

Changing Perspectives

A Strategy for Gender Mainstreaming in Legislation

1. Introduction

Israeli society has been experiencing a dramatic and difficult crisis since the heinous Hamas attack of 7 October 2023. For over five months now, the shock of the massacre, kidnappings, and unprecedented assault on civilians and the ensuing war has been exacting a heavy toll. The families of victims and hostages have been going through unbearable suffering, as the noxious impact of the attack on all Israeli women and on society at large remains evident. New disclosures about the terror keep emerging, such as the report of the Special Representative of the UN Secretary-General on Sexual Violence in Conflict, which concluded that severe sexual violence, torture, and brutality had occurred during the Hamas attack. The task force that collected the data said there were reasons to believe that such violence was ongoing toward the hostages still in captivity.¹

If in normal times in Israel women's representation at crucial decision-making junctions is forever deficient and hinders the advancement of an egalitarian policy based on a broad and inclusive worldview,² this is even more so in times of crisis.³ Given this state of affairs, even decisions crucial to the safety and resilience of society in general and of women in particular are made without any gender considerations. This might have unprecedentedly severe consequences for the lives of women, who make up 50.4% of Israel's population, and might affect their situation for many years to come. An obvious example is the National Security Minister's nonchalant policy about handing out firearms, which ignores the expected consequences for women and makes light of the dangers to their safety.⁴

* English-language reference. All other references in this report are in Hebrew.

¹ [*Mission Report: Official Visit of the Office of the SRSG-SVC to Israel and the Occupied West Bank, 29 January-14 February 2024](#), Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict, 4 March 2024.

² For several decades now, research has shown that a high proportion of women in parliament is a condition for advancing the interests and common issues of women. Dr. Assaf Shapira, Prof. Ofer Kenig, Dr. Chen Friedberg, Reut Itzkovitch-Malka, [*The Representation of Women in Israeli Politics: A Comparative Perspective](#), Israel Democracy Institute, p 38-40, July 2016.

³ National Security Council's Advisory Committee, [Report on Gender Mainstreaming in Formulation of NSC's Political Recommendations in Times of Emergency](#), 27 June 2022.

⁴ Tehila Sharabi, [*Sisterhood of Gun Violence: Women Will Bear the Consequences of the Arming of the Israeli Civilian Population](#), Adva Center, 20 December 2023; [Gun License - Only After Background Check for Domestic Violence](#), Rackman Center for Advancement of Status of Women, 30 January 2024.

This document presents Zulat's recommendations for the promotion of gender equality and social resilience in Israel through gender mainstreaming in legislation and policy planning. We propose to amend the article in the Women's Equal Rights Law (henceforth, "the Women's Law")⁵ requiring the legislator to look into expected implications for gender equality so that it should apply to any piece of legislation promoted in Knesset committees; to reestablish the Authority for the Advancement of the Status of Women (AASW) and give it powers, a budget, job slots, and tools to implement the aforementioned amendment in its gender impact assessments; to require a gender impact assessment of the state budget and of each government ministry's allocations; and to develop dedicated training programs on gender equality for legislators, decision-makers, and public officials.

It is imperative to promote these amendments in order to encourage an equality-driven discourse among decision-makers, given that legislative processes generate a high commitment to the protection of human rights that can lead to wider social change.⁶

2. Importance of Gender Mainstreaming in Legislation and Policy Planning

Many countries have long realized that laws do not impact their citizens uniformly. Thus, laws dealing with the workplace, retirement, citizenship, urban planning, education, public transportation, health, the cost of living, personal safety, public housing, and policing (basically, all laws) require the legislature to understand the diverse needs of the population. After all, even within the female population there exists a diversity that calls for different responses.

The concept of gender mainstreaming emerged for the first time in 1985 at the Third UN Women's Conference.⁷ At its core is the realization that a gender perspective must be factored in all legislative and policy-making processes and that proactive action is needed to ensure that certain policies are egalitarian. One reason for this inequality stems from long-standing mechanisms that conceal discrimination. The legal system is a good

⁵ [Women's Equal Rights Law-1951](#), after amendment with Gender Implications in Legislation Law-2007, *Neva*, 18 September 2023.

