



Public Comment on USAID's 2020 Gender Equality and Women's Empowerment Policy submitted by the Women's Refugee Commission

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The Women's Refugee Commission (WRC) is a non-governmental organization that improves the lives and protects the rights of women, children and youth displaced by conflict and crisis. WRC was created in 1989 to ensure that the rights and needs of displaced women, children, and youth are fully addressed in humanitarian programs. We welcome the opportunity to comment on the draft USAID's 2020 Gender Equality and Women's Empowerment Policy and submit the following input for consideration.

For questions or more information, please reach out to Stephanie Johanssen, Senior Advocacy Officer and UN Representative:
StephanieJ@wrcommission.org

1. General comments

Human Rights and International Humanitarian Law: USAID's 2020 Gender Equality and Women's Empowerment Policy should reference that its framework is based on human rights, e.g. International Covenant on Civil and Political Rights (ICCPR) and international humanitarian law, in line with the policy's mandate to ensure women and girls can enjoy and enforce their human rights. References to inalienable rights or basic rights can be misleading as there is no hierarchy of human rights and should be replaced with the proper term "human rights" which carries legal and practical implications.

Sexual and Reproductive Health and Rights: The current draft policy rightly recognizes the critical need for maternal and child health, and family planning. However, we urge including the full range of sexual and reproductive rights, beyond "fertility awareness". This must include all life-saving health services, including contraception, intrapartum care for all births, emergency obstetric and newborn care, safe abortion care, clinical and psychosocial care for rape survivors, and prevention and treatment for HIV and other sexually transmitted infections. As the draft notes, a majority of maternal deaths occur in situations of conflict or crises, hence access to sexual and reproductive health care, especially for survivors of rape and other forms of gender-based violence, is paramount.

Women and Girls with Disabilities: While the policy recognizes the impact of factors such as age and disability status in a crisis, we would encourage a stronger mention of women and girls with disabilities, including women-led organizations of persons with disabilities as having a critical role in the fight for gender equality. Women and girls with disabilities face exclusion in both the gender equality movement as well as the disability rights movement, leaving their skills and leadership often unrecognized. They also face significant risks of gender-based violence, especially women and girls with intellectual disabilities.

Persons with diverse SOGIESC: The current draft makes no mention of persons with diverse Sexual Orientation, Gender Identity and Expression, and Sex Characteristics (SOGIESC) in the body of the document, omitting a group particularly affected by gender inequality and targeted for gender-based violence, including by extremist and terrorist groups such as ISIS. The UN Secretary-General in his 2019 report on women, peace and security (UN Doc. S/2019/800) noted, for example, that in Colombia, lesbian, bisexual and transgender women were among the most vulnerable and continue to suffer grave violations. Omission of persons with diverse SOGIESC would go against USAID's goal of providing an inclusive approach and risks erasing progress made.

Adolescent Girls: In humanitarian settings, adolescents, in particular adolescent girls, face specific challenges and exclusion, e.g. they may be separated from their families or communities, experience disruption of their social structures and lose access to formal and informal education. The need for their involvement, as well as that of their representative networks, in designing and implementing humanitarian programs and ensuring access to essential services should be reflected throughout the document. Further, WRC's "I'm Here: Adolescent Girls in Emergencies" resource, supported by USAID, offers guidance on helping the humanitarian sector be more accountable to adolescent girls from the start of an emergency.

Women's Rights Organizations: While the policy highlights women's organizations in the context of fostering local, faith-based, and transformative partnerships, given the critical role of women's and girls' rights organizations in advancing gender equality, we recommend a stand alone paragraph on how USAID is supporting and leveraging their work and advocacy. We also urge reinstatement of the language from USAID's 2012 policy on working with a wide range of stakeholders, including lesbian, gay, bisexual and transgender (LGBT) advocates.

2. In addition to the recommendations above, we submit the following suggested edits to language in the current draft.

Page 9: Increase the capability of women and girls to exercise their [ADD: human rights] [Delete: basic and legal rights] fully, help determine their life

outcomes, assume leadership roles, and influence decision-making in households, communities, and societies;

Page 12: Furthermore, [Add: **patriarchal attitudes**] and societal expectations that men and boys should engage in risk-taking behavior as a way of demonstrating their masculinity can inhibit men from seeking health or other care in a timely manner and can lead them to participate in harmful practices that do harm to themselves and their families.

Page 13: Local, Faith-Based, and Transformative Partnerships: Working with local individuals and organizations, including faith-based, civil society, [Delete: and] and women's [ADD: rights] organizations, [ADD **youth and disability organizations**], USAID is building long-term capacity on the ground in our partner countries. (...)

Page 20: Discriminatory laws and negative cultural practices, including unequal property and inheritance rights, family laws, [ADD **nationality rights**] and forced and early marriage, inhibit women's ability to participate in public life.

Page 26: Multiple protection challenges are unique to girls, including child, early, and forced marriage (CEFM), [ADD **forced pregnancy**], and female genital mutilation/cutting (FGM).

Page 27: GBV Survivor Support. Accessible survivor-centered legal, health, [ADD **including sexual and reproductive health**], psychosocial, financial, and other specialized care for GBV survivors, continues to lag.

Page 30: Societal and cultural norms, and other factors — such as age, [ADD **gender**] and disability status [ADD **as well as other diversity factors such as displacement status**] — have a significant impact on what women and men experience during a crisis, because they shape the roles they play in their communities, their access to resources, and the coping strategies they have available.