Manual for Mainstreaming Gender in JICA Projects
【Governance】

1. Purpose and Usage of these Guidelines

(1) Purpose

The purpose of this manual is to promote the gender mainstreaming in the field of governance of JICA's projects by having JICA officials understand gender perspectives in the field of governance so that they will work based on gender perspectives at each phase of project formulation, implementation, monitoring and evaluation. This manual explains on gender perspectives in the following tasks and sub-tasks in the field of governance and their applications to businesses.

Tasks	Development of Legal System	Improvement of Administrative Functions			Establishment of Democratic Institutions	
Sub-Tasks	Law/Judicial	Administrative Basis	Local Administration	Statistics	Public Safety	Improvement of Police Process (Assisting Democratization)
Main Tasks in Aid Implementation	• Drafting Bills/Legislation • Training of Judicial Officials • Judicial Reform • Criminal Justice Administration	• Management of Development Projects and Policy on Development Plan • Civil Service Reform • Audit, etc.	• Development and Improvement of Local Administration System • Improvement of Local Administration Capability	• Statistics in General • Monitoring Poverty, etc.	• Citizens' Police • Maritime Security • Firefighting • Immigration, etc.	• Election System and its Management • Enhancement of Legislative Branch • Enhancement of the Media • Cultivating Civil Community Organization, etc.

(Source: JICA Knowledge Site)

(2) What is gender mainstreaming?

Gender mainstreaming is a process to identify development issues, needs and impacts from gender perspectives at every stage of planning, implementation, monitoring and evaluation of development policies, programs, and projects. This process is recognized as an indispensable means to achieve gender equality. **Gender equality** does not mean that men and women become the same, but aims to realize a society where equal opportunities and life chances are provided to both men and women, so that everyone can achieve self-fulfillment regardless of gender. A **gender (equality) perspective** refers to "being aware that apparently rigid division of labor or power relations existing between men and women are something socially constructed." In the contexts of JICA projects, it includes an approach to review the projects from different angles; for example, whether or not the activities currently being planned or implemented in the projects can help resolve issues or meet needs resulting from different social roles men and women are expected to play or power relations based on gender; whether or not the activities cause another gender disparity; or whether women's participation in the decision-making process is facilitated in the activities of the projects.[1]

(3) How to use these Guidelines

When using this manual, refer to the following table for each specific issue of respective project in the field of governance. When more detailed information is needed, use reference material listed at the end of each subject.

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[1] These Guidelines for Promoting Gender Mainstreaming in JICA Projects focus on development activities from gender perspectives which seem applicable at the stage of planning and implementation of projects, on the premise that they are used by JICA officials and other related parties who do not always have specialized knowledge on gender equality and women's empowerment.

		Technical cooperation	Reference Destination of Manual			Involvement of Gender Office
			Development of Legal System	Improvement of Administrative Functions	Establishment of Democratic System	
Preparatory stage (Project formulation stage)	**Discovery of a project**	Project discovery/formulation — Request to adoption	2.1.1 The necessity of gender mainstreaming in the field of legal system development (→p.4).	2.2.1 The necessity of gender mainstreaming in the field of improving administrative functions (→p.12)	2.3.1 The necessity of gender mainstreaming in the field of establishing democratic institutions (→p.24)	
			2.1.2 Project formulation phase (→p.5)	2.2.2 Project formulation phase (→p.14)	2.3.2 Project formulation phase (→p.25)	Regarding matters categorized as subjects "other than those not subject to discussion" at the time of the need survey, the gender office will advise on gender perspectives at the time of prior consultation on the implementation plan and project planning research report, etc. and set a gender classification.
	Prior evaluation	Detailed planning survey/ prior evaluation	2.1.3 Ex-ante phase (→p.6)	2.2.3 Introduction of gender perspectives into the field of "administrative Basis" (→p.15)	2.3.3 Ex-ante phase (→p.26)	
Project implementation stage	**Implementation**	Record of discussions (R/D) — Project implementation	2.1.4 Project implementation phase (→p.7)	2.2.4 Introduction of gender perspectives into the field of "local administration"(→p.18)	2.3.4 Project implementation phase (→p.28)	
	Monitoring/ evaluation	Facilitation of project progress (Monitoring, interim review, evaluation upon completion)		2.2.5 Introduction of gender perspectives into the field of "statistics"(→p.20)		
Post-implementation stage	**Ex-post evaluation**	Follow-up/ ex-post evaluation	2.1.5 Ex-post Facto evaluation (→p.11)			

Please also read the "important points to be aware of when using these guidelines" below.

【Important points to be aware of when using these Guidelines】

(i)   There is no need to apply concrete examples given in these Guidelines to all projects uniformly since those examples may not be applicable to target communities/areas due to differences in culture and society or for reasons relevant to the project in question. At the same time, it may be necessary to select or add sections to refer to as appropriate because these Guidelines do not cover all approaches to be taken from gender perspectives.

(ii) In all activities, it is important to have perspectives of mainstreaming social minorities (the impoverished class, ethnic minorities, religious minorities, immigrants with no citizenship, LGBT[2]) in the same way as gender perspectives. It is hoped that this manual focusing on gender mainstreaming will help understanding diversity in the fiend of governance and lead to mainstreaming of people under socially disadvantageous conditions.

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[2] A general term of lesbian, gay, bisexual, and transgender (It is a comprehensive word to describe people who have decided to live as their desired gender, not bound by and incompatible with their legal, biological and social sex by birth, usually including those with gender identity disorder).

2. Perspectives of Gender Mainstreaming and its Application to Works

In this chapter, types of gender perspectives and issues will be discussed for each category in the field of governance including "Development of Legal System," "Improvement of Administrative Functions" and "Establishment of Democratic Institutions." It will be also illustrated how to incorporate gender perspectives into works at each project cycle.

2.1   Development of Legal System

In this section, we will explain on the development of legal institutions along strategic development objectives and interim goals (refer to the following table) in Thematic Guidelines on "Assistance for the Development of Legal System."

Strategic Development Objectives	Interim Goals
Development of Rules (Cultivating human resource in charge of the development of rules)	● Drawing up a draft constitution ● Drawing up individual laws ● Organizing information on legal system ● Formulating a legal system reform ● Improvement of capabilities to draft and legislate
Functional enhancement of law operating organizations (Cultivating human resource in charge of enhancing law operating organizations)	● Functional enhancement of justice department and related agencies ● Functional enhancement of economic law operating organizations ● Functional enhancement of organizations that handle civil, criminal and administrative cases
Legal empowerment (Cultivating human resource in charge of legal empowerment)	● Improvement of knowledge on laws in civil society ● Building an accessible framework for conflict resolution ● Development of a system of assisting access to the legal and judicial institutions
Human resource development	● Training of judicial officials ● Implementation and improvement of legal education at universities and graduate schools

The following 2.1.1 is an overview of "The Necessity of Gender Mainstreaming in the Field of Legal System Development." Any of the above Strategic Development Objectives is designed to apply to "2.1.2 Introduction of Gender Perspectives into the Project Formulation Phase (Applicable to all projects)," "2.1.3   Introduction   of Gender Perspectives into Survey at the Ex-ante Phase," and "2.1.5 Ex-post Facto Evaluation." For "2.1.4 Introduction of Gender Perspectives into the Project Implementation Phase," explanations are given according to each Strategic Objective for Development.

2.1.1   The Necessity of Gender Mainstreaming in the Field of Legal System Development

As of November 2014, a total of 188 countries conclude "The Convention on the Elimination of All Forms of Discrimination Against Women : CEDAW,"[3] there remain cases in many countries in which laws or the judicial system itself has yet guaranteed equal rights for men and women, or even though there is a law of protecting women's rights, but they are not appropriately enforced. For example, rights to inherit and own land is not given to women, there are disadvantageous provisions set against women regarding marriage, divorce or child custody, or there is no law that defines gender-based violence[4] as a crime. In this way, there exists discrimination against

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[3] It is often the case that countries in the Islamic world attach a proviso to their laws based on conflict with Sharia (Islamic law).

[4] Violence based on gender is a harmful act based on gender differences, which have been socially created. Victims of such

women or disparity between men and women in laws and the judicial system.

In addition, it is said that women's access to justice processes is generally limited compared to men for the following problematic reasons: (1) the legal system has yet developed to protect women's rights; (2) women are unable to read documents due to their low literacy; (3) women have no time to participate in lawsuits as they are busy at household works or heavy productive burdens; (4) women are unable to pay the costs of a lawsuit; (5) women fear that the perpetrator will retaliate against the victim or the victim of violence who complained will be blamed; (6) communities tacitly accept gender-based violence such as domestic violence; and (7) the number of appropriately qualified female staff within justice institutions to receive and process women's complaints is insufficient.

