

# GAD CHECKLIST FOR JUSTICE PROJECTS

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This GAD checklist has been designed for projects related to access to justice and similar issues. It takes its inspiration from three documents: the Philippine Plan for Gender-Responsive Development (PPGD), the Harmonized GAD Guidelines of the Philippine government and the Official Development Assistance (ODA) donors, and the Action Program for Judicial Reform (APJR).

## GENDER ISSUES

All projects, including justice-related projects, must be subjected to a gender analysis at two points: during project identification, and after the project design has been completed. In the pre-design phase, there is a need to identify the specific gender issues relevant to the proposed project as part of the situation analysis. Later, there is a need to assess the likely gender impacts of the project as designed.

The gender issues or the gender dimension of, say, an access to justice project, may pertain to gender-based biases or inequalities in the treatment of cases, complainants, and defendants; insensitivity to the gendered differences in the statuses and circumstances of women and men seeking or dispensing justice; or absence of processes, procedures, structures, or mechanisms that will address the issue of access of the poor and the marginalized (including various groups of women) to justice. Other issues are:

- court processes and procedures that are not sensitive to the conditions and circumstance of women, as reflected specifically in the gender-insensitive Rules of Court, sexist language used in court decisions, and the insulting manner of cross-examining witnesses of rape and other sex-related crimes;
- low or lack of awareness within the pillars of justice of gender issues or new laws on gender equality and women's rights, such as the anti-sexual harassment law;
- lack of recognition of the value of promoting gender equality in the system of performance award for judicial and nonjudicial personnel;
- possible biases against gender-based crimes (such as rape) and in the assignment of judges and personnel of the pillars of justice;
- gender-role stereotyping that structures access to training in new skills;
- limited sex-disaggregated and gender-related information about gender-related crimes, access of women and men to justice, and actions taken or results of complaints;
- codes of ethics of justices, judges, lawyers, and court personnel, as well as personnel of other pillar-of-justice agencies, that do not require them to be sensitive to women's concerns and gender issues;
- lack of access of the public, especially the marginalized sectors, to information on the nature and workings of the justice system;
- insufficient public or community information on gender-related issues and concerns or dissemination of such information by the pillars of the criminal justice system; and
- multilayering of gender issues with class (when dealing with women living in poverty), ethnicity (indigenous women), or economic sector (farming or rural women, and informal sector woman workers).

## STRATEGIES AND DESIRED OUTCOMES

In recognition of the gender issues that face the Supreme Court and the judiciary and other agencies in the Philippine justice system, justice-related projects may incorporate the following in their design:

- Transformation of the paradigm and enhancement of the commitment of the judicial system to gender equality through training and capability building
- Review or conduct of a gender audit or assessment of policies, programs, and practices to make these more gender-responsive
- Establishment of a gender-responsive database on the judicial system
- Promotion of the use of gender-fair language, core gender messages, and rituals for higher gender awareness
- Enhancement of partnership and networking with other GAD advocates
- Decentralization and institutionalization of the information function of the judiciary, and strengthening of the relationship between the judiciary and the media
- Implementation by the pillars of the justice system of an effective and efficient system of public information, education and communication (IEC)
- Conduct of studies of access to justice by the poor and marginalized sectors, and how to address affordability and other constraints
- Organization of regular family courts throughout the country

Projects of the judiciary and other pillars of the justice system may be designed to contribute to the achievement of *gender equality results and outcomes*, including the following:

- ✦ Gender-sensitive justices, judges, lawyers, court personnel, mediators, and litigants
- ✦ Gender-responsive rules, procedures, systems, and facilities
- ✦ Developed gender-related judicial system database
- ✦ Increased or improved access by women and children to the judicial system
- ✦ Strengthened collaboration with the legislative and executive branches, academe, Integrated Bar of the Philippines, civil society, and funding institutions
- ✦ Fully operational regular family courts nationwide
- ✦ Stronger linkages and improved understanding between the community and the pillars of the criminal justice system

It must be noted that in identifying gender issues and strategies, project designers and evaluators have to be sensitive to variations among women. Some women may be experiencing double or triple exclusion because of their resource position, ethnicity, or disability. Gender-related norms and attitudes also differ among ethnolinguistic groups and indigenous peoples in the country. Given the differences among women, as between women and men, projects and programs must be designed, implemented, and monitored with these in mind.

To help match gender issues and strategies, the following questions may be asked: Will the intervention reduce gender gaps and inequalities? Will it reduce or eliminate biases against women, children, the poor, and other marginalized sectors? Will it make the justice system more accessible, available, or affordable to the poor and marginalized sectors, particularly women?

