# The Open Gov Guide

**2024**

Open
Government
Partnership

# Gender and Inclusion

North Macedonia has expanded protections for vulnerable groups, such as by improving access to justice, including for domestic violence survivors. Pictured: Vesna Shapkoski, Executive Director of L.E.T Station, a civil society organization focused on access to justice.

# Gender-Based Violence

Open government approaches can contribute to combating one of the world's most prevalent human rights violations—gender-based violence (GBV). Gender-based violence takes many forms. It may be physical, sexual, emotional, financial, and psychological. Women and girls are overwhelmingly the targets of gender-based violence—especially women living in poverty or extremely unequal societies—though this issue also impacts men, boys, and those across the gender and sexuality spectrum. The most prevalent forms of violence are intimate partner violence (IPV) and non-partner sexual violence (NPSV), though incidents of tech-facilitated gender-based violence and online violence have greatly increased in recent years. This, in turn, can affect women's political participation and involvement in civic life, including in elections.

Opening government can make systems and services more transparent, accessible, and responsive to the needs of survivors of gender-based violence. They can help prevent violence by ensuring that potential victims and perpetrators understand the law and can access resources. They can help ensure that survivors of violence have access to services and justice mechanisms and the opportunity to shape those services to better address their needs. As evidence grows that collaborative and participatory approaches bear results, governments may also wish to scale up community engagement approaches and improve access to gender data. There must be adequate democratic freedoms, allowing movements, organizations, and individuals to protest, speak to their representatives and the public, and raise issues without fear of retaliation.

## Open Gov Challenge
### Gender and Inclusion

With OGP's 2023-2028 Strategy, OGP members are set to work toward a number of aspirational thematic reforms through the Open Gov Challenge. This section of the *Open Gov Guide* addresses Gender and Inclusion.

**Challenge prompt:** Adopt open government reforms to promote the full participation of women politically, socially and economically.

Actions and reforms could include:

- Gender-targeted reforms such as mechanisms to tackle gender-based violence, both online and offline;

- Mainstreaming gender across other challenge areas (eg anti-corruption, fiscal openness, climate and environment); and

- Making the design and delivery of reforms participatory and inclusive of impacted communities.

# Key Terms

- **Femicide:** An intentional killing with a gender-related motivation, femicide (or feminicide) may be driven by stereotyped gender roles, discrimination toward women and girls, unequal power relations between women and men, or harmful social norms.

- **Gender data:** Also known as "gender statistics," gender data refers to "data disaggregated by sex as well as data that affects women and girls exclusively or primarily." According to Data2x, a civil society organization (CSO) working to improve the production and use of gender data, "gender data provides meaningful insight into differences in well-being across women and men, and girls and boys, as well as actionable information for policy to address disparities."

- **Gendered violence:** According to the Australian e-Safety Commissioner, "gendered violence is any form of physical or non-physical violence or abuse against a person or group of people because of biased or harmful beliefs about gender. It can include things that happen online and that use digital technology."

- **Intimate Partner Violence (IPV):** IPV refers to the abuse or killing of a person by their partner or spouse. The most common forms are physical, sexual, financial, or psychological abuse of a person by their partner or spouse.

- **Non-Partner Sexual Violence (NPSV):** NPSV refers to acts of sexual violence committed by any person that is not a current or former spouse or intimate partner. NPSV can be perpetrated by a family member, friend, acquaintance, or stranger.

## The Evidence

Combating the pervasiveness of gender-based violence requires a whole-of-government approach—including health and legal system improvements, public education about rights and services, economic access, and workplace protections. Open government approaches are core elements to deliver reforms across these strategies.