Furthermore, it should be noted that men generally operate common law and the traditional mediation system in communities and they tend to rule against women. In attrition, violence, especially, sexual violence was unpunished in conflict-affected countries at the time of conflict. This socially difficult challenge of resolving the problem must be addressed in order to rebuild "rule of law" in such countries. At the same time, taking into account that the problem could provide an opportunity for women to participate in the process of developing a new system, it is important to promote women's participation.

Under the aforementioned circumstances, it is important to incorporate gender perspectives into every phase in the field of legal system development to guarantee equal rights of men and women under law and ensure women's access to justice processes.

2.1.2   Introduction of Gender Perspectives into the Project Formulation Phase (Applicable to all projects)

Assuming that information and data will be gathered for the project formulation by using "(Table 1-1) Basic Research Items" contained on page 8 of Thematic Guidelines on "Assistance for the Development of Legal Institutions," "Obtained data and information incorporating gender perspectives" are added in the table and presented in Annex 1. The procedure for incorporating gender perspectives at the project formulation phase is as follows:

(1)   Gather information and data by adding gender related information (refer to Annex 1) to the basic survey items for the project formulation;

(2)   Analyze information and data gathered in (1) and check whether there are issues concerning gender or social minorities (for example, disparity between men and women in laws, the lack of accessibility to the judicial by specific groups including women and social minorities and the insufficient number of judicial officials either in men or women at present, etc.); and

(3)   In case that issues that can be addressed are identified in the above (2), gender perspectives will be reflected as much as possible in Project Survey Sheets (for example, correction of disparity between men and women in laws, ensuring that women and social minorities access judicial systems and actively assisting human resource development for the insufficient number of judicial officials either in men or women, etc.). In addition, more detailed gender information will be gathered and analyzed in the survey for cooperation preparation, etc. based on the following section (2.1.3).

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violence include men and boys, but they are primarily women and girls. The basic characteristic of gender-based violence is that it is used to maintain the women's subordinating status as a means to strengthen men's dominance over women. The gender-based violence include violence as a whole against mostly women and girls such as harmful customs and domestic violence including gender-specific abortion, sexual violence, child marriage and female genital mutilation (Summary from UNICEF, http://www.unicef.org/protection/57929_58001.html).

2.1.3   Introduction of Gender Perspectives into Survey at the Ex-ante Phase (Applicable to all projects)

Assuming that surveys at the preparatory phase (cooperation preparation survey, detailed planning survey and preparatory evaluation survey, etc.) will be conducted by using "Basic Survey Items" contained on page 10 to 15 in Thematic Guidelines on "Assistance for the Development of Legal Institutions," "Obtained data and information incorporating gender perspectives" are added in the table and presented in Annex 2 to 5 as follows. Use the Annex as needed according to contents of projects.

Annex	Applicable Pages of Thematic Guidelines on "Assistance for the Development of Legal Institutions"	
2	pp.10—11	(Table 1-2) Survey items in case of examining the assistance for human resource development for drafting bills and personnel in charge of drafting
3	pp.12—13	(Table 1-3) Survey items in case of examining the assistance for functional enhancement of the judicial institutions
4	p.14	(Table 1-4) Survey items in case of examining the assistance for functional enhancement of the reconciliation and mediation institutions
5	p.15	(Table 1-5) Survey items in case of examining the assistance for functional enhancement of judicial officials training organizations

The procedure for incorporating gender perspectives into surveys at the preparatory phase is as follows:

(1)   Add gender related information to survey items (refer to applicable Annex among Annex 2 to 5) and gather information and data.

(2)   Gender information gathered in surveys will be reflected in project plans and PDM (draft), etc. Refer to the strategic development objectives in the following section (2.1.4) for specific activities and monitoring/evaluation indicator plan incorporating gender perspectives.

2.1.4 Introduction of Gender Perspectives into the Project Implementation Phase (by Strategic Objective of Development)

Gender perspectives and issues that need to be examined at the implementation phase of a project for assisting the development of the legal system, as well as examples of projects based on gender perspectives will be examined according to each strategic objective of development.

In implementing the monitoring and evaluation based on gender perspectives, note the following:

(i) Implement a baseline survey as needed to gather information and data.

(ii) In order to use lessons learned from good examples for other projects, record results of monitoring based on gender perspectives.

(1) Development of Rules (Cultivating human resource in charge of the development of rules)

Interim goal: Drawing up a draft constitution, drawing up individual laws, organizing information on legal system, formulating a plan to reform legal system, and improving the capability to draft and legislate.

	Gender Perspectives and Issues	Examples of Efforts Based on Gender Perspectives	Effect and Impact Expected by Incorporating Gender Perspectives
Conducting Activities	Laws and legal system don't guarantee the equal right of men and women or they are inconsistent and conflict with the constitution and ratified treaties.	☐ In case the country in question ratifies the Convention on the Elimination of All Forms of Discrimination Against Women: CEDAW), provide data, information and a model plan as necessary so that a draft constitution and individual laws that JICA helps drawing up will prevent discrimination against women. ☐ In case the constitution of the country in question prohibits gender discrimination, provide data, information and a model plan as necessary to draw up individual laws that are not inconsistent and does not conflict with the constitution. ☐ Assist the establishment of a framework in which national machineries and women's group can participate in drawing up a draft constitution and individual laws. ☐ Include lectures on gender in training such as OJT to improve capabilities of personnel in charge of drawing up and legislating laws at justice ministry or the secretariat of national assembly. If necessary, enlist cooperation of national machineries and women's group, etc. in conducting training.	Discrimination against women will be eliminated and equality between men and women under law will be guaranteed.
Monitoring and Evaluation	☐ Consider establishing monitoring and evaluation indicator based on gender perspectives. 〈Example〉 ● Provisions based on gender perspectives in the constitution and individual laws incorporated by project activities. ● Whether a framework in which national machineries and women's groups can participate was established in drawing up a draft constitution and individual laws. ● The level of understanding of judicial officials about gender.		

(2) Functional Enhancement of Law Operating Organizations (Cultivating human resource in charge of functional enhancement of law operating organizations)

Interim Goals: Functional enhancement of justice ministry and related agencies, functional enhancement of organizations in charge of operating laws in the field of economic laws and functional enhancement of organizations that handle civil, criminal and administrative cases.

	Gender Perspectives and Issues	Examples of Efforts Based on Gender Perspectives	Effect and Impact Expected by Incorporating Gender Perspectives
Conducting Activities	There are laws that protect women's rights but their enforcement is inappropriate.	☐ In order for relevant personnel such as judge, prosecutors and attorneys to deepen their understanding about gender, include lectures on gender in training such as OJT. Provide assistance to improve relevant personnel's understanding especially about gender related laws including family law, DV law, violence-related laws base on sex crime and gender and human trafficking law. If necessary, enlist cooperation of national machineries and women's group, etc. in conducting training.	Women's rights will be protected under law.
Monitoring and Evaluation	☐ Consider establishing monitoring and evaluation indicator based on gender perspectives. 〈Example〉 ● The level of understanding of judicial officials about gender.		

(3) Legal Empowerment (Cultivating human resource in charge of legal empowerment)

Interim Goals: Improving people's legal knowledge in civil society, establishing an accessible framework for conflict resolution and developing a system that assists people's access to laws and the judicial system.

	Gender Perspectives and Issues	Examples of Efforts Based on Gender Perspectives	Effect and Impact Expected by Incorporating Gender Perspectives
Conducting Activities	Compared with men, women's access to justice processes is restricted.	☐ Analyze causes of why women's access to justice processes is restricted in the society in question. ☐ According the result of analysis, examine justice processes accessible to women.	A judicial system for women to be able to use easily is established.
		☐ In cooperation with active women's organizations in the country question, make laws and justice processes directly available to women. 【Note】 (i)If information is provided to only a man as the head of a household, it may not be shared within family, so it is important to take measures to directly deliver information to women. (ii)In consideration of the level of language capability and literacy of women, use a medium that women can understand.	
		☐ Conduct free legal consultation for women. If a woman complains about gender-based violence or being victimized by someone close, ensure to arrange a safe environment for consultation.	

	Gender Perspectives and Issues	Examples of Efforts Based on Gender Perspectives	Effect and Impact Expected by Incorporating Gender Perspectives
	Men generally operate common law and the traditional mediation system in communities and they tend to rule against women.	☐ Appoint and train arbitrators by taking into consideration their sense of gender balance. ☐ Especially, as there are cases of gender-based violence such as domestic violence in which male mediators arbitrate in favor of male perpetrators, include lectures on gender in training such as OJT so that relevant officials can deepen their understanding about gender. If necessary, enlist cooperation of national machineries and women's group, etc. in conducting training.	