## GENDER ANALYSIS

Gender analysis is required at two points of the project preparation stage: as part of project identification, and after the project has been designed. Box 18 presents the core guide questions for these two types of gender analysis, as well as the core GAD guidelines for the preparation, design, and assessment of proposed justice-related projects.

## GUIDE FOR ACCOMPLISHING THE CHECKLIST

Box 18 lists the ten elements or requirements for a gender-responsive justice project. Each requirement is often accompanied by a set of guide questions. The scoring system is the same as that in boxes 5 and 6, while the interpretation of the total score is the same as that in box 7. The guide for accomplishing the checklist and the interpretation of the total GAD rating are reproduced below for easy reference.

### Guide for accomplishing box 18

1. Put a check  in the appropriate column (2a to 2c) under “Response” to signify the degree to which a project proponent has complied with the GAD element: under col. 2a if nothing has been done; under col. 2b if an element, item, or question has been partly answered; and under col. 2c if an element, item, or question has been fully complied with.
2. A partial and a full yes may be distinguished as follows.
  - a. For *Element 1.0*, a “partly yes” to Question 1.1 (or Q1.1) means meeting male officials and only a woman or a few women who also happen to be officials in the proponent or partner government agency; or with male and female officials and some male beneficiaries. In contrast, full compliance means meeting with female and male officials and consulting other stakeholders, including women’s groups and NGOs. A “partly yes” to Q1.2 means inputs or suggestions may have been sought from women and men beneficiaries but are not considered at all in designing project activities and facilities. A “partly yes” to Q1.3 means only certain groups of women and men are viewed as stakeholders and agents of change.
  - b. For *Element 2.0*, “partly yes” means some information has been classified by sex but may not be key to helping identify key gender issues that a planned project must address. In contrast, a full “yes” implies that qualitative and quantitative data are cited in the analysis of the development issue or project.
  - c. For *Element 3.0*, “partly yes” means the analysis has covered only part of what is asked in each of the questions under gender division of labor and gender needs (Q3.1.1 and Q3.1.2), access to and control of resources (Q3.2.1 and Q3.2.2), and constraints (question for Item 3.3). In contrast, a full “yes” to a question means the situation analysis has covered at least all the information required by the question.
  - d. For *Element 4.0*, “partly yes” means women and/or men are identified in the project objectives but only with limited capacities or roles (Q4.1); or the project has token gender equality outputs or outcomes (Q4.2). A full “yes” to Q4.1 signifies that women and men, in their various roles in the justice system, are recognized, while a full “yes” to Q4.2 denotes that gender equality outcomes and outputs are consistently pursued in the logframe.
  - e. For *Element 5.0*, “partly yes” means having gender equality strategies or activities but no stated gender issues to match the activities. A full “yes” means project activities address an identified gender issue, either in terms of gender gaps or inequalities.

- f. For *Element 6.0*, a “partly yes” response to any of the items and questions indicates a superficial or partial effort to address a specific issue or question. In contrast, a full “yes” involves a coherent, if not a comprehensive, response to the question.
  - g. For *Element 7.0*, “partly yes” means the project monitoring plan includes indicators that are sex-disaggregated but no qualitative indicator of empowerment or status change.
  - h. For *Element 8.0*, “partly yes” means the project requires the collection of some sex-disaggregated data or information but not all the information that will track the gender-differentiated effects of the project. A full “yes” means all sex-disaggregated data and qualitative information will be collected to help monitor GAD outcomes and outputs.
  - i. For *Element 9.0*, “partly yes” means there is a budget for GAD-related activities but this is insufficient to ensure that the project will address relevant gender issues (Q9.1), or to build GAD capacities among project staff or the project agency or tap external GAD expertise (Q9.2).
  - j. For *Element 10.0*, a “partly yes” response to Q10.1 means there is a mention of the agency’s GAD plan but none of how to integrate the project’s GAD efforts into the plan; to Q10.2 means there is a mention of other GAD initiatives in the project coverage but no indication of how the project will build on these initiatives; and to Q10.3 means the project has a sustainability plan for its GAD efforts but makes no mention of how these may be institutionalized within the implementing agency or its partners.
3. After ascertaining whether a GAD requirement has been done or not, enter the appropriate score for an element or item under column 3.
- a. To ascertain the score for a GAD element, a three-point rating scale is provided: “0” when the proponent has not accomplished any of the activities or questions listed under an element or requirement; a score that is less than the stated maximum when compliance is only partial; and “2” (for the element or requirement), or the maximum score for an item or question, when the proponent has done all the required activities.
  - b. The scores for “partly yes” differ by element. For instance, the score for “partly yes” for Elements 2.0, 5.0, 7.0, and 8.0 is “1.” For elements with two or more items or questions (such as Element 1.0), the rating for a “partial yes” is the sum of the scores of the items or questions that falls short of the maximum “2.”
  - c. Elements 3.0 and 6.0 each have three items. Except Item 3.3, which asks one question, all items are made up of a set of questions. A maximum score for “yes” has been set for the element and item. The scores related to the questions under an item have to be added up to determine the item score; summing up the item scores will lead to the score for the element. A combination of “no” or “partly yes” responses to the questions in a set means the response to the item and the element is “partly yes” and the total score is less than the stated maximum.
  - d. For Element 9.0, which has two items (9.1 and 9.2), the maximum score **for each item** is pegged at “1.0” and “partly yes” is “0.5.” Hence, if a project scores a full “1.0” in one question but “0” in the other, or if a project scores “partly yes” (or “0.5”) in each of the two items, the total rating for Element 9.0 will be “partly yes” with a score of “1.0.” If a project scores “partly yes” in one item but “no” in the other, then the total rating for the element will be “0.5.”
  - e. Like Elements 3.0 and 6.0, Element 10.0 has three items, with the maximum score **for each item** pegged at “0.67” and “partly yes” at “0.33.” The rating for the element will be “partly yes” if the total score of the three items is positive but less than “2.0,” the maximum for the element.

