

GENDER EQUITY, EQUALITY AND JUSTICE POLICY

PATRIR vision of peace, human rights and solidarity lies its foundations on seeking social justice and tackling all forms of inequity including those based on gender, age, race, ableism, racism, ethnic discrimination, ageism, sexual orientation and homophobia, religious discrimination, classism, and against all forms of the culture of oppression, domination and discrimination, such as patriarchy and (neo)colonialism (at the intersection of coloniality and capitalism).

Gender inequality is about unequal power relations leading to unequal opportunities, from meeting basic needs to the possibility to develop oneself to one's full potential, as an individual and as a community.

In this view, intersectionality entails that gender equity and equality cannot be achieved unless patriarchy, exploitation and other forms of oppression are eradicated.

Patriarchal culture is by definition predatory, violent and martial. From a feminist and anti-colonial stance, social injustice cannot be overcome if power imbalances are not addressed as precondition, therefore, our role as an organization and as individuals, is addressing gender inequality and inequity by engaging in with how “overlapping aspects of discrimination, such as gender, race and class (known as intersectionality), interact and exacerbate” aid, development and everyday challenges for women and girls” (Gender Responsive Resilience & Intersectionality in Policy and Practice).

Therefore, this policy recognizes that, because of current disparities, gender inequity cannot be adequately tackled through equal treatment of women and men, however men are contemporarily negatively affected in construct, by patriarchy.

Gender is an essentially contested concept, in this Policy view, it is non-binary and socially constructed. As such, gender and sexuality are diverse and continue to evolve (see Definition section 3).

In recognising that gender norms and hierarchies are a social construct, which systematically privilege some groups over others, we also recognize that such imbalances can be identified and challenged.

While referring to all gender and ages, in our work, this policy looks in particular at women and girls not as subjects but as agents, with the innate power to work towards the removal of patriarchal obstacles or any oppressing factor for their full and equal enjoyment of rights and opportunities.

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At PATRIR, we reject stereotypes and rhetoric that see women and girls – especially in disadvantageous (conflict, poverty, social oppression, etc.) settings - as innately and always vulnerable by default and in need of external liberation.

While working at different interlinked levels between specific and immediate needs of women and girls and the obstacles faced by patriarchy, our work at PATRIR is to work with these women and girls to identify and overcome such obstacles for social justice through reaching full potential individually and collectively.

With its community and bottom-up and gender transformative vision, PATRIR aims to work side-by-side women and girls and the related civil society organizations and movements, through easing and nourishing their own agency.

Our commitment includes efforts geared at preventing, mitigating and addressing both intentional and unintended discriminatory consequences of aid and development and peacebuilding programmes (do no harm) – including gender discrimination or perpetuation of gender inequality - on all persons we encounter in our missions and offices.

Our vision is to work towards gender transformative approaches by trying to identify and understand the barriers and address them.

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This Policy seeks to promote fair/equal realization of dignity and human rights for all genders by focusing on the identification of obstacles for their removal, towards a vision of a world with more social justice for all.

We look towards a possible future of gender equity/equality where the voices and talent of those that are oppressed by gender and other factors, can be put at the core to reshape a more just society.

Calling for organizational-reflection and critical transformative approach this Policy should be seen as a first stepping stone, towards a larger and more inclusive process. As such, and a continuous process will be set in motion a review of this policy is recommended on a bi-yearly basis.

2. SCOPE OF THE POLICY

PATRIR strives to realize its commitment to social justice and gender equality within the organization and in its programmes.

As a main pillar, this includes the promotion of an internal conscious organizational culture (mind-set) capable of weighing out and value diversity, to inform all of PATRIR strategies and operations.

This policy is intended to permeate on PATRIR's organizational aspects including:

- ☒ across, humanitarian - development - peacebuilding (triple nexus) programming (in all Project Cycle Management stages from assessment including context, needs, risk analysis to implementation and evaluation and lessons learned);
- ☒ to the organizational structure and to the conduct of all personnel, at any title; regardless the duration of their engagement;

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- ☒ to Human Resources approach, i.e. recruitment, management, development and evaluation;

- ☒ to monitoring and the evaluation of its effects (including MEAL and social impact reviews).