	Gender Perspectives and Issues	Examples of Efforts Based on Gender Perspectives	Effect and Impact Expected by Incorporating Gender Perspectives
Conducting Activities	Victims of gender-based violence need not only access to justice but also various assistance including shelter and police protection.	☐ When encouraging women's access to judicial processes, as measures to protect women are also necessary, consider cooperation with professional agencies in other fields.	Comprehensive assistance systems for victims of gender-based violence are established.
Monitoring and Evaluation	☐ Consider establishing monitoring and evaluation indicators based on gender perspectives. 〈Example〉 ● The access and participation rate by men and women in judicial processes established by project activities. ● The level understanding of judicial officials about gender.		

【**Example (i)：The Project for Strengthening Mediation Institutions Phase 1&2 in Mongolia (Technical Cooperation Project)**】

In Mongolia, since the transition to a market economy in the 1990s, in order to respond to an increase of various disputes among citizens brought by revitalization of economic activities, the need for the development of judicial institutions that protect rights of citizens and corporation, as well as diversification of means of settling civil disputes has increased, which makes the functional enhancement of legal and judicial institutions and related agencies one of priority tasks. In particular, the need to introduce a mediation institution has significantly increased because it contributes to the improvement in the proceedings of major lawsuits at court by resolving minor cases and disputes about small sums of money or divorces, etc. suitable for settling through dialogue and leading to a speedy and rational conflict resolution desired by citizens. Under the circumstances, JICA implemented the "Project for Strengthening Mediation Institutions" (Phase 1: 2010-2012), formulated a work flow for mediation to introduce a mediation institution for general civil and family cases in Mongolia, introduced a mediation institution in a pilot court, cultivated trainers who train mediators and candidates for mediators and established a system for a nationwide mediation institution. In the Phase 2 (2013-2015) currently in progress, JICA is providing assistance to extend the mediation institution introduced on a trial basis at the 1st Phase nationwide.

Efforts Based on Gender Perspectives: In Mongolia, the number of divorce mediation case is significantly high, accounting for as much as 20% of the mediation cases. Wives generally bear a heavier psychological burden on divorce mediation since domestic violence by their husbands is one of the most common reasons to petition for a divorce. In this respect, this project has integrated a lecture on the psychological burden of women on attending mediation into the training program for the persons concerned to promote understanding about women's burden at mediation.

(4) Human Resource Development

Interim Goals: Training of judicial officials and the Implementation and Improvement of Legal Education at University and Graduate School Education

	Gender Perspectives and Issues	Examples of Efforts Based on Gender Perspectives	Effect and Impact Expected by Incorporating Gender Perspectives
Conducting Activities	Even though there are laws for protecting women's rights, they are not enforced appropriately.	☐ Include lectures on gender in training of judicial officials such as OJT so as to incorporate gender perspectives into curriculum and educational materials. Provide assistance to improve understanding of the persons concerned about gender including gender related laws such as family law, DV law, violence-related laws based on sex crime and gender, as well as human trafficking law. If necessary, enlist cooperation of national machineries and women's group, etc. in conducting training.	● Women's rights will be protected under law. ● Female victims of gender-based violence will be able to access judicial processes without concern.
	Because the number of female judicial and legal officials is insufficient, needs of female victims cannot be met.	☐ Provide training opportunities to both men and women (Consider the gender balance of training participants). ☐ In order for legal circles to become an option for female students' future profession, provide seminars to introduce legal education at university and graduate schools, as well as services of judicial and legal officials.	
Monitoring and Evaluation	☐ Consider establishing monitoring and evaluation indicators based on gender perspectives. 〈Example〉 ● The of understanding of judicial officials about gender. ● The number of activities for developing female judicial officials including seminars to introduce judicial services.		

2.1.5   Ex-post Facto Evaluation (Applicable to all projects)

Incorporate the following gender perspectives into the ex-post facto evaluation of the project for assisting the development of legal system.

● Whether equal rights between men and women have been guaranteed by the constitution or laws enacted by project activities.

● Whether laws are appropriately enforced and rights of women and social minorities are protected by law operating organizations enhanced by project activities.

● Whether women's and social minorities' access to judicial processes has improved by judicial processes established by project activities.

2.1.6   Major References: Development of Legal System

【This is an introductory manual primarily for the UNDP personnel, explaining on gender perspectives and related measures in detail in the field of legal system development】

UNDP (2007), Primers in Gender and Democratic Governance #2, "Gender Equality and Justice Programming: Equitable Access to Justice for Women",

http://www.undp.org/content/dam/aplaws/publication/en/publications/democratic-governance/dg-publications-for-website/gender-equality-and-justice-programming-equitable-access-to-justice-for-women/GenderGovPr_Justice_2.pdf

2.2   Improving Administrative Functions

In this section, we will explain on "Improving Administrative Functions" along the following assistance fields.

Assistance Fields	Administrative Basis	Local Administration	Statistics
Strategic Development Objectives (Specific Issues)	• Reform of administrative organizations • Enhancement of general coordination function • Capacity development of administrative organizations • Civil service reform • Functional enhancement on the mobilization of administrative resources (Source: Governance Assistance of JICA – Toward indigenous development of democratic institutions, administrative functions and legal institutions – study report, p. 87)	• Development of local administrative system according to conditions of a country • Improvement of planning and implementing capabilities of local administrations (Source: Thematic Guidelines on "Local Administration")	• Basic development of statistics administration • Development and improvement of statistical technique • Promoting the utilization of statistics (Source: Thematic Guidelines on "Statistics")

We will first take a general view of "The Necessity of Gender Mainstreaming in the Field of Improving Administrative Functions" in the following 2.2.1. In the following "2.2.2 Introduction of Gender Perspectives into the Project Formulation Phase," any field of assistance in the above table is designed to be commonly used. In "2.2.3 Introduction of Gender Perspectives into the Field of 'Administrative Basis,'" "2.2.4 Introduction of Gender Perspectives into the Field of 'Local Administration'" and "2.2.5 Introduction of Gender Perspectives into the Field of 'Statistics,'" explanations are given along project cycles according to each field of assistance.

2.2.1   The Necessity of Gender Mainstreaming in the Field of Improving Administrative Functions

National development plans, public policies and institutions tend to be regarded as "gender-neutral," but it is known that they give different impact on men and women in socially and economically different groups due to differences in employment, means of earning living, the level of education or skills, the amount of asset, access to resources and difference of burden sharing in housework and child rearing. For example, an economic recovery measure focusing on the investment in infrastructure increases the employment of men in the construction industry but generally does not contribute to expanding the employment of women. For another example, the development of social security system such as pension or unemployment insurance are often applied to the formal sector where the women's employment rate is generally lower than that of men; therefore, women can't receive as much benefits as men.[5] As seen in the fact that a newly introduced tax or charge-collection system affects men and women differently, national budget, revenue, expenditure and distribution are not gender-neutral either; therefore, it is important to incorporate gender perspectives into the project formulation phase of a development plan and public policies.

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[5] ADB (2012) "Gender Tool Kit: Public Sector Management", http://www.adb.org/sites/default/files/institutional-document/33643/files/gender-tool-kit.pdf

It is often the case that women are generally assigned to junior posts in administrative organizations and the number of women who can participate in the decision-making process is fewer. Women's promotion in administrative organizations is difficult for the following reasons: (1) Compared to men, more women are under temporary or contract employment; (2) Women's opportunity to develop skills is limited (workplaces don't give consideration to training facilities where women can easily access or to time to participate in training; supervisors don't send women to the leadership training due to stereotypes of gender roles); (3) In many communities, as women are tasked with housework and childrearing, they have to consider work-life balance; and (4) Women don't have a personal network in administrative organizations. If the composition of public service employees in administrative organizations, especially those who can participate in the decision-making process, reflects the social composition, public policies, institutions and services would better meet needs of members of society. Based on such viewpoint, actively appointing women is needed.

2.2.2   Introduction of Gender Perspectives into the Project Formulation Phase

(1) Gather information and data by adding the following gender related information to items of information gathering and survey:

- The current situation and issues on women in the target country (socioeconomic conditions);
- Gender-based issues in the administrative base (or in the field of local administration and statistics);
- Policies, institutions and organizations on gender in the administrative base (or in the field of local administration and statistics);
- Assistance of other donors on gender in the administrative base (or in the field of local administration and statistics); and
- Other information and data deemed necessary.

> 【Reference materials for information gathering】 JICA Country Gender Profile and other donors' gender-related reports by country.

(2) Analyze information and data gathered in the above (1) and check whether there are issues concerning gender or social minorities that can be addressed within the scope of project cooperation. With respect to specific activities and monitoring and evaluation indicators that incorporate gender perspectives, refer to sections of relevant assistance fields in 2.2.3 to 2.2.5.