4. For an element (col. 1) that has more than one item or question, add the score for the items and enter the sum in the thickly bordered cell for the element.
5. Add the scores in the thickly bordered cells under column 3 to come up with the GAD score for the project identification stage.
6. Under the last column, indicate the key gender issues identified (for proponents) or comments on the proponent's compliance with the requirement (for evaluators).

**Box 18. GAD checklist for designing and evaluating justice-related projects**

Dimension and question (col. 1)	Response (col. 2)			Score for the item/ element (col. 3)	Result or comment (col. 4)
	No (2a)	Partly yes (2b)	Yes (2c)		
<b>Project identification</b>					
<b>1.0</b> <i>Participation of women and men in project identification</i> (max score: 2; for each question, 0.67)					
1.1 Has the project consulted women and men, women's groups, or NGOs on the problem or issue that the intervention must solve and on the development of the solution? (possible scores: 0, 0.33, 0.67)					
1.2 Have the inputs of women and men been considered in the design of the project? (possible scores: 0, 0.33, 0.67)					
1.3 Are both women and men seen as stakeholders, partners, or agents of change in the project design? (possible scores: 0, 0.33, 0.67)					
<b>2.0</b> <i>Collection of sex-disaggregated data and gender-related information prior to project design</i> (possible scores: 0, 1.0, 2.0) Has the project tapped sex-disaggregated data and gender-related information from secondary and primary sources at the project identification stage? OR, does the project document include sex-disaggregated and gender information in the analysis of the development issue or problem?					
<b>3.0</b> <i>Conduct of gender analysis and identification of gender issues</i> (max score: 2.0; for each item, 0.67)					
3.1 <i>Gender division of labor and gender needs</i> (max score: 0.67; for each question, 0.33)					
3.1.1 Are the needs of both women and men considered in the situation analysis? (possible scores: 0, 0.17, 0.33)					

Dimension and question (col. 1)	Response (col. 2)			Score for the item/ element (col. 3)	Result or comment (col. 4)
	No (2a)	Partly yes (2b)	Yes (2c)		
3.1.2 Has the situation analysis considered how the productive and reproductive roles of woman and man clients, court personnel, judges or justices, police, and other agents of the country's pillars of justice affect their access to justice (clients) or their duties in the judiciary or agency? (possible scores: 0, 0.17, 0.33)					
3.2. <i>Access to and control of resources</i> (max score: 0.67; for each question, 0.33)					
3.2.1 Has the situation analysis considered the gender gaps in terms of the resources of women and men and how this is likely to affect their access to justices? (possible scores: 0, 0.17, 0.33)					
3.2.2 Has the situation analysis covered the causes of gender gaps in resources and access to justice? (possible scores: 0, 0.17, 0.33)					
3.3. <i>Constraints</i> (possible scores: 0, 0.33, 0.67) Has the situation analysis included a consideration of the possible constraints to women's and men's participation in the proposed project?					
<b>Project design</b>					
4.0 <i>Gender equality goals, outcomes, and outputs</i> (max score: 2; for each question, 1)					
4.1 Do the project objectives explicitly refer to woman and man clients and officials and personnel of the pillars of justice as project partners or beneficiaries? (possible scores: 0, 0.5, 1.0)					
4.2 Does the project set gender equality outputs and outcomes in terms access, participation, and control? (see examples in the text) (possible scores: 0, 0.5, 1.0)					
5.0 <i>Matching of strategies with gender issues</i> (possible scores: 0, 1.0, 2.0) Do the strategies match the gender issues and gender equality goals? That is, will the project eliminate or at least reduce gender gaps and inequities?					
6.0 <i>Gender analysis of the designed project</i> (max score: 2; for each item, 0.67)					
6.1 <i>Gender division of labor</i> (max score: 0.67; for each question, 0.22)					
6.1.1 Were the needs of women and men considered in the formulation and design of the project? (possible scores: 0, 0.11, 0.22)					
6.1.2 Will the project promote and enhance women's participation? (possible scores: 0, 0.11, 0.22)					
6.1.3 Will the project avoid negative impact on women's status and welfare? (possible scores: 0, 0.11, 0.22)					