This policy complements associated policies and set of standards of conduct and behaviour that all PATRIR personnel are required to adhere to, including Staff Handbook and its Standard of Conduct, Code of Ethics ex Romania legislative decree n°2002, ICRC Code of Conduct, Prevention of Sexual Exploitation and Abuse (PSEA) Policy, Child Safeguarding, Anti-corruption, Safety and Security Policies and SoPs, Logistics manuals and related policies . It includes but is not limited to, identifying and limiting risks so to mitigate prevent and respond to sexual and gender based harassment towards personnel and third parties, risks of Gender-Based Violence and risks of SEA.

3. DEFINITIONS

Gender: "Gender is a social construct based on the "roles, behaviours, activities, and attributes assigned to women and men, and to girls and boys. The gender of a person is based on a personal identification of being a man, a woman, or neither of these two, rather than on their biological sex. ¹

Sex: Refers to the biological and physiological reality of being males or females.

¹ International Criminal Court (ICC), Office of the Prosecutor, Policy Paper on Sexual and Gender-Based Crimes, June 2014; See as well MADRE (L. Davis et al), Submission Re: The Definition of Gender in the Draft Crimes Against Humanity Convention, 1 December 2018, at <https://www.madre.org/international-crimes-against-humanity-treaty>; V. Oosterveld (2005), "The Definition of 'Gender' in the Rome Statute of the International Criminal Court: A Step Forward or Back for International Criminal Justice?", Harvard Human Rights Journal, Vol. 18, p. 74-75; R. Grey, Prosecuting Sexual and GenderBased Crimes in the International Criminal Court, Cambridge University Press, 2019, p. 50, 311; Council of Europe, Convention on preventing and combating violence against women and domestic violence, Istanbul ("Istanbul Convention"), 11 May 2011, Article 3(c). From <https://reliefweb.int/sites/reliefweb.int/files/resources/Sexual%20and%20gender-based%20violence%20-%20A%20glossary%20from%20A%20to%20Z.pdf>

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Gender Equity: “Gender equity is the process of being fair to women and men. To ensure fairness, strategies and measures must often be available to compensate for women’s historical and social disadvantages that prevent women and men from otherwise operating on a level playing field.[..]” (source: UNFPA)²

Gender Equality: “the concept meaning that all human beings are free to develop their personal abilities and make choices without the limitations set by strict gender roles; that the different behaviour, aspirations and needs of women and men are considered, valued and favoured equally (source: EU)”

Gender bias: “a difference in treatment and perception (through actions or thoughts) among genders, mainly discriminating between women and men. It usually implies an inequality of rights and imposes the domination of one gender over the other. The bias can be intentional or unconscious.

Empowerment: Empowerment is also an essentially contested concept.

In one of the most widely definitions: “Empowerment is a process although the results of the process may also be termed empowerment. More specifically, though, the outcome of empowerment should manifest itself as a redistribution of power between individuals, genders, groups, classes, castes, races, ethnic groups or nations. Empowerment means the transformation of structures of subordination, through radical changes in law, property rights, control over women’s labor and bodies, and the institutions which reinforce and perpetuate male domination”.⁴

While PATRIR upholds in practice and orientation the substantial content of this definition, we at PATRIR believe that this word, i.e. “Empowerment” is yet strongly affected by colonial and patriarchal roots and cannot be used nor perceived neutrally and consequently, in any affirmative connotation, which is the one we aim to pursue. Therefore, we at PATRIR will try to restrain in the use of this word in our outlets, structures and strategies.

Gender mainstreaming is ‘the systematic integration of the respective situations, priorities and needs of women and men in all policies and with a view to promoting equality between women and men and mobilising all general policies and measures specifically for the purpose of achieving equality by actively and openly taking into account, at the planning stage, their effects on the respective situations of women and men in implementation, monitoring and evaluation’ (source: EU).

Patriarchy: “Social system in which men hold the greatest power, leadership roles, privilege, moral authority and access to resources and land, including in the family. Most modern societies are patriarchies”

Feminism: “a range of theories and political agendas that aim to eliminate all forms of discrimination against women due to sex and gender as well as class, race, ethnicity, ability, sexual orientation, geographic location, nationality, or other forms of social exclusion. Feminism as a political agenda has evolved over centuries, shaped by the politics of each historical moment.” (JASS,2013).⁷

Feminism is a movement, a philosophical perspective, and a driver of social change. It has various goals and constituencies, and it continues to be adapted in response to new conditions.⁸

.PATRIR aligns with the definition of feminisms, which aim to eliminate all forms of discrimination as a display of oppression dynamics of one group over another.

