it has advanced the gender goal (Goal 5) of the Sustainable Development Goals.

In addition, in the event that the Government does adopt the Bill, we suggest that civil society be consulted in determining the implementation arrangements, considering the expert work of many NGOs in this area.

2.3 Why current integration and reporting arrangements are insufficient

DFAT's submission opposes the Bill on the basis that the Department's current gender reporting and tracking arrangements are sufficiently robust. We value and welcome the increased range of activity being undertaken internally within DFAT to strengthen monitoring, accountability and transparency in relation to gender equality, and the skill and commitment of the DFAT staff leading this work, in particular within DFAT's Gender Unit. We also welcome the information provided to the public about these processes via the submission, much of it for the first time. However, while important, in our view these are not sufficient to implement the Government's gender equality policy, on the grounds set out below.

2.4 Room for improvement in DFAT's current tracking and reporting on advancing gender equality

At present, DFAT's financial tracking and reporting arrangements do not enable the Government to monitor how much of the aid budget is spent on advancing gender equality at the point of implementation. We recognise that it can be difficult for DFAT to accurately track expenditure on gender equality that is both targeted and mainstreamed. However, without such information it is very difficult for the Government to assess and manage the performance of the aid program in relation to this core priority.

The Papua New Guinea Aid Program Performance Report (APPR) for 2013-14 highlights the extent and significance of the current gap in performance information. Australia's aid program currently only tracks and reports actual expenditure on gender equality and women's empowerment where it is a specific line item or where it is the 'principal objective' of a program. In the 2013-14 APPR for Papua New Guinea, this document reports that \$2.9 million of a nearly \$500 million budget, or some 1 per

cent of total expenditure, was spent on 'gender equality and women's empowerment'.¹ Yet the Report also states that 52 per cent of Australia's aid expenditure in Papua New Guinea is on programs that identified gender equality as a significant principal target.² While this latter figure represents the percentage of Australia's overall aid program to Papua New Guinea by value that has gender equality as a significant principal target of the program, the APPR provides no information about how much of the program is actually spent on specific activities to integrate gender equality objectives in and through mainstream programming.

We welcome the *Promoting Gender Equality Bill* because we believe it will provide the basis upon which to strengthen the indicators for effective gender-transformative programing and the tracking of performance against these. If the Government is to achieve its commitment that more than 80 per cent of the aid program will support gender equality in implementation, it needs to prioritise gender reporting, monitoring, evaluation and financial tracking across its programs and ensure mainstream programs are gender-responsive.

However, in making this submission, we wish to acknowledge that accountability for gender equality, while improving in our sector, is an area of ongoing work and development for us as well. As implementing partners of the Government's ODA program, we welcome ongoing engagement and dialogue on this issue with the Government with a view to sharing learnings and collaborating on improving our gender equality accountability in partnership with DFAT.

2.5 DFAT's own Office of Development Effectiveness recognises that there is room for improvement

The need for systematic change was confirmed by the *Office of Development Effective (ODE) Evaluation of Gender in Economic Programming*. This substantial thematic evaluation of Australian aid support for women's economic empowerment, published in 2014, found that:

- In the 2013-14 financial year approximately 25 per cent of the Australian aid budget was invested in the economic sectors (i.e. primary industry, service provision, manufacturing, transport, rural development, energy, trade, business, banking), but that 'less than a third of this economic sector investment can demonstrate an explicit focus on gender equality.
- Examples of good gender practice in economic sector projects in the case study countries, which included Papua New Guinea, 'were the exception, rather than the rule'.
- Only about one-third of Australian aid staff interviewed felt confident about how to incorporate gender within a project cycle, and many pointed to a need for more sector-specific advice.
- Only one-quarter of the initiatives reviewed reported on any gender-related outcomes, and evidence of gender-related results in the economic sectors is "weak or non-existent".
- The evaluation also found huge variability in the gender focus in different countries, underlining the need for stronger systems and processes and greater accountability regarding how programs are advancing a key policy priority.

As noted above, combining a routine requirement to consider gender with the development of systems and processes to track actual expenditure towards gender equality and women's empowerment within mainstream programs is essential if the Government is to make performance on gender equality count.

¹ Australian Government Department of Foreign Affairs and Trade (2014). *Aid Program Performance Report 2013-14: Papua New Guinea*, p.12

² *Ibid.* p.19

2.6 The potential for new legislation to fill the remaining gender accountability gap

Cross-party support for this Bill will create the space to prioritise the systems and processes to realise the Government's laudable policy commitment to ensuring that more than 80 per cent of all investments made in the Australian aid program will effectively address gender issues in their implementation. This is because the Bill would require consideration of both the extent to which aid investments promote gender equality and how such expenditure is tracked and reported. Tracking expenditure on practical steps to integrate gender across Australia's aid program will enable the Government to better monitor progress towards its 80 per cent target.

Additionally, the public reporting aspects of the Bill will accelerate progress by enabling the Government and stakeholders to assess how policy commitments are being implemented. Increased transparency about budget allocations will enable more informed dialogue and planning, more active management and improved accountability from implementing partners.

We also believe that improved reporting and gender decision-making will have two other significant positive flow on effects:

- It will generate information and knowledge necessary for continuous improvement in programming and expenditure to promote gender equality and women's empowerment within Australia's ODA; and
- It will provide the improved data that will be needed for Australia to report against its commitments under the Sustainable Development Goals currently being negotiated.³

3. Drawing on the UK Experience: the *International Development (Gender Equality) Act 2014*

The UK Parliament passed the *International Development (Gender Equality) Act* in 2014, with strong support from both major parties, following the introduction of a bill by Conservative MP William Cash. The UK Act, which is substantively very similar to the current Bill under review, embeds the priority of gender equality within UK Department for International Development (DfID) decision-making and monitoring of UK overseas development and humanitarian assistance.

A "one-year-on" review of the UK legislation was completed in July this year. The report found that that the new law provides a powerful and visible commitment to gender equality by the Government and has increased DfID's meaningful engagement with the promotion of gender equality within the UK's aid program. We have attached a copy of this report (*One Year down the road: The impact of the International Development (Gender Equality) Act 2014*) for your information. It provides evidence that supports our analysis of the need for the systems, processes and reporting that the Australian Bill will enable, complementing and providing an outlet for the work outlined in DFAT's submission.

We also wish to draw your attention to the following report findings which are pertinent to the advisability of Australia adopting similar legislation:

- The Act has ensured that gender equality in the UK's aid program has become a long-term substantive commitment which cannot be easily undone;
- The Act has earned a high level of support within DfID;

³ We note that this point was not raised in our prior submissions to the Inquiry.

- The Act has broadened gender as an issue previously considered the primarily responsibility of the Gender Team, to an issue considered to be the responsibility of every team within DFID;
- DfID staff have sought, where necessary, additional gender training to ensure compliance with the Act;
- The Act has resulted in improved transparency regarding gender in DfID's decision-making about overseas development assistance and programming; and
- The Act has revealed shortcomings in the gender sensitivity of DfID-funded humanitarian assistance.

The early UK experience points to the likelihood that the Bill will drive a virtuous circle – better integration of gender analysis and gender equality priorities in planning, better targeting, better information about how the aid program takes account of and progresses gender equality, enabling management for greater impact, and more visibility for how Australia's aid program is making a difference.

We thank you for considering our shared views.