Dimension and question (col. 1)	Response (col. 2)			Score for the item/ element (col. 3)	Result or comment (col. 4)
	No (2a)	Partly yes (2b)	Yes (2c)		
6.2 <i>Access to and control of resources</i> (max score: 0.67; for each question, 0.22)					
6.2.1 Will the project address constraints to women's access to justice and ensure equal access of women and men to justice? (possible scores: 0, 0.11, 0.22)					
6.2.2 Will there be equal opportunities for woman and man personnel of pillars-of-justice agencies to receive training and other benefits from the project? (possible scores: 0, 0.11, 0.22)					
6.2.3 Does the project include measures to mitigate the adverse effects on women's access to and control of resources? (possible scores: 0, 0.11, 0.22)					
6.3 <i>Constraints</i> (max score: 0.67; for each question, 0.22)					
6.3.1 Is the proposed project socially or culturally acceptable and accessible to women? Can they use it? (possible scores: 0, 0.11, 0.22)					
6.3.2 Will the project offer facilities and services that will support both women's and men's participation in different stages of the project? (possible scores: 0, 0.11, 0.22)					
6.3.3 Has the project designed measures to address constraints to equal participation and benefits of women and men? (possible scores: 0, 0.11, 0.22)					
<b>7.0 <i>Monitoring targets and indicators</i></b> (possible scores: 0, 1.0, 2.0) Does the project include gender equality targets and indicators for welfare, access, consciousness raising, participation, and control? For instance, will the following gender differences be monitored:					
<ul style="list-style-type: none"> <li>- Access to the justice delivery system</li> <li>- Participation of justices, judges, court personnel, mediators, and litigants in gender training</li> <li>- Satisfaction rate with the performance of various pillars of justice (courts, police, etc.)</li> <li>- Participation in administrative and decision-making processes</li> <li>- Rate of utilization of project outputs</li> </ul>					
<b>8.0 <i>Sex-disaggregated database</i></b> (possible scores: 0, 1.0, 2.0) Does the proposed project monitoring framework or plan include the collection of sex-disaggregated data?					
<b>9.0 <i>Resources</i></b> (max score: 2; for each question, 1)					
9.1 Is the budget allotted by the project sufficient for gender equality promotion or integration? (possible scores: 0, 0.5, 1.0)					

Dimension and question (col. 1 )	Response (col. 2)			Score for the item/ element (col. 3)	Result or comment (col. 4)
	No (2a)	Partly yes (2b)	Yes (2c)		
9.2 Does the project have the expertise to integrate GAD or to promote gender equality and women's empowerment? OR, is the project committed to investing in building capacity for integrating GAD or promoting gender equality? (possible scores: 0, 0.5, 1.0)					
<b>10.0 Relationship with the agency's GAD efforts</b> (max score: 2; for each item, 0.67)					
10.1 Will the project build on or strengthen the agency/ NCRFW/ government's commitment to the advancement of women? (possible scores: 0, 0.33, 0.67)					
10.2 Does the project have an exit plan that will ensure the sustainability of GAD efforts and benefits? (possible scores: 0, 0.33, 0.67)					
10.3 Will the project build on the initiatives or actions of other organizations in the area? (possible scores: 0, 0.33, 0.67)					
TOTAL GAD SCORE - PROJECT IDENTIFICATION AND DESIGN STAGES (Add the score for each of the 10 elements or the figures in thickly bordered cells.)					

**Interpretation of the GAD score**

0 - 3.9 GAD is invisible in the project (proposal is returned).

4.0 - 7.9 Proposed project **has promising GAD prospects** (proposal earns a "conditional pass," pending identification of gender issues and strategies and activities to address these, and inclusion of the collection of sex-disaggregated data in the monitoring and evaluation plan).

8.0 - 14.9 Proposed project is **gender-sensitive** (proposal passes the GAD test).

15.0 - 20.0 Proposed project is **gender-responsive** (proponent is commended).