Intersectionality: “Intersectionality refers to overlapping social identities and the related systems of oppression, domination and/or discrimination. The idea is that multiple identities intersect to create a whole that is different from the component identities.⁹

² UNFPA (2005) What is meant by gender?, FAQ, <https://www.unfpa.org/resources/frequently-asked-questions-aboutgender-equality>

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. These overlapping social identities occur to one individual and/or the related group.

Gender-Based Violence (GBV) is an umbrella term for any harmful act perpetrated against a person based on socially ascribed (i.e. gender) differences between males and females. It includes acts that inflict physical, sexual or mental harm or suffering, threats of such acts, coercion and other deprivations of liberty. These acts can occur in public or in private spaces. Common forms of GBV include sexual violence (rape, attempted rape, unwanted touching, sexual exploitation and sexual harassment), intimate partner violence (also called domestic violence, including physical, emotional, sexual and economic abuse), forced and early marriage and female genital mutilation.

Survivor/Victim: A person who has experienced gender-based violence. The terms “victim” and “survivor” can be used interchangeably, although “victim” is generally preferred in the legal and medical sectors, and “survivor” in the psychological and social support sectors.

4. PRINCIPLES

As a human rights and solidarity based organization, PATRIR’s Gender Justice Policy is centred around specific principles and internationally recognized frameworks and standards.

Gender inequality violates principles ensured by international humanitarian law, international and domestic criminal law, and human rights and refugee law. These principles are based on the protection of civilians even in situations of armed conflict and occupation, and their rights to life, equality, security, equal protection under the law, and freedom from torture and other cruel, inhumane or degrading treatment.

Particularly relevant are Convention on the Elimination of All Forms of Discrimination against Women New York (CEDAW, 1979), Convention on the rights of the child (CRC, 1989), Convention on the Elimination of All Forms of Racial Discrimination (CERD, 1965), Protection against violence and discrimination based on sexual orientation and gender identity (2016)¹¹ . Seminal World conferences focusing on gender equality included the UN Fourth World Conference on Women in Beijing (1995).

As well relevant UN Security Council Resolutions include those addressing women, peace and security broadly (1325 , 1889 and 2212), and conflict related sexual violence (1820 , 1888 , 1960 and 2106) .

Social norms, customs, traditions and practices can be alternatively, on a case to case basis, protective or risks factors enabling inequality, depending on contextual/situational analysis but cannot be accepted as justification for such violations.

In Pursuing Gender Justice, PATRIR stands for the following Principles:

EQUALITY AND EQUITY :

(Gender) Equity “is the process of being fair to women and men. To ensure fairness, strategies and measures must often be available to compensate for women’s historical and social disadvantages that prevent women and men from otherwise operating on a level playing field. (Gender) Equality: no distinction, exclusion or restriction is made on the basis of gender which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by an individual, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

SELF-ASSERTION (EMPOWERMENT)

Self -Assertion:

“Empowerment is a process involving a range of activities from individual self-assertion to collective mobilization and resistance aimed at upending systemic forces and power dynamics that work to marginalize women and other disadvantaged groups. Empowerment begins when individuals

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recognize the systemic forces of inequality that influence their lives and consciously act with others to change existing power relationships” (batliwala, 1994).

SOLIDARITY

Solidarity among diverse peoples is key to PATRIR. Concerning feminist solidarity, we recognize that “[c]hange requires collective power; women and girls must stand in solidarity with other women and girls (including women and girls with different identities from them) in order to transform patriarchal power relations”.

In practice and more recently, solidarity has served as a cornerstone for two of the most visible contemporary mass and grassroots transnational feminist movements: The Women’s March and The Global Women’s Strike – both of which are endorsed by PATRIR.

PARTICIPATION / COLLABORATION:

PATRIR promotes equal participation of individuals and communities. In particular, through a feminist stance, PATRIR sees women and girls as active agents of change for all toward a just society “[...] Equal participation [...] involves women’s equal right to articulate their needs and interests, as well as their vision of society, and to shape the decisions that affect their lives, whatever cultural context they live in”.¹⁴

In all countries and missions, PATRIR’s work is grounded on localization and community based approaches forming networks and partnerships with Civil Society Organizations and human rights defenders, either

12 <https://www.justassociates.org/sites/justassociates.org/files/feminist-movement-builders-dictionary-jass.pdf>

13” <https://onlinelibrary.wiley.com/doi/full/10.1111/gwao.12514>

14 WGSS

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as individuals or collectively. In particular, collaboration partnership with women’s organizations “and other groups working for gender equality is necessary to assist this process”.