(3) In case that issues that can be addressed are identified in the above (2), gender perspectives will be reflected in Project Survey Sheets, etc. as much as possible. In addition, based on 2.2.3 to 2.2.5, gather and analyze more detailed information on gender through cooperation preparation surveys, etc.

2.2.3   Introduction of Gender Perspectives into the Field of "Administrative Basis"

Specific tasks: The reform of administrative organizations, enhancement of general coordination function, capacity development of administrative organizations, civil service reform and functional enhancement on mobilizing administrative resources.

		Gender Perspectives and Issues	Examples of Works Based on Gender Perspectives	Expected Effects and Impacts by Incorporating Gender Perspectives
Ex-ante Phase	Survey Items	➢ National development plans, public policies and institutions give different impacts on men and women in socioeconomically different groups. ➢ The reorganization of administrative organizations may impact men and women in civil service differently (Example: Among civil service employees dismissed in the reorganization and reduction of administrative organization in Vietnam in 1990s, 70% was women[6]). ➢ The number of women who participate in decision-making process is few.	☐ In order to incorporate gender perspectives into surveys at the ex-ante phase (cooperation preparation survey, detailed planning survey and ex-ante evaluation survey, etc.), gather information and data by adding the following gender related information to survey items. 【Reorganization of Administrative Organizations】 ● Possible effects of the reorganization of administrative organizations on men and women. ● Whether effects on men and women, especially on those in particular group are expected by changes in administrative services due to reorganization. 【Enhancement of general coordination function, capacity development of administrative organizations and civil service reform】 ● Whether relevant officials understand about the effects of development plans, public policies and institutions, etc. on men and women. ● The number of male and female employees by rank in the organization in question. ● Whether there are gender-discriminatory provisions in administrative organizations- and civil service-related laws and policies, or provisions in conflict with the constitution and labor laws that guarantee women's rights (maternity leave, etc.). 【Functional enhancement on mobilizing administrative resources】 ● Whether gender sensitive budget analysis is conducted (Refer to the boxed article for gender budget on the following page). ☐ Reflect information on gender gathered by surveys on project plans and PDM (draft), etc. Refer to the following "Implementing Activities" and "Monitoring and Evaluation" for specific activities and monitoring/evaluation indicator plans based on gender perspectives.	Drawing up plans based on gender perspectives will become possible.
Impl em	Impl em		【Reorganization of Administrative Organizations】	Implementing

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[6] ADB (2012) "Gender Tool Kit: Public Sector Management," shown above.

			☐ If negative impacts on male and female personnel in civil service are expected due to the reorganization of administrative organizations, prepare in advance measure to mitigate or compensate for such negative effects. ☐ If negative effects on men and women in particular groups are expected due to changes in administrative services caused by reorganization, prepare in advance measure to mitigate or compensate for such negative effects.	projects in the field of "administrative base" based on gender perspectives will become possible.
			【Enhancement of General Coordination Function/Capacity Development of Administrative Organizations/Civil Service Reform】 ☐ Conduct training for relevant officials on the importance of development plans and drawling up public policies based on gender perspectives. ☐ Provide equal training opportunities to men and women. ☐ If there are gender-discriminatory provisions in administrative organizations- and civil service-related laws and policies, or provisions in conflict with the constitution and labor laws that guarantee women's rights (maternity leave, etc.), assist in correcting those laws.	
			【Functional Enhancement on Mobilizing Administrative Resources】 ☐ Implement gender sensitive budget analysis (Refer to the boxed article below). In implementing gender sensitive budget analysis, consider dispatching specialists and other measures in cooperation with the office of promoting gender equality and poverty reduction.	
	Monitoring and Evaluation	☐ Consider setting monitoring and evaluation indicators based on gender perspectives. 〈Examples〉 ● The level of understanding of relevant officials on the impact of development plans, public policies and institutions on men and women. ● A male-to-female ratio of training participants. ☐ Note the following in implementing monitoring and evaluation based on gender perspectives: ● Conduct baseline surveys as necessary and gather information and data. ● In order to apply lessons learned from good examples to other projects, record results of monitoring based on gender perspectives.		
Ex-post Phase	Ex-post Facto Evaluation	☐ Conduct ex-post facto evaluations based on gender perspectives. 〈Examples〉 ● Examples of development plans and public policies drawn up based on gender perspectives. ● The percentage of women who participate in the decision-making process. ● The number of ministries and agencies that have incorporated gender sensitive budget analysis.		

【**Gender Responsive Budgeting**】

"Gender responsive budgeting" is not providing budget to rectify gender inequality but analyzing the total budget of state or local government or budget of a particular ministry or agency based on the viewpoint of gender equality. It is a "method of assessing and evaluating whether the actual budget is distributed to promote the policy of gender equality, the distribution can effectively reduce or instead expand the existing gender inequality, or the distribution can satisfy social needs for creating a gender-equal society.*"

The three largest differences between gender sensitive budget analysis and a normal budget analysis are as follows:

(i)   The unit of assessment is household and at the same time individual.

(ii)   Gender sensitive budget analysis is aimed at recognizing the significance that activities in the "reproduction sector" through unpaid works are important production activities supporting the "gross production" of society and questioning the "social efficiency" of the true gross production.

(iii)   Women participate in policy formulation, implementation and evaluation, and government's accountability for transparent budgeting is required.

Especially, with respect to (ii), unpaid works that have primarily done by women don't have monetary value; therefore, have not been recognized as "labor." Gender sensitive budget analysis, however, recognizes such unpaid works as part of works that "care" people and the reproduction sector that support productive and economic activities of a nation; thus, recognizing the importance of analyzing "care economy."

Gender sensitive budget analysis is a method that began with an analysis of public expenditure. It recently includes an analysis of revenue and its results are reported. For example, in South Africa, gender sensitive budget analysis was undertaken on indirect taxation as a part of revenue analysis. It was found that, because paraffin has been purchased by poor women for heating, cooking, and lighting, the value-added tax on paraffin was causing financial strain on poor households. As needs differ by gender, analysis of revenue and tax exemption measures resulting from the analysis will be necessary in the future (summarized the text in JICA Thematic Guidelines on "Gender and Development" pp38-39).

*Source: Muramatsu, Yasuko（2005）"'Gender to kaihatsu ron no keisei to tenkai—keizaigaku no Gender ka heno kokoromi.'"

【Other References】

- ADB (2012) "Gender Tool Kit: Public Sector Management," shown above.
- UNDP (2005) "Gender Responsive Budgeting – Manual For Trainers", https://www.ndi.org/files/Gender%20Responsive%20Budgeting%20Trainers%20Manual.pdf

2.2.4   Introduction of Gender Perspectives into the Field of "Local Administration"

Development Strategic Objective: Development of local administrative institutions according to national conditions and improvement of local administration's planning and implementation capabilities.

		Gender Perspectives and Issues	Examples of Works Based on Gender Perspectives	Expected Effects and Impacts by Incorporating Gender Perspectives
Ex-ante Phase	Survey Items	➢ Similar to national development plans, public policies and institutions, local development plan, policies and budget system give different impacts on men and women in socioeconomically different groups. ➢ Generally, local administration in developing countries lacks experiences in identifying gender issues and taking countermeasures when providing administrative services.	☐ In order to incorporate gender perspectives into surveys at the ex-ante phase (cooperation preparation survey, detailed planning survey and ex-ante evaluation survey, etc.), gather information and data by adding the following gender related information to survey items. ● Whether relevant officials understand the impact of local development plan, public policies and budget system on men and women. ● Whether gender responsive budget analysis is conducted (refer to the boxed article on the previous page for gender budget). ● The possible impact of decentralization and local administrative reform on male and female civil service personnel and male and female residents. ☐ Reflect information on gender gathered by surveys on project plans and PDM (draft), etc. Refer to the following "Implementing Activities" and "Monitoring and Evaluation" for specific activities and monitoring/evaluation indicator plans based on gender perspectives.	Drawing up plans based on gender perspectives will become possible.
Implementation Phase	Implementing Activities		☐ Conduct training for relevant officials on the importance of development plans and drawling up public policies based on gender perspectives. ☐ Implement gender sensitive budget analysis (refer to the boxed article on the previous page). In implementing gender sensitive budget analysis, consider dispatching specialists and other measures in cooperation with the office of promoting gender equality and poverty reduction. ☐ If negative impacts on male and female personnel in civil service are expected due to decentralization and local administrative reform, prepare in advance measure to mitigate or compensate for such negative effects. ☐ If negative effects on men and women in particular groups are expected due to changes in administrative services caused by decentralization and local administrative reform, prepare in advance measure to mitigate or compensate for such negative effects.	Implementing projects in the field of "local administration" based on gender perspectives will become possible.