⁶ A good example of legislative processes encouraging an equality-seeking feminist discourse can be found in the debates about the Prevention of Sexual Harassment Law-1998 and about the Prohibition of Consumption of Prostitution Law-2019 (Temporary Provision and Legislative Amendment).

⁷ A decade later, at the 1995 Fourth World Conference on Women in Beijing, UN member states adopted an action plan calling on governments to make policy decisions after examining their impact on both men and women, in collaboration with their legislatures and based on statistical data disaggregated by age and gender. [Beijing Declaration and Platform for Action](#), *UN Fourth World Conference on Women*, September 1995.

example: the law would seemingly be intended to apply identically to the entire public and is mostly formulated in inclusive language, but its application in practice often affects men and women differently.

Despite the progress in the status of women in society in recent decades, deep inequality persists in Israel. In terms of representation in decision-making centers, the lack of adequate representation in leadership positions relative to women's share in the general population is evident. Women make up 50.4% of Israel's population,⁸ yet the current Knesset includes less than 25% female MKs⁹; of the 32 government ministries, only two have female directors¹⁰; only one-sixth of the current government's ministers are women and the post-7 October emergency cabinet is exclusively male¹¹; only one woman has voting rights in the political-security cabinet and two in the socio-economic cabinet tasked to address the civilian consequences of the war.¹² According to the OECD's gender equality index SIGI, Israel rates last in the list of member countries.¹³

To date, the steps taken by the state have been hesitant at best or regressive at worst. The current government, in particular, has promoted a regime revolution aimed at weakening the Supreme Court, which had been the main tool in the fight for women's rights in Israel.¹⁴ On top of the low representation of women in its ranks, it has disbanded the AASW as a professional body¹⁵; has dismissed professional women from government ministries¹⁶; has abolished the select team of directors of state-owned enterprises (SOE), thereby harming the representation of women¹⁷; has refused to access the Istanbul Convention set to

⁸ As of 2019, according to the Central Bureau of Statistics.

⁹ *[Members of the 25th Knesset by Alphabetical Order](#), *The Knesset*.

¹⁰ Ilay Gabay, Assaf Shapira, and Daphna Aviram-Nitzan, [Gender Analysis of Ministry Directors-General 2003-2023](#), *Israel Democracy Institute*, 9 October 2023.

¹¹ Nina Fuchs, [From Golda to Regev: Women Who Reached Top Positions and the Dramatic Decline to Five Women Ministers](#), *Ynet*, 30 December 2022.

¹² Ella Alkalay, [Women Around the Decision-Making Table](#), *YouTube*, 17 February 2024.

¹³ The OECD's SIGI index is based on four key indicators measuring discrimination against women in social institutions across 179 countries, taking into account laws, social norms, and practices that restrict women's rights and access to empowerment opportunities and resources. In all four indicators, Israel's score is much lower than that of other OECD countries. *[Social Institutions & Gender Index](#), *OECD Development Center*, 2023.

¹⁴ Reut Gelblum, *[To the Back of the Bus: Regime Revolution Rolls Back Women's Rights](#), *Zulat*, 30 March 2023.

¹⁵ Stuart Winer, *[Women's Rights Groups Angered Over Bill To Politicize Body Promoting Gender Equality](#), *The Times of Israel*, 10 July 2023.

¹⁶ Netanel Gamss, [Exclusion of Women From Government Ministries: Labor Ministry Director-General Tair Ifergan Quits](#), *TheMarker*, 1 May 2023; TOI staff, *[Amsalem Accused of Illegitimate Demands as He Moves To Fire Government Firms' Head](#), *The Times of Israel*, 7 August 2023; Stuart Winer, *[Second Woman Tapped To Be Ministry Director Under Current Government](#), *The Times of Israel*, 14 June 2023.

¹⁷ Walla Money, [Amsalem Wants To Abolish Select Team of SOE Directors: 'Chief Poisoner, Corrupt, Rabble-Rouser'](#), *Walla*, 12 February 2024.

acknowledge and fight gender-based violence¹⁸; has been striving for gender segregation in the public sphere and has granted extra powers to the rabbinical courts to intercede in civil court proceedings "with the consent of both sides"¹⁹; and has promoted legislative initiatives offensive to women.

Underneath it all is the fact that Israel is one of the few democracies that has yet to accord special status to an individual's right to equality in all spheres of life. The Declaration of Independence guaranteed equal social and political rights, regardless of religion, race, or gender. The Women's Law and its subsequent amendments made significant strides toward protecting women's equal rights, but it remains an ordinary law rather than a constitutional Basic Law. Zulat's recommendations in the next chapter aim to address this deficiency by proposing practical steps that can be implemented immediately in order to prevent discrimination toward women and promote inclusive and egalitarian legislation and policies in Israel.

3. Zulat's Recommendations on Gender Mainstreaming

At the center of our recommendations is an amendment to the Women's Law, henceforth requiring a **gender impact assessment about any piece of legislation** promoted in Knesset committees. Past experience clearly shows that anchoring the gender impact assessment requirement in law is not enough and that a **mechanism with the teeth to implement this requirement needs to be ensured** as an integral part of the legislative process. Therefore, together with the main legislative amendment, we propose additional recommendations that are just as essential for the optimal implementation of gender mainstreaming in legislation and policy planning.

➤ Amending Women's Law To Apply to Any Legislation Promoted in Knesset Committees

Article 6c2, which states that the AASW will submit to the pertinent Knesset committee a gender impact assessment regarding laws containing implications for women-men

¹⁸ Tali Heruti-Sover, [On Istanbul Convention, Simcha Rotman, Kohelet Forum, and Ayelet Shaked's About-Face](#), *TheMarker*, 15 May 2023.

¹⁹ Haaretz staff, [*Women's Groups Barred From Knesset Panel on 'Right to Gender Segregation' in Israel](#), *Haaretz*, 11 July 2023; Judah Ari Gross, [*Bills To Ban Hametz, Expand Powers of Rabbinical Courts Breeze Through Committee](#), *The Times of Israel*, 19 February 2023.

equality and to laws within its own purview, was added to the Women's Law in 2007²⁰ along with a lax and non-binding implementation mechanism. Indeed, the data speak for itself: over the years, the AASW submitted only a few dozen assessments per year, and even this number eventually dwindled to the point that in 2020 it submitted only one.²¹

In order to create an effective gender mainstreaming mechanism, Article 6c2 must be amended to include the **obligation to conduct a gender impact assessment of every legislative proposal being discussed and to present the findings to the pertinent Knesset committee**. Such an amendment would ensure that, once approved by the Knesset plenum in preliminary or first reading, any bill promoted by a committee would be scrutinized in terms of its impact on increasing or decreasing gender gaps. Zulat's position is that the AASW is the body best suited to be given the authority to compile and present such assessments.

An analysis of the gender implications of every bill is meant to identify and bring to the fore issues that the legislator may not necessarily be aware of, which if ignored upon legislation, might lead to an inequitable policy. The purpose of the gender impact assessment is not only to clarify the expected effects of a law on women in different social positions, but also to prevent the advancement of legislation that increases or perpetuates gender discrimination.

➤ Reestablishing AASW as Independent, Budgeted and Empowered Body

In July 2023, the government approved in preliminary reading the abolishment of the AASW as an independent body and its subordination to a new ministry headed by Minister May

²⁰ [Law on Gender Implications in Legislation-2007 \(Amendment of Women's Equal Rights Law-1951\)](#), Nevo, 18 September 2023.

²¹ A 2023 study by the Knesset Research and Information Center shows that 64 gender impact assessments were conducted in 2008, 28 in 2009, 69 in 2010, 72 in 2011, 63 in 2012, and 100 in 2013. Naama Teschner, [Gender Implications in Legislation - Implementation of Law and Comparative Glance](#), Knesset Research and Information Center, 16 December 2013. In response to a freedom of information request filed in December 2021 by the College of Management's Clinic for Law, Gender, and Social Change and the Movement for Freedom of Information, the Social Equality Ministry stated that the AASW had presented 269 gender assessments in 2015-2016, could find no data about any assessments put forward in 2017, and said a single assessment had been submitted in 2018-2021.

Golan,²² thereby politicizing a long-standing professional body, turning gender and women's equality into a political issue, and harming women altogether.²³

Zulat urges the reestablishment of the AASW as a professional and independent body with a budget, job slots, powers, and teeth to compile gender impact assessments on any legislation promoted in Knesset committees, to discern latitudinal trends, and to recommend steps to reduce inequality in diverse fields. To this end, the AASW would be in charge of the continuous collection of data and evaluation of gender gaps in a variety of fields. The independence and powers accorded to the AASW would ensure its professionalism.²⁴

➤ Implementation of Gender Impact Assessment of State Budget per 2014 Government Decision

As part of the ratification of the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1991, the Committee for Gender Impact Assessment of the State Budget was established in the Finance Ministry. In 2014 the government adopted the committee's recommendation to gradually apply the gender assessment obligation to the entire state budget, thereby requiring every government ministry to draft a work plan for a gender-based analysis of its own budget.²⁵ However, the decision has not been implemented and no such analyses have been presented or discussed in recent years.²⁶

Since the state budget is the main instrument for the application of legislation and implementation of policy, Zulat proposes to enforce the obligation on ministries to present a gender impact assessment of their budgets (or to conduct one if this has not been done yet). The SOP (standard operating procedure) for the performance of such an assessment

²² Stuart Winer, [*Women's Rights Groups Angered Over Bill To Politicize Body Promoting Gender Equality](#), *The Times of Israel*, 10 July 2023. It should be noted that the Ministry for the Advancement of the Status of Women headed by Minister May Golan was closed down in January 2024 and the AASW was reactivated under the Ministry for Social Equality. TOI Liveblog, [*Advancement of Women's Status Ministry To Close, May Golan To Fill Role at Social Equality Ministry Instead](#), *The Times of Israel*, 15 January 2024.

²³ [Abolishment of AASW To Deal Serious Blow to Status of Women in Israel](#), *Rackman Center for Advancement of Status of Women*, 12 July 2023.

²⁴ A good example of such a professional authority can be found in Sweden, where the Gender Equality Agency assesses and monitors gender-based policies by means of a structured and uniform process that applies to all areas of life. [*Sweden in 2023 Edition](#), *EIGE (European Institute for Gender Equality)*, 2023.

²⁵ [Cabinet Resolution 2084: Adoption of Recommendations of Committee for Gender Impact Assessment of State Budget in Israel](#), *Prime Minister's Office*, 7 October 2014.

²⁶ Yael Hasson, [Gender Budgeting: How Government Ministries Fare in Proposed Budget for 2021-2022](#), *Adva Center*, November 2021.

must include the requirement from every ministry to examine long-term trends by conducting multiyear comparisons of their budget's impact on gender equality.

To ensure the professionalism of these assessments and enable such comparisons, a uniform SOP must be enforced across all government ministries, starting from the data collection through the construction of a systematic database, use of analytic tools, and a conclusion process, similar to the mechanisms used by most OECD countries. In addition, the Finance Ministry must appoint an official to oversee the gender-based scrutiny of the budget, as Costa Rica did.²⁷

➤ **Training Program for Gender Mainstreaming in Policy Planning for Legislators/Officials**

Zulat's position is that Israeli legislators and policymakers (such as civil servants in government ministries) should integrate gender equality concepts into policy-planning processes and bills they wish to promote. To this end, they must learn how to identify and analyze the impact of policy on the equality of different population groups in society. Since this is a gradual and lengthy learning process, we propose to conduct it in parallel with the other legislative and policy recommendations presented here. The ultimate purpose is to bring about a situation where gender mainstreaming is not done only through the AASW's impact assessments of laws in an advanced legislative stage, but will be an integral part of policy planning and bills even before they are submitted.

Given that each government ministry has its own aspects of gender equality and specific needs, we propose to establish a gender unit in each ministry and in the Knesset. These gender units would be in regular contact with the AASW and would jointly develop gender mainstreaming training programs tailored to a ministry's specific needs. The training could be provided within existing frameworks (such as promotional training courses for civil servants, courses for senior public officials provided by social organizations, etc.).

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²⁷ As of 2001, Costa Rica's Finance Ministry is required by law to oversee national budget allocations to local-level institutions in a gender-responsive manner starting from the planning stage, through implementation and evaluation of results ([Government at a Glance 2021, Country Fact Sheet: Costa Rica, OECD](#)). Another example is Spain, where gender budgeting is mandatory and integrated into the annual budget planning process, at the local government level as well ([Spain Announces Law Promoting Gender Parity in Politics and Business, Reuters](#), 4 March 2023).

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