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INCLUSION

PATRIR recognises that “issues of gender inequality intersect with other forms of oppression based on unequal power relations, such as ableism, racism, caste and ethnic discrimination, ageism, sexual orientation and homophobia, religious discrimination, classism, colonial history among others”.

In line with our view on justice, PATRIR recognizes the diverse needs and experiences of individuals who identify as girls, boys, women and men as well as identities beyond the binary. Therefore intersectionality and diverse needs require measures to promote inclusion in order to address the barriers and enablers for the full and equal enjoyment of rights and fundamental freedoms.

5. INTERACTIONS WITH INTERNAL REGULATIONS

This Policy and Standard Operating Procedures (SOPs) are in no way intended to override other internal policies set. Rather, they are intended to permeate it.

This Policy is not intended to be a stand-alone resource. It aims to integrate into the overall multiannual strategy of the organization and into the safeguarding posture of PATRIR toward gender harmful or blind impacts.

While this will serve to guide articulation of general provisions in the specific field of Gender Justice, it must be complemented by Standard of Conduct (CoC), including investigations and staff training. In particular, the Gender Justice Policy should be seen as complementary to Policies on Integrity

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(including Prevention from Sexual Exploitation and Abuse - PSEA, Child Safeguarding Policy - CSP, Human Resources, Communication and Fundraising, Data Protection, Procurement and Logistics, Safety and Security and Project Cycle Management (PCM).

6. APPLICATION OF THE POLICY

This Policy applies to:

Personnel/Staff: For this policy purposes, “personnel” and “staff” are used interchangeably and they indicate any person who works for or represents the organization, whether or not s/he is compensated monetarily (volunteers, civil servants, civil peace corps, etc.) and regardless of the type or duration of their contract or relationship with PATRIR. Association members and Board members are included in this label.

Visitors and members of Delegations: anyone that comes into contact with staff and the persons we serve in our programmes or offices, regardless of the duration of the visit, should be aware and respect this policy. This may include donors, journalists, video-makers among others.

7. RESPONSIBILITIES AND COMMITMENTS:

Valuing gender considerations in everyday action and promoting gender equality and fairness at PATRIR is everyone’s responsibility.

A. All Directors (President, Heads of Departments, HR Manager):

1. Account for the contribution the organization makes to gender equality and justice and will make the results (gender disaggregated data and Gender Marker) available;
2. Ensure external fundraising, advocacy and communications respect and uphold our commitment to gender equality including being respectful, using inclusive and positive language and images and avoiding stereotypes;
3. Engage in partnerships with organizations that strengthen the gender perspective, while stimulating communal reflections with partners in order to develop together a stronger gender responsive approach;
4. Address gender in human resources policies and practices, communication & public relation mechanisms and tools, program materials and all forms of documents and documentaries at the office
5. Promote Gender equality and lead on initiatives for raising awareness and promoting gender equality (e.g. yearly international feminist strike and marches);
6. Incorporate appropriate job responsibilities (such as staff training, complaints and response mechanisms) in specific staff positions to support and ensure effective implementation of this and the other Policies. These may vary according to the level of responsibility and exposure to persons of concern/beneficiaries both in and out of the workplace;
7. Allocate resources and invest in dedicated programming and specialized staff;
8. Lead on the monitoring and review of the overall implementation of this Policy;
9. Systematically negotiate with donors for adequate funding to meet the PATRIR gender commitments (specifically addressing measures for “do no harm”/Gender-Based Violence prevention measures, Prevention of Sexual Exploitation and Abuse (PSEA), and organizational gender equality/equity.

B. Managers and Senior Managers shall:

1. Lead the bold promotion and dissemination of this Policy and report on progressive permeating of the provisions of this Policy in daily practices and strategies at the relevant level,

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at least annually;