	Monitoring and Evaluation	☐ Consider setting monitoring and evaluation indicators based on gender perspectives. 〈Examples〉 ● The level of understanding of relevant officials on the impact of development plans, public policies and institutions on men and women. ☐ Note the following in implementing monitoring and evaluation based on gender perspectives: ● Conduct baseline surveys as necessary and gather information and data. ● In order to apply lessons learned from good examples to other projects, record results of monitoring based on gender perspectives.
Ex-post Phase	Ex-post Facto Evaluation	☐ Conduct ex-post facto evaluations based on gender perspectives. 〈Examples〉 ● The number of development plans and public policies drawn up based on gender perspectives and their examples. ● The number of local administrative organizations that have incorporated gender responsible budget analysis and their examples.

2.2.5 Introduction of Gender Perspectives into the Field of "Statistics"

Development Strategic Objective: Basic development of statistical administration, development and improvement of statistical techniques and promotion of utilization of statistics

		Gender Perspectives and Issues	Examples of Works Based on Gender Perspectives	Expected Effects and Impacts by Incorporating Gender Perspectives
Ex-ante Phase	Survey Items	Whether statistics pay attention to differences of gender roles and responsibilities and power relations between men and women, indicating gender issues, their causes and influences.	☐ In order to incorporate gender perspectives into surveys at the ex-ante phase (cooperation preparation survey, detailed planning survey and ex-ante evaluation survey, etc.), gather information and data by adding the following gender related information to survey items. ● Whether the improvement of gender statistics and development of indicators are conducted (refer to the boxed article below for gender statistics). ☐ Reflect information on gender gathered by surveys on project plans and PDM (draft), etc. Refer to the following "Implementing Activities" and "Monitoring and Evaluation" for specific activities and monitoring/evaluation indicator plans based on gender perspectives.	Drawing up plans based on gender perspectives will become possible.
Implementation Phase	Implementing Activities		☐ Assist the development of gender statistics and indicators (refer to the boxed article below for gender statistics). With respect to the assistance for gender statistics, consider dispatching specialists and other measures in cooperation with the office of promoting gender equality and poverty reduction.	Implementing projects in the field of "statistics" based on gender perspectives will become possible.
	Monitoring and Evaluation	☐ Consider setting monitoring and evaluation indicators based on gender perspectives. 〈Examples〉 ● The level of understanding of relevant officials on gender statistics. ☐ Note the following in implementing monitoring and evaluation based on gender perspectives: ● Conduct baseline surveys as necessary and gather information and data. ● In order to apply lessons learned from good examples to other projects, record results of monitoring based on gender perspectives.		
Ex-post Phase	Ex-post Facto Evaluation	☐ Conduct ex-post facto evaluations based on gender perspectives. 〈Examples〉 ● The number of ministries and agencies that have incorporated gender statistics and their examples. ● The number of polices, etc. drawn up based on gender statistics and their examples.		

【**Gender Statistics**】

Gender statistics are not merely gender disaggregated statistics, but production, utilization, or any statistical activities with gender perspectives in all stages of producing statistics – from designing survey sheets, implementation, publication, and storing of the result – and analysis. Emphasis is placed on the possibility of the statistics to reveal the current situation, the causes, and the impacts of gender issues. For example, in Japan, existing household surveys had been designed based on the stereotype of "male household head" and "female spouse." As a result, data were disaggregated by the category "household head" and "spouse" without gender disaggregation within each category. It was not possible to understand gender differentiated economic situation from such household surveys. Gender differences in economic status within a household could be revealed with gender disaggregation of each category, data on gender disaggregated contribution to household income, and gender disaggregated contribution rate of income of all households*.

Gender statistics also place importance on "user-friendliness." Considering that people without statistical knowledge might be using the result, accurate and easy-to-understand figures and charts, explanations, and dissemination materials should be developed and made accessible. To this end, cooperation and communication between producers and users are absolutely vital.

Such gender statistics disclose gender situations in a society and are useful for policy formulation for problem solving. They can be a useful tool for the achievement of gender equality by introducing numerical targets and compiling statistics periodically, for monitoring and evaluation of implementation and impact of policies (an excerpt from JICA Thematic Guidelines on "Gender and Development" p.40 with partial changes).

*Haruko Amano (2004) "Research Study on Gender Statistics"

2.2.6   Major References: Improvement of Administrative Functions

【The toolkit needed for the reform of administrative organizations including gender sensitive budget analysis. As sectors, including check items and examples of activities on economic management, financial management, administration, decentralization】

ADB (2012) "Gender Tool Kit: Public Sector Management", http://www.adb.org/sites/default/files/institutional-document/33643/files/gender-tool-kit.pdf

【Policies, program plans and good examples to achieve gender equality in administrative organizations】

UNDP (2014), "Gender Equality in Public Administration",

http://www.undp.org/content/dam/undp/library/Democratic%20Governance/Women-s%20Empowerment/GEPA%20Global%20Report%20May%202014.pdf

2.3   Establishment of Democratic Institutions

"Governance Assistance of JICA – Assistance for development of democratic institutions, improving administrative functions and development of legal institutions – research study report" made in 2004 provides the following assistance fields and major assistance programs for "improving democratic institutions." This section provides explanations along the assistance fields on the below table. With respect to "assistance for police and criminal justice," we provide explanations focusing on the police field where the necessity to incorporate gender perspectives is deemed high.

Assistance Fields	Assistance for Election	Assistance for Legislature	Assistance for Police and Criminal Justice		Assistance to the Media	Assistance for Education for Democratization
			Police Sector	Criminal Justice Sector		
Major Assistance Programs	• Election system • Election management • Voter education • Election monitoring • Post-election follow-up	• Assistance for organizations, institutions and human resource development in legislature • Enhancing administration's monitoring capabilities • Promoting the people's participation in politics	• Assistance for democratizing police • Assistance for criminal investigation • Development police communication and radio communication • Drug control • Traffic police	• Treatment of criminals • Preventing corruption by civil service • Effective management of police and prosecutor's office in criminal justice • The current conditions of international organized crime and countermeasures and mutual cooperation for international investigations • Money laundering • People smuggling and illegal immigrants	No entry	No entry

（Source: Governance Assistance of JICA – Assistance for development of democratic institutions, improving administrative
functions and development of legal institutions – research study report, pp.31-51)

We will first take a general view of "The Necessity of Gender Mainstreaming in the Field of Establishing Democratic Institutions." in the 2.3.1. In the following "2.3.2 Incorporation of Gender Perspectives into the Project Formulation Phase" and "2.3.3 Incorporation of Gender Perspectives into Survey at the Ex-ante Phase," any assistance field in the above table is designed to be commonly used. In "2.3.4 Incorporation of Gender Perspectives into the Project Implementation Phase," explanations are given along each assistance field.

2.3.1 The Necessity of Gender Mainstreaming in the Field of Establishing Democratic Institutions

Generally, when female share of parliamentary seats exceeds 30%, it is believed that women can form "critical mass" needed to effectively influence in parliamentary deliberations. As of November 2014, the ratio of female lawmakers of all members of parliament in the world is 21.9%. The number nearly doubled in last 20 years but its pace remains moderate.[7] What makes difficult for women to run for election are that: (1) traditionally, politics has been recognized as men's realm; (2) because of this perspective, women lack experience and confidence; (3) politicians and political parties don't actively support women's participation in politics; and (4) women's network for election campaign and funds are insufficient. In attrition, election systems are not gender neutral. According to a study conducted with 174 countries, proportional representation system produces more female lawmakers than majority representation systems (such as a single-member electoral system).[8] In the meantime, female voters are restricted as follows: (1) there are women who don't have necessary documents required for voter registration such as birth certificate; (2) women are so busy with housework and childrearing that they can't make time for voting; (3) women are unable to express their individual opinion due to traditional norms; (4) as women's access to information is limited due to their low level of education and illiteracy, they don't have knowledge on their political rights.

In conflict-affected countries, there are more restrictions on women in addition to the aforementioned restrictions on women's participation in politics as voter and a person eligible for election: (1) many women become refugees and internally displaced persons and lose their documents under unstable security conditions (it is said that a majority of people who become refugees and internally displaced persons because of conflicts are women and children); (2) for this reason, women are unable to register themselves as voter; (3) women are exposed to threat of gender violence; (4) there are no institutions to protect women's political rights; and (5) women have few opportunity to participate in peace negotiations in which election system and process are decided. However, given the fact that countries with high female share of parliamentary seats include many conflict-affected countries including Rwanda, South Africa, Mozambique, etc., it should be noted that the process of building new institutions in conflicted-affected countries can be opportunities to promote women's participation in politics.