- Participatory and collaborative interventions have been shown to be effective ways to prevent and address GBV. The Pan-American Health Organization (PAHO) and UN Women created evidence-based programs around the "RESPECT" framework, which focus on community engagement and the empowerment of youth and women's organizations. Scholars evaluating approaches to combat GBV highlight the importance of participatory methods, such as gender and social empowerment group activities, participatory learning methods, and accessible public information. A separate meta-evaluation by the Global Women's Institute found that interventions were more effective when they were participatory and multi-sectoral (involving government and non-governmental organizations), which was corroborated by another meta-study.

- Creating avenues of accountability has been shown to improve outcomes for women and children in particular. A study in Peru found that, in communities with women's justice centers, reporting of gender-based crimes increased by 40 percent, while gender-based violence, femicides, and female deaths due to aggression declined by 10 percent. Children living in households near a center became significantly more likely to attend school and less likely to drop out.

- According to UN Women, "Evidence shows that the impacts of online and technology facilitated VAWG [violence against women and girls] can be as serious as 'offline' violence," with negative consequences for health, safety, and civic participation, including political participation. For example, in a 2021 Inter-Parliamentary Union (IPU) survey, 80 percent of women parliamentarians from 50 African countries reported experiencing psychological violence during their mandate, including online threats. IPU also highlighted the role of violence in suppressing women's political participation across the continent. Addressing this growing threat, especially through open government approaches, is necessary to ensure the full and equal participation of all people in public life.

# Reform Guidance

## Recommended Reforms

The recommendations below represent reforms that national and local governments, representatives of civil society organizations, and others can consider for their action plans and the Open Gov Challenge. The reforms are categorized according to OGP's principal values: transparency, civic participation, and public accountability. Reforms should be adapted to fit the domestic context, and involve and coordinate with other levels and branches of government.

Reforms across policy areas are also tagged by the estimated degree of difficulty in implementation. Though progress is often not linear, the recommendations have been categorized using these labels to give the reader a sense of how different reforms can work together to raise the ambition of open government approaches.

- **Foundational:** This tag is used for reforms that are the essential building blocks of a policy area. "Foundational" does not mean low ambition or low impact. These recommendations often establish basic legal and institutional structures.
- **Intermediate:** This tag is used for reforms that are more complex and often involve more coordination and outreach, such as with the public, between branches, agencies, and levels of government, or between countries.
- **Advanced:** This tag is used for reforms that close important loopholes to make existing work more effective and impactful. They are often about linking multiple databases or ensuring that oversight authorities can receive complaints from members of the public.

### TRANSPARENCY

☐ **Collect and publish GBV-related data in an open format:** Official government data on gender violence and femicide is often absent or incomplete. Collecting and opening up government-held data on GBV allows the public and officials to identify problems and strategies to address violence and contributes to public accountability for the success of public interventions. Targeted, disaggregated data can be significant in evaluating where and how to intervene, as seen in the case of Mexico, where femicide data has been used to inform policy-making. To that end, prioritizing collection and publication through participatory engagement with women's empowerment organizations can identify gaps in data and increase the use of data in policy-making. Key data includes:

> ☐ Gender-specific risks to women and girls, such as safety and accessibility,
> ☐ Data on perceptions of safety and risk, which many government assess via surveys,
> ☐ GBV-related crime reporting, including data on resolution of reports,
> ☐ Survey data on the public's understanding of legal rights, available resources, barriers, and outcomes around addressing GBV, and
> ☐ Access to and use of GBV-related prevention and survivor services (including medical care, justice services, and financial support).

**Transparency**

**Civic Participation**

**Executive**

**Foundational**

☐ **Implement data protection measures:** While the publication of data is essential, it is equally important that data publication is paired with data protection, ensuring the full anonymity of individuals vulnerable to GBV. This helps prevent stalking, retaliation, and harassment. Agencies and data protection authorities may work together to ensure that people can protect their privacy and safety. This may be particularly important in cases of sexual extortion (or sextortion), where public officers may be involved. In addition, this will be important when there is technology-assisted violence against women, which has become an extremely prevalent concern over the last decade.

> Transparency
> Civic Participation
> Executive
> Legislature
> Intermediate

☐ **Create open models:** By most estimates, GBV is underreported. This requires estimation models to ensure that resources reach the communities and individuals that need them. Such government models can be made public and subject to comment.

> Transparency
> Civic Participation
> Executive
> Intermediate

☐ **Make data disaggregated, interoperable, and harmonized:** Ensuring comparable data across demographics and jurisdictions allows for better targeting of resources, stronger accountability, and faster learning from successes. Examples of demographic information to collect include age, ethnicity, geographic location, and marital status. This is especially important as new issues and approaches emerge, as is the case with the European Union's emerging data on psychological violence or data on femicide in Latin America.

> Transparency
> Civic Participation
> Executive
> Advanced

## CIVIC PARTICIPATION

☐ **Protect the civic space of gender-focused organizations:** Governments can take necessary steps to ensure that women's organizations, LGBTQIA+ organizations, and other gender-based violence organizations have room to meet, voice their concerns, and propose solutions. This may require particular care, as some of these organizations may represent vulnerable groups such as sex workers, drug users, or youth—communities that face particular stigma and harassment, as well as intense risk of GBV. These protections are doubly important when military, police, or other powerful individuals may be implicated in violence or when implementing counter-terrorism measures. Work done by the Prevention Collaborative and UN Women illustrates successful examples of such interventions.

> Civic Participation
> Executive
> Foundational

☐ **Expand opportunities for civic participation in law and policy-making:** Expand opportunities for the public in developing laws, regulations, policies, and government strategies to combat GBV, including in drafting or strengthening laws to prevent and respond to GBV. Governments should proactively include individuals from vulnerable groups as well as representatives of GBV and gender-related organizations in such engagement efforts.

> Civic Participation
> Executive
> Legislature
> Inclusion
> Foundational

☐ **Ensure the inclusion of GBV and gender-related organizations and representatives in designing and overseeing government programs:** Ensure that the communities impacted by GBV and gender-related organizations and representatives are included in designing and overseeing government community empowerment and education programs. Participatory and holistic approaches in such programming show stronger results. As governments seek to counter persistent violence, they will benefit from ensuring that local service delivery workers, local governments, and women's empowerment organizations have a stake in programs through participatory approaches.

> ☐ GBV and gender-related organizations and representatives should also be involved in the budgeting process to ensure government programs targeting GBV have sufficient funding. Publishing such budget allocations can also help promote accountability. For details, see the "Open Budgets" chapter of the *Open Gov Guide*.

`Civic Participation` `Executive` `Intermediate`

☐ **Co-create policies to address online GBV threats:** Co-create policies to address online GBV threats with the public, including representatives from marginalized groups, the private sector, and CSOs. Examples of policies include assessing potential threats, creating codes of conduct and procedures for violations, designating escalation policies, and implementing justice reforms. Virtual harassment, intimidation, and threats of violence can prevent women, LGBTQIA+ individuals, and other vulnerable communities from participating in the digital public square. These threats also have the potential to translate into offline violence.

`Civic Participation` `Executive` `Inclusion` `Advanced`

☐ **Strengthen the public's role in oversight:** Legislators and administrators can better ensure that laws, regulations, and programs are effective when the public has the right to observe and inform a decision-making process. It is also important to ensure that audit reports and inspectors can publish their reports free of political interference.

`Transparency` `Civic Participation` `Public Accountability` `Executive` `Legislature` `Advanced`

☐ **Carry out rights-based education and outreach on GBV prevention and response:** This includes engaging communities and community leaders to spread normative values around violence and working with educational leadership to encourage GBV discussion in schools.

`Civic Participation` `Executive` `Advanced`

## PUBLIC ACCOUNTABILITY

☐ **Create citizen advisory boards for first responders:** Create citizen advisory boards for first responders. Police, health, and emergency workers may be the first to encounter gender-based violence. In these cases, governments may wish to establish citizen advisory boards to address individual problems and strengthen positive interventions in first responder protocols.

`Public Accountability` `Executive` `Foundational`

☐ **Ensure access to redress mechanisms for unsafe workplaces:** Ensure that workers have access to redress mechanisms to address unsafe workplaces in addition to courts. For open government purposes, this may be easier to begin with public sector agencies. This can help ensure that women and other vulnerable groups have appropriate protection from stalking, intimidation, and threats of violence. In no circumstances should this replace legal or other criminal measures.

> Public Accountability
> Executive
> Inclusion
> Intermediate

☐ **Strengthen access to justice and redress for GBV survivors:** Survivors of GBV may not be able to obtain legal support due to reasons of awareness, resources, or prohibitive rules. Governments can take steps to improve access to redress and remedy by raising awareness of rights and processes, lowering procedural hurdles to make claims, and distributing legal and other aid to survivors in alternative locations. In addition, survivors of violence may need additional protections and services to supplement justice concerns, such as healthcare, shelter, and employment support. Responding agencies (such as police forces) should have publicly available information on their Standard Operating Procedures for supporting survivors. This information should also be shared with health justice organizations proactively. For more guidance, see OGP's work on Access to Justice and in the "Access to Justice" chapter in the *Open Gov Guide*.

> Public Accountability
> Executive
> Inclusion
> Advanced

## Examples of Reforms from OGP and Beyond

The following examples are commitments previously made within or beyond OGP that demonstrate elements of the recommendations made above. Gender-based violence commitments are a relatively new area of focus for OGP members, with countries in the Americas pioneering reforms in this area.

- **Argentina National Measures to Address GBV and Femicide:** Successfully published data on the budgets and resources allocated to preventing gender-based violence as part of a national plan, and coordinated trainings with subnational governments and justice officials to ensure implementation of "Micaela's Law" to prevent femicide.

- **Canada Gender-Based Violence Knowledge Center:** Created a gender-based violence knowledge center to serve as a hub to coordinate federal initiatives under Canada's Strategy to Prevent and Address Gender-Based Violence, support data collection and research, and disseminate and mobilize GBV-related knowledge and evidence.

- **Ecuador Plan to Eradicate Violence against Women:** Co-created a plan to implement the laws against violence against women, especially around access to justice, which saw major early results in achieving impact.

- **El Kef, Tunisia Women's Access to Information on GBV:** Committed to creating an online platform that facilitates women's access to information and resources, including legal guidance to victims of violence.

- **Indonesia Public Participation in Drafting Regulations to Address Sexual Violence:** Committed to meaningfully engaging the public (especially civil society) in drafting regulations to address sexual violence. The goal of the regulations is to increase access to services for survivors and provide alternative remedies based on survivors' needs.

- **Liberia Sexual and Gender-Based Violence Map:** Committed to mapping CSOs that work on preventing GBV and creating a platform to track GBV cases across the country.

- **Monterrey, Mexico Committee to Produce GBV Data and Policies:** Committed to creating an Open Government Committee for the Unit of Attention to Victims of Familiar Violence and Gender of Monterrey, which would generate data and develop policy to address GBV in the state.

- **Morocco Creation of Women's Centers:** Committed to creating multi-disciplinary women's centers around the country to help ensure access to justice as part of a larger commitment related to women's participation and economic empowerment.

- **North Macedonia Access to Justice for Domestic Violence Survivors:** Committed to modernizing the administrative systems and information around the courts and other systems to expand access to justice for domestic violence survivors.

- **Sierra Leone Gender Equality Legislation:** Passed a Gender Equality and Women's Empowerment Bill, which aims to improve women's access to employment opportunities, equal pay, and political representation and to increase protections for women and girls against GBV.

- **Uruguay Gender-Based Violence Open Data:** Established and published standardized data on GBV across two action plans in 2018 and 2022, echoing the work of CSOs like Feminicidio Uruguay to capture data on gender-related violence.

## BEYOND OGP ACTION PLANS

- **Australia e-Safety Commissioner to Protect against Online Abuse:** Created an e-Safety Commissioner mandated to receive reports on issues such as cyberbullying and adult cyber abuse and help remove harmful content raised by such reports.

- **Bolivia Legal Framework on Violence against Women in Politics (VAWP):** Created a legal framework on VAWP, including passing the world's first and only law specifically on this issue, adopting Electoral Tribunal regulations to process VAWP complaints, and establishing a monitoring body to collect data on VAWP and other indicators.

- **Georgia Evidence-Based Policy-Making:** Conducted a nationwide study on violence against women in 2017, which included data on sexual harassment and stalking for the first time. Following advocacy efforts, the country adopted its first law on sexual harassment in 2019.

- **Kosovo Centralized Database for Domestic Violence Cases:** Created a centralized database of domestic violence cases with support from UN Women to improve the monitoring and prosecution of cases at the national and local level.

- **Spain Open Data Portal on Gender-Based Violence:** Created a statistical portal of gender-based violence data in an open format, which centralizes government-held data from various ministries and judicial bodies in a single place.

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### The Role of Local Governments

Local governments play an essential role in preventing and addressing gender-based violence. They are most often responsible for community education, ensuring access to services, and responding to cases of gender-based violence.

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## Active OGP Partners

The following organizations have recently worked on this issue in the context of OGP at the national or international level. They may have additional insights on the topic. Please note that this list is not exhaustive. If you are interested in national-level initiatives, please contact research@opengovpartnership.org.

- Equal Measures 2030
- Iniciativa Latinoamericana por los Datos Abiertos (Latin American Open Data Initiative, or ILDA in Spanish)
- National Democratic Institute (NDI)
- Open Data Watch
- Pathfinders for Peaceful, Just and Inclusive Societies—Justice for Women

## Benchmarking Data

The OGP 2023-2028 Strategy sets out the Open Gov Challenge and aims to provide clear benchmarks for performance through reliable data.

While benchmarks for individual countries and *Open Gov Guide* recommendations are not yet integrated, for this chapter, interested individuals may rely on the following data sets:

- The **World Bank** maintains a database on GBV reporting.

- **Open Data Watch** reports on the availability of gender-disaggregated homicide data in national statistical organizations.

- The **European Institute for Gender Equality** maintains an extensive database for European countries on numerous issues of gender equality.

# Guidance and Standards

While the list below is not exhaustive, it aims to provide a range of recommendations, standards, and analysis to guide reform in this policy area.

- The **OGP Support Unit** published a guide to open government in the context of the coronavirus pandemic, which includes specific recommendations related to preventing gender-based violence in the context of a crisis.

- The European Union's **European Institute for Gender Equality** publishes standards for various forms of GBV. In addition, it has compiled EU directives and regulations. Many of these rules have open government components.

- **Equal Measures 2030** reports on gaps in SDG-relevant data, including GBV-relevant data.

- The **World Bank** published guidance on data to end violence against women and girls as part of its 2021 World Development Report.

- The **Organisation for Economic Co-operation and Development** (OECD) published a resource on applying survivor-centered approaches to governance, which includes government-wide strategies to address GBV and an annex of international and regional standards related to GBV.

- The **Latin American Open Data Initiative** (ILDA) has published a standard for femicide data to allow comparison and learning.

- Led by researchers at the **Data + Feminism Lab** at the Massachusetts Institute of Technology, **ILDA**, and **Feminicidio Uruguay**, the Data against Feminicide project centralizes work to standardize femicide data and to develop tools to support the collection of such data from media sources as well as government bodies.

- The #NotTheCost campaign created by the **National Democratic Institute** (NDI) focuses on ending violence against women in politics. NDI's work on this topic includes guidance on designing programs to address this prevalent issue.