2. Guide towards responsible practices in Human Resources management for robust recruitment, induction and training and for promoting a work environment that allows for non-discrimination and strives towards gender equality;
3. Incorporate appropriate job responsibilities (such as staff training, complaints and response mechanisms) in specific staff positions to support and ensure effective implementation of this and the other Policies. These may vary according to the level of responsibility and exposure to persons of concern/beneficiaries both in and out of the workplace;
4. Ensure all staff under their coordination at UPP is aware of Gender Policy contents and PATRIR reporting system via complaints@patriri.eu, by incorporating our standards on Gender Equality in orientation/induction materials and training courses for our personnel;
5. Include gender in the project cycle and includes indicators for the different stages: project design, implementing, monitoring and evaluating;
6. Identify potential programming risks throughout the project cycle and take steps to do no harm and mitigate unintended consequences of backlash including gender-based violence, regardless of sectoral focus;
7. Include activities to engage even the larger community including men and boys in support of gender equality/equity and women's self-assertion when in line with programming and the preassessment;
8. Ensure the resources needed to implement the Policy are planned for allocation. Where resources are allocated or in the process of budgeting, invest in specialized staff and dedicated training to improve program quality;
9. Monitor the implementation at the relevant line of management;
10. Ensure that when engaging in partnership, sub-grant or sub-recipient agreements, the agreements incorporate this Policy as an attachment in case the partners do not have one in order to disseminate it.

C. All other line managers and supervisors (including Project Managers, Coordinators) must ensure that all PATRIR personnel understand this Policy and its Principles. To aid in implementing this Policy, PATRIR other line managers and supervisors commit to:

1. Ensure all staff under their coordination at PATRIR is aware of Gender Policy contents and PATRIR reporting system via complaints@patriri.eu , by incorporating our standards on Gender Equality in orientation/induction materials and training courses for our personnel;
2. Ensure resources allocation for Gender Justice awareness raising (for staff and communities) and induction and training (for staff) , along with an enabling environment to promote gender equality;
3. Take seriously any concern related to weak implementation or dissemination of this Policy and revert it to relevant senior managers at complaints@patriri.eu
4. Create a mechanism at their level of responsibility to raise awareness among PATRIR personnel and associates and the communities we serve on measures taken to promote female self-assertion, intersectionality and to prevent and respond to gender inequality;
5. Ensure that when working in consortium or through sub-awarding/contracting, partners are consulted to verify their commitment for gender equality and, if requested or identified as a need, to promote PATRIR Gender Policy;
6. Ensure that when engaging in partnership, sub-grant or sub-recipient agreements, the agreements incorporate this Policy as an attachment in case the partners do not have one in order to disseminate it.

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C. All Staff and Associates of the Organisation shall:

1. Ensure they understand and uphold the principles and commitments of this Policy at all times.

D. All visitors of the Organisation shall:

1. Ensure they understand and comply with this Gender Policy at all time;
2. Receive a briefing on the context that includes gender elements in the conduct, staff safety and security components, tailored to the specific context and in line with this Gender Policy;
3. Respect and comply with approved security and appropriate conduct guidelines for visits, encountering persons of concern or locations/services provided by PATRIR. Exert all efforts to seek out information being aware of gender sensitivities and respecting PATRIR policies and recommendations.

E. All contractors, vendors and suppliers shall:

Understand and comply with this Gender Equality Policy as per **what required in the Good Business Regulation - CoC and in particular:**

1. PATRIR expects suppliers to ensure equality of opportunity and treatment in respect of employment and occupation without discrimination on grounds of race, colour, sex, gender, religion, political opinion, national extraction or social origin and such other ground as may be recognized under the national law of the country or countries where the performance, in whole or in part, of a contract takes place.
2. PATRIR expects suppliers and its subcontractors and associates to prevent, and not engage into, sexual abuse and sexual exploitation¹⁶
3. PATRIR expects suppliers to support and respect the protection of internationally proclaimed human rights – including those listed under the Principles section of this Gender Equality Policy - and to ensure that they are not complicit in human rights abuses.

8. REPORTING ON BREACHES AND MAKING A COMPLAINT

For any complaint related to this Policy refer to PATRIR Standard of Conduct in the **Internal Regulations**

9. INTERNAL INVESTIGATION

PATRIR has procedures for carrying out investigations into allegations in the **Internal Regulations**

Guidance and support to those managing investigations is essential and is available from HR Manager at HQ or Executive Director. Any allegation of breach of this Policy shall be notified to the HR Manager at HQ and to the President.

Investigations are carried out so that UPP can have the best information possible on which to base its decisions concerning staff conduct and to strengthen an enabling working environment. Please see paragraphs 4.7.1 to 4.7.3 of the Staff Handbook.

Contractors/Consultants who contravene our expectations will have their contract reviewed as per Good Business CoC.

“meaning any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. Similarly, the term "sexual abuse" means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions”.

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10. LEARNING

HQ Human Resources Manager and Executive Director keep a register from which analysis for trends in behaviour, investigation outcomes and problems will be regularly analysed.

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