Furthermore, the police sector is generally recognized as "male job" and the ratio of female police officers in the sector is only 10% on average in each country.[9] Victims of gender-based violence fear that they might sustain the secondary damage from male police officers, but female police officers can encourage such victims' access to police. In addition, compared to male police officers, female police officers have higher communication capability and they are said to be better able to build trust relationship with community. Actively appointing female police officers is an important task for improving police capabilities.

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[7] Inter-Parliamentary Union, based on statistical data in each year. http://www.ipu.org/wmn-e/world.htm

[8] United Nations Research Institute for Social Development (2005), "Gender Equality: Striving for Justice in an Unequal World", http://www.unrisd.org/80256B3C005BCCF9/search/1FF4AC64C1894EAAC1256FA3005E7201?OpenDocument

[9] UNWOMEN (2012) "Gender-Sensitive Police Reform in Post-Conflict Societies", http://www.unwomen.org/~/media/headquarters/media/publications/en/04bgendersensitivepolicereform.pdf

2.3.2   Incorporation of Gender Perspectives into the Project Formulation Phase

(1) Add the following gender related information to survey items to formulate a project and gather information and data:

- The current situation and issues on women in the target country (socioeconomic conditions);

- Gender-based issues in the administrative base (or in the field of local administration and statistics);

- Policies, institutions and organizations on gender in the administrative base (or in the field of local administration and statistics);

- Assistance of other donors on gender in the administrative base (or in the field of local administration and statistics); and

- Other information and data deemed necessary.

【Reference materials for information gathering】 JICA Country Gender Profile and other donors' gender-related reports by country.

(2) Analyze information and data gathered in the above (1) and check whether there are issues concerning gender or social minorities that can be addressed within the scope of project cooperation. With respect to specific activities and monitoring and evaluation indicators that incorporate gender perspectives, refer to sections of relevant assistance fields in 2.2.4.

(3) In case that issues that can be addressed are identified in the above (2), gender perspectives will be reflected in Project Survey Sheets, etc. as much as possible. In addition, based on 2.3.3, gather and analyze more detailed information on gender through cooperation preparation surveys, etc.

2.3.3   Incorporation of Gender Perspectives into Survey at the Ex-ante Phase

In order to incorporate gender perspectives into surveys at the ex-ante phase (cooperation preparation survey, detailed planning survey and ex-ante evaluation survey, etc.), consider the following means:

(1) Referring to the below table, add gender related information to survey items to gather information and data. "Governance Assistance of JICA – Assistance for development of democratic institutions, improving administrative functions and development of legal institutions – research study report (2004)" presents items and indicators that need to be checked. We will show how gender perspectives should be incorporated into the items and indicators.

Assistance Fields	Items and indicators that need to be checked	Examples of items and indicators that incorporated gender perspectives
Assistance for Election	● Whether there are election laws (the level of development). ● Whether there is a state parliament institution. ● Whether there is a multiparty system. ● Whether there is an election management system (election implementing organizations). ● Whether there is election campaign fund (budget). ● Whether there is a voter registration system. ● Whether there are civil society organizations. ● Whether education of voters is needed (literacy rate). ● Whether election violations are controlled.	● If there is a voter registration system, whether there is gender difference (whether men and women can equally register themselves as voter). ● In case of a conflict-affected country, refuges and internally displaced persons are given consideration. ● Whether there are women's groups concerning election assistance. ● Whether education of voters is needed (if there is difference in gender literacy rate and voting rate, causes of the differences).
Assistance for Legislature	● Average hours of deliberations at parliament. ● Whether is a committee system. ● The frequency of opening deliberations and hearing at parliament. ● Whether there are monitoring function and administrative control. ● The ratio between legislation submitted by parliamentary members and administrative legislation. ● Female and minorities share of parliamentary seats.	● If female and minorities share of parliamentary seats are extremely low, causes of low sharing. ● Whether there is an affirmative action for female parliamentary members (quota system, etc.). ● If there is an affirmative action, its positive and negative impact.
Assistance for police and criminal justice (the police sector)	● National police and local police organizations and their duty. ● Whether there is a public safety commission institution. ● The number of police officers and population. ● The relationship with other law enforcement agencies and military. ● Whether there are local police activities, police box and police substation system. ● Whether there is a system of filing a complaint and the number of complaints. ● The development status of police activities and equipment for criminal investigation. ● The management of crime information.	● The ratio and number of women in national police and local police. ● Whether there is a division specialized in handling gender-based violence, its organization and duty. ● The number of occurrences of gender-based violence.

Assistance Fields	Items and indicators that need to be checked	Examples of items and indicators that incorporated gender perspectives
	● The development status of telecommunications dispatching, police radio communications and information communications facilities. ● The number of criminal case occurrences, the number of criminal cases cleared and the number of arrests of criminal suspects. ● The number of traffic accident occurrences and the number of arrests. ● Human resource development, education and training.	
Assistance for the Media	No entry	● How the media reports on media (for example, whether the media treats female politicians as equally as male politicians.
Assistance for Education for Democratization	No entry	● The current situation and issues of organizations that conduct education for democratization on women and social minorities.

* Items and indicators that need to be checked are excerpted from "Governance Assistance of JICA – Assistance for development of democratic institutions, improving administrative functions and development of legal institutions – research study report" p.35, 39, 43.

(2) Gender information gathered in surveys will be reflected in project plans and PDM (draft), etc. Refer to the assistance fields in the following section (2.3.4) for specific activities incorporating gender perspectives.

2.3.4   Incorporation of Gender Perspectives into the Project Implementation Phase (by assistance field)

Gender perspectives and issues that need to be examined at the implementation phase of a project in the field of "building a democratic system", as well as examples of projects based on gender perspectives will be examined according to each field of assistance.

(1) Assistance for Election

Major assistance programs: election system, election management, education for voters, election monitoring and post-election follow-up.

Gender Perspectives and Issues	Examples of Works Based on Gender Perspectives	Expected Effects and Impacts by Incorporating Gender Perspectives
Compared to men, there are many obstacles to women's participation in politics.【Refer to 2.3.1】	【Election system】 ☐ While checking women's intention to participate in politics in the target country, provide information on election systems that promote women's participation in politics as person eligible for election. 　　【Refer to 2.3.1】	By promoting women's participation in politics, it will become possible for representatives who better reflect the will of the people to build a political system.
	【Voter registration】 ☐ Prepare documents as necessary in multiple languages used in the country. ☐ Figure out ways to help illiterate people register as voter. ☐ In a community where women are prohibited to contact men other than their family, organize a voter registration team for women and prepare gender disaggregated desks. ☐ In a conflict-affected country, develop a system of registering men and women as voter who became refugees and internally displaced persons and lost their documents.	
	【Election management】 ☐ Because whether the election management incorporates gender perspectives or not impacts women's voting behavior, develop an environment where women can easily vote. For example, 　● Setting up polling stations where women easily access. 　● Set voting hours in consideration of women's living hours. 　● Depending on a country or region, set up gender disaggregated polling stations. 　● In order for illiterate people to be able to vote, prepare ballots with political parties' symbols or photographs. 　● In order for women to be able to vote on their own will, assist them to be able to act separately from other families.	
	【Education for voters】 ☐ In a community where women are prohibited to contact men other than their family, conduct education for female voters by a female team. ☐ Conduct activities to promote understanding about women's participation in politics for influential men and religious leaders in a region.	
	【Human resource development】 ☐ In order to implement the aforementioned works, provide training on gender perspectives to staff and officials of	

Gender Perspectives and Issues	Examples of Works Based on Gender Perspectives	Expected Effects and Impacts by Incorporating Gender Perspectives
	election management organizations.	
	【Election monitoring】 ☐ Provide training on gender perspectives to human resource who participate in monitoring elections. ☐ Analyze election processes based on gender perspectives. If restrictions on women's participation in politics are identified, make a proposal to take necessary measures.	

(2) Assistance for Legislature

Gender Perspectives and Issues	Examples of Works Based on Gender Perspectives	Expected Effects and Impacts by Incorporating Gender Perspectives
There are countries where female and ethnic minorities sharing of parliamentary seats is few.	☐ While checking women's and ethnic minorities' intention to participate in politics in the target country, provide information on affirmative action, etc. for women and minority ethnics. 【⇒2.3.1】	By promoting women's and ethnic minorities' participation in politics, it will become possible for representatives who better reflect the will of the people to build a political system.

(3) Assistance for Police

	Gender Perspectives and Issues	Examples of Works Based on Gender Perspectives	Expected Effects and Impacts by Incorporating Gender Perspectives
Implementing Activities	➢ The number of female police officers is few (This is because police work is considered men's job, and even if women desire to be police official, they don't meet qualification requirements including educational level, etc.) ➢ There are cases in which female victims of gender-based violence sustain secondary damage at a police station.	☐ Actively appoint female police officers. 〈Example〉 In Liberia, free high school level education was provided before training to women who desired training to be police official.[10] ☐ Conduct an awareness seminar, etc. to prevent sexual harassment, etc. from happening within police organizations. ☐ Assist to establish childcare facilities, etc. for female police officers to be able to continue working. ☐ Assist to establish a division specialized in handling gender-based violence. ☐ Conduct training on gender-based violence for police officers. ☐ Promote network building with local women's organizations to develop a better assistance system for victims of gender-based violence.	An increasing number of female police officers may make police activities, especially local police activities, more trusted by local communities.

