



**Bundesstiftung
Gleichstellung**

Gender Equality Check

Factsheet

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The German Federal Ministries are obliged to carry out a regulatory gender impact assessment for legislative proposals with the instrument „Gender Equality Check“. The Federal Foundation for Gender Equality offers support in building expertise to the Federal Administration in order to fulfil this task.

About the Federal Foundation for Gender Equality

The Federal Foundation for Gender Equality is the key institutional mechanism for promoting gender equality in Germany. It was established by law in May 2021 by the German national parliament (“Bundestag”) as an independent state institution.

The Federal Foundation for Gender Equality strengthens and promotes gender equality as a fundamental democratic value. In accordance with article 3 (2) of the constitution, it contributes to enforcing the effective equality between women and men and eliminating existing gender gaps. Its mandate is to provide information, strengthen practice and support the development of innovation for gender equality. It is a centre of knowledge and networking for gender equality. Among other things, it

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fulfils this task by providing information and advice on the ‘Gender Equality Check’.

What is a Gender Equality Check?

The gender equality check is an assessment of the impacts and effects of a measure, programme or any other project on gender equality. This check allows for analysing the impacts on gender equality already at the developmental stage in order to reinforce positive effects and avoid negative consequences on gender equality.

The gender equality check is an internationally recognised tool of gender equality policy. As an institutional mechanism, it is based on Section H of the Beijing Platform for Action (1995), which states that ‘gender perspectives’ should be integrated into legislation, public policies, programmes and projects.

Focus: Regulatory Gender Impact Assessment

The assessment of gender equality in draft legislation is referred to as gender-responsive regulatory impact assessment. Its aim is to systematically identify the impact of draft legislation on gender equality and to counteract unintended effects that could reinforce inequality.

The necessity of such an assessment in the legislative process arises from article 3 (2) sentence 2 of the constitution and from the joint rules of procedure (GGO) of the Federal Ministries in paragraph 43 (1) No. 5, 44 (1) in conjunction with paragraph 2 GGO. According to these provisions, gender equality is a ‘guiding principle’ of the federal government and should be promoted in all measures taken by the federal ministries. The intended effects and unintended side effects of the laws must also be analysed in a particular section of the law proposals.

If such a check is carried out at an early stage, involving different stakeholders and taking a differentiated view of target groups, laws become more targeted and effective. It becomes less likely that adjustments will be necessary later on – contributing to the reduction of bureaucracy.

The Working Aid “Gender Equality Check” of the Federal Ministry for Education, Family Affairs, Senior Citizens, Women and Youth

The Federal Ministry of Education, Family, Senior Citizens, Women and Youth (BMBFSFJ) provides a working aid for conducting gender equality checks in the legislative process. This tool supports the individual departments in the federal ministries in preparing legislation and taking gender equality into account.



Role of the Federal Foundation for Gender Equality

The department for the equality-check within the Federal Foundation for Gender Equality supports the federal administration in conducting gender equality checks on legislative proposals by offering advice, providing training and making examples, as well as data and studies available on its website. When advising on how to apply the instrument of the equality check to specific legislative proposals, the foundation provides support for each step of the working aid, and refers to relevant data and studies relating to the equality dimension of the legislative proposals.

In addition, in training workshops legislators in the federal administration are provided with in-depth knowledge of the practical implementation of gender equality checks in the legislative process. Participants learn to systematically analyse gender equality impacts, drawing on reliable data sources.

An equality-focused impact assessment of legislative proposals is based on evidence that is relevant to the respective regulatory area. Only on the basis of empirical data and verifiable sources can an in-depth assessment of high quality be assured. The Federal Foundation for Gender Equality provides selected sources in the field of gender equality on its website, in order to assist in the implementation of an equality check in the legislative process. Last but not least, by providing examples of gender equality checks, we illustrate the process and potential added-benefits of conducting a check.