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[10] UN Women (2012) "Gender-Sensitive Police Reform in Post-Conflict Societies",
http://www.unwomen.org/~/media/headquarters/media/publications/en/04bgendersensitivepolicereform.pdf

	Gender Perspectives and Issues	Examples of Works Based on Gender Perspectives	Expected Effects and Impacts by Incorporating Gender Perspectives
Monitoring, Evaluation and Ex-post Facto Evaluation	☐ Consider setting monitoring and evaluation indicators based on gender perspectives. 〈Example〉 ● The number of female police officers and ratio at the target police organization. ● An average length of continuous service of female police officers. ● The number of complaints filed and the number of arrests for gender-based violence.		

【**Example (ii)：Democratization Training for the Congolese National Police** (Local Training: 2004-2013)】

Due to the conflict in the Democratic Republic of the Congo (DRC), which has continued since the 1990's, restoration and maintenance of security is considered to be the national top priority. JICA, in collaboration with the Congolese National Police (PNC), the United Nations Organization Stabilization Mission in DRC (MONUSCO) and UNDP, have been supporting the enhancement of the PNC organization and human resource development by conducting retraining of police officers in active service since 2004. Since 2011, the main focus has been long-term (six-month) basic trainings to acquire basic police knowledge for new recruits to the police and police officers in active service without having received any training as police officers (including those enlisted from former armed insurgent groups). As many as 20,000 police officers had undergone the training by 2013. This accounts for about a fifth of the PNC officers.

Efforts Based on Gender Perspectives: At the long-term basic training incorporating human rights to the contents, lectures are given on basic human rights concepts, gender equality, prevention of sexual violence, and child protection. During the lectures on gender equality, trainees learn the concept of gender, the reasons for the necessity of gender-responsive activities, as well as the necessity of gender equality within the PNC. In the topic on the prevention of sexual violence, it is taught that sexual violence is a human rights violation and lectures are also made on actions to be taken as a police officer in charge of an investigation. Many of the trainers in charge are female trainers of the PNC who have, before this training, received lectures by JICA on retraining for police trainers. It is said that about 6% of the total number of PNC officers are female. A total of 143 female police officers have received the training in the three years since 2011 as the training encourages female participation as much as possible.

(4) Assistance for the Media

Gender Perspectives and Issues	Examples of Works Based on Gender Perspectives	Expected Effects and Impacts by Incorporating Gender Perspectives
➢ In countries with no regulations with regard to fair news reporting, there are cases in which women are not covered. ➢ In reporting on a female politician, the media emphasizes the aspect of traditional wife or mother rather than a political leader.	☐ Emphasize to the medial officials the importance of reporting the same amount coverage for men and women. ☐ Assist the medial officials to reconsider the media coverage that persists in traditional gender roles.	It can be avoided that the media will further strengthen women's stereotypical roles.

(5) Assistance for Education for Democratization

Gender Perspectives and Issues	Examples of Works Based on Gender Perspectives	Expected Effects and Impacts by Incorporating Gender Perspectives
It is necessary to provide an opportunity to both men and women to have education for democratization.	☐ Conduct activities to promote understanding about women's rights and participation in politics for influential men and religious leaders in a region. ☐ Assist women's organizations or NGOs that convey messages based on gender perspectives.	Both men and women understand democratization and understanding about women's rights and participation in politics is promoted.

2.3.5   Major References: Establishment of Democratic Institutions

【A hand book to promote women's participation in politics and election process in conflict-affected countries】

UN (2005), "Women & Elections – Guide to promoting the participation of women in elections",

http://www.un.org/womenwatch/osagi/wps/publication/WomenAndElections.pdf

【One of the twelve "Gender and SSR Toolkits" and a toolkit concerning police reform based on gender perspectives】

Tara Denham (2008) "Police Reform and Gender" Gender and Security Sector Reform Toolkit, DCAF, OSCE/ODIHR,

UN-INSTRAW, http://www.dcaf.ch/Publications/Police-Reform-and-Gender-Tool-2

(Table 1-1) Basic Survey Items   Annex 1

In considering the assistance for developing legal institutions in a country, the basic information on the legal and judicial system of the country is necessary. Also in considering the direction of assistance, the basic information on policies and the master plan on the legal system of the country is essential.
The below items for checking are the basic survey items listed. These surveys will be conducted by onsite offices and the headquarters' division in charge of the relevant matter.

Survey Items	Survey Matters	Data and Information to Obtain	Data and Information Incorporating Gender Perspectives to Obtain	Remarks
Constitution.	➢Contents of the constitution. ➢ Data on the enactment and revision of the constitution.	➢Contents of the constitution. ➢Information and data on the people's rights ➢Information and data on the governance structure.	➢Whether the constitution has provisions that are disadvantageous to a particular group (either to men or women or to social minorities). ➢If the targetc ountry ratifies the Convention on Elimination of All forms of Discrimination Against Women, whether there are provisions that conflict withthe convention.	If there are information resources in Japan, surveys will be conducted by the headquarters.
The basic information on the legal structure	➢Legal structure.	➢Norms provided by the legislature. ➢Information and data on case law. ➢Information and data on common law.	➢Whether the legal structure including common law has provisions that are disadvantageous to a particular group (either to men or women or to social minorities).	If there are information resources in Japan, surveys will be conducted by the headquarters.
	➢Legal format.	➢Type of legal format. ➢Effects and ranking.		
	➢Legal inheritance.			
Organizing law information.	➢Statute book (legal database). ➢Bird's-eye view of laws. ➢Data on assessing laws.	➢Needs and purposes. ➢Primary creater. ➢Publishing and operating. ➢Frequency of revision. ➢Utilization and access.	➢Regarding the utilization of and access to information by the general public, whether a particular group (especially women and social minorities) is restricted the utilization and access.	In many cases, statute books are not compiled. It is necessary to consider two different accesses, one by legal experts and the other by the general public.
Policy and plan for developing laws.	➢Master plan for developing laws. ➢Legislation plan (medium- to long-term plan and short-term plan)	➢Various master plan, blueprint and five-year plan, etc. ➢Implementation status of the current plan. ➢Review of past plans.		
Policy and plan for improving the drafting of laws and organizations in charge of drafting laws.	➢Plans for improving the drafting of laws and organizations in charge of drafting laws (master plan, buleprint and five-year plan, etc.)			
Police and plan for improving legislatioon and legislature.	➢Policy and planfor improving legislation and legislature (master plan, blueprint and five-year plan, etc.).			
Governance structure	➢Data on the governance structure. ➢Organizational chart of the government. ➢Standing of judiciary.	➢Constitution and other organization laws. ➢Information and data on the whole picture of national organizations. ➢Information and data on relations of various organizaitons. ➢Information and data on judicial independence.		If there are information resources in Japan, surveys will be conducted by the headquarters.
Justice department (or equivalent organization)	➢Authorities. ➢Organization and mechanism. ➢Personnel	➢Laws providing authorities and mechanism, etc. of the justice department. ➢Information and data on the whole organizational picture of the justice department. ➢Information and data on jurisdiction of each organization. ➢Information and data on the number of personnel and their qualifications.	➢Whether there is a gender focal point (the division or personnel in charge of gender issues) in the justice department. ➢Information and data on the number of personnel and their qualificaions by men and women.	
Policy and plan for reforming matters under the juristiction of the justice department.	➢Plan to improve services concerning the drawlng up of laws. ➢Plan to improve services concerning the law enforcement. ➢Other plans to improve services under the jurisdiction of the justice department.	➢Various master plan, blueprint and five-year plan, etc. ➢Implementation status of the current plan. ➢Review of past plans.		
Policy and plan for judicial reform.	➢Plan for judicial system reform. ➢Plan for reforming execution system, insolvency proceeding system and alternative dispute resolution (ADR) system. ➢Plan for reforming public prosecutor's office system and attorney system, etc.	➢Various master plan, blueprint and five-year plan, etc. ➢Implementation status of the current plan. ➢Review of past plans.		
Institutions other than court that administer judicial policy (judicial reform committee, etc.).	➢Whether such institutions exist. ➢Roles and standing. ➢Organization and mechanism.	➢Various master plans, blueprints and five-year plans, etc. ➢Implementation status of the current plan. ➢Review of past plans.		
Organization, structure and jurisdiction of courts	➢Organization and structure of ordinary courts. ➢Organization and structure of special court (constitutional court, etc.). ➢Level of appeal. ➢The number of each level of courts and locations. ➢The number of judges and appointments.	➢Constitution. ➢Court laws and other organization laws. ➢Information and data on judges.	➢Information and data on judges by gender (When obtaining information and data on judge, add "sex" to survey items).	
Conflict resolution methods	➢The utilization of court. ➢Formal conflict resolution methods other than court. ➢Informal conflict resolution methods.	➢Justice statistics. ➢Mediation law and other organization laws. ➢Information and data on informal conflict resolution methods.	➢Who primarily operates informal conflict resolution methods (men and women, social class, etc.). ➢Whether a particular group (especially women and social minorities) suffers disadvantage by informal conflict resolution methods.	

Policy and plan for legal empowerment of citizens.	➢Plan to improve legal knowledge of civil society. ➢Plan to improve judicial access.	➢Various master plan, blueprint and five-year plan, etc. ➢Implementation status of the current plan. ➢Review of past plans.	➢In varioius master plans, whether there is a plan referring to the fact that a particular group (especially women or social minorities) is currently restricted its access to the judiciary. ➢If there is such plan, what how does the plan refer to causes of restriction?	
Attorney system	➢The number of attorneys and their qualification requirements. ➢Bar association. ➢Legal assistance for civil society.	➢Attorney act and other related laws. ➢Stastics on attorneys. ➢Information and data on bar association. ➢Information and data on attorneys' legal services.	➢The number of attorneys by gender (when obtaining information and data on attorney, add "sex" to survey items).	
Policy and play human resource development in judicial affairs and legal profession.	➢Plan for human resource development in injudicial affairs. ➢Plan for human resource development in legal profession.	➢Various master plan, blueprint and five-year plan, etc. ➢Implementation status of the current plan. ➢Review of past plans.		
Legal education at universities and graduate schools.	➢The number of universities that establish faculty of law and law schools. ➢Curriculum. ➢Educational materials. ➢Teachers.	➢Statistics and date on higher education. ➢Information and data on education at universities and graduate schools.	➢The number of teachers by gender (when obtaining information and data on teacher, add "sex" to survey items).	
Developing human resource of training organizaitons that develop human resource in judicial affairs.	➢Whether such organizaitons exist. ➢Curriculum. ➢Educational materials. ➢Teachers	➢Establishment law and other related laws. ➢Information and data on educating training organizations.	Same as above	
Developing human resource of training organizaitons that develop human resource in legal profesison.	➢Whether such organizaitons exist. ➢Curriculum. ➢Educational materials. ➢Teachers	➢Establishment law and other related laws. ➢Information and data on educating training organizations.	Same as above	

Source: Thematic Guidelines for "Rule of Law Promotion" pp.8—9

(Table 1-2) Survey Items for Assisting Drafting Bills and Examining Assistance of Human Resource Development in charge of Drafting Bills

When considering assisting drawing up laws and developing human resource in charge of drawing up laws, it should never been forgotten that making "rules" itself is not the whole purpose. The final goal is to achieve the purpose of making the rules (legislative intent) by applying the new rules appropriately. To this end, we must take into account, in addition to ways to draw up draft bills, the process of legislating draft bills, ensuring the conformity between the draft bills and other existing laws, the level of capacity of organizaitons that operate laws, and ways to disseminate contents of laws. Furthermore, whether to focus on improving contents of draft bills or developing the capacity of officials in charge of drawing up draft bills must be determined by taking into consideration needs and the level of capacity of the target country.
As conducting surveys requires experts' advice, carry out surveys by using the framework of cooperation preparation, etc. as necessary.

Survey Items		Survey Matters	Data and Information to Obtain	Data and Information Incorporating Gender Perspectives to Obtain	Remarks
Policy and plan on the development of laws.		➤Master plan on the development of laws. ➤Legislation plan (medium- to long term plan and short-term plan).	➤Varioius master plans, blueprints and five-year plans, etc. ➤The implementation status of the current plan. ➤Review of past plans.		Closely related to the appropriateness of projects.
Drafting and legislating process	Process of drafting bills	➤System of drafting bills. ·Primary drafter. ·Roles of relevant organizations. ➤Process of submitting bills to the parliament. ➤Process of checking contents of bills.	➤Laws providing processes of drafting and legislating the constitution and other bills. ➤Information and data on drafting and legislating processes.		Depending on who is in charge of drafting bills, competent authority, parliament-affiliated organizaiton or cross-government organization, a counterpart (CP) organization will be different (or activities will be different). Whether contents of bills drafted by CP are changed by discussions other than those of the parliament will affect the objective.
	Legislation process	➤Process of deliberating on bills (before submitting to the parliament). ➤Process of deliberating on bills (after submmitting to the parliament). ➤Promulgation procedure.	➤Laws providing the process of deliberating on the constitution and other bills. ➤Information and data on the process of deliberating on bills.		It is often the case that JICA supports the counterpart's activities in the process of deliberation after formulating bills. It can be an external condition of the project.
	Coordination among laws	➤Government agency in charge of maintenance and systematization. ➤Discussion system among ministries and agencies. ➤Coordination system during the process of deliberating on bills.	➤The constitution and other organizaiton laws. ➤Organization law of the agency in charge of maintenance and systematization. ➤Laws providing the process of deliberating on bills. ➤Information and data on the process of deliberating on bills.		In case that a system of coordination among laws is not established, a bill in conflict with the law that JICA assisted its drafting may be drawn up and the legislative intent of the law may not be achieved.
	Organizations involved in legislation	➤Involvement of state organizations other than the legislature. ➤Public comment.	➤The constitution and other organization laws. ➤Parlimentary law. ➤Laws providing the legislating process. ➤Information and data on the lesiglating process.		
In case of considering the assistance of civil law	Civil law (civil general rules, law of ownership rights, law of collateral, contract law, law of illegal acts, family law, inheritance law or laws equivalent to these matters). Real estate law (land law, building law, real property registration law or laws equivalent to these matters) Companies law (various companies laws and business laws, etc.) Commercial transaction law (consumers law and various contract laws, etc.)	【Contents】 ➤Circumstances of enatcment and revision (including the reception of laws). ➤Contents. ➤Needs and direction of revision. 【Implementaiton】 ➤Rules on drafting bills. ➤Organization responsible for drafting bills. ➤Main drafter. ➤Capacity of the main drafter. ➤Whether draft bills to be opened or not. 【Others】 ➤Legislation plan. ➤Membership and conclusion of related international treaties (multilateral and bilateral).	➤Provisions of old and existing laws. ➤Ensuring donors' cooperaiton in the traget field. ➤Documents on strategy and policy in the traget field. ➤Rules on drafting bills. ➤Legislation plan. ➤Policy on opening draft bills. ➤Information on the capacity of main drafter. ➤Related international treaties (multilateral, bilateral).	➤Whether existing laws have provisions that are disadvantageous to a particular group (either to men or women or to social minorities). ➤If the target country ratifies "the Convention on the Elimination of All Forms of Discrimination against Women," whether there are provisions that conflict with the treaty. ➤Other donors' cooperaiton in gender mainstreaming.	➤Reception of laws and donors' cooperaiton are related to predominance. Compliance with international treaties can be related to appropriateness.
In case of considering the assistance of criminal law.	Criminal law Juvenile law Special criminal law (laws, etc. concerning cybercrime).	Same as above	Same as above	In addition to the above, ➤Whether gender-based violence is defined as crime (in case there is no law that handles the matter).	
In case of considering the assistance of economic law.	Competition law (or an equivalent law). Investment law (or an equivalent law). Financial law (or an equivalent law). Intellectual property law (or an equivalent law).	Same as above	Same as above	Same as civil law.	
In case of considering the assistance of administrative law.	Administrative procedures law. Administratvie remedy law. Freedom of informaiton law.	Same as above	Same as above	Same as civil law.	
In case of consideirng the assistance of social law	Domestic violence prevention law, human trafficking prevention law, child abuse prevention law and law on welfare of physically disabled persons (or laws equivalent to these matters)	Same as above	Same as above	➤If the target country ratifies "the Convention on the Elimination of All Forms of Discrimination against Women," whether there are provisions that conflict with the treaty. ➤According to needs for enactment and revision, obtain information from national machineries, ministry of women's affairs and women's groups that are well familar with gender-based violence, etc.	

In case of considering the assistance of civil procedure law	Civil proceedings law	Same as above	Same as above	Same as civil law.	
	Civil execution law				
	Bankruptcy law				
In case of consideraing the assistance of criminal procedure law	Criminal procedure law	Same as above	Same as above	Same as above	
	Laws concerning rehabilitation and support				
In case of considerings the assistance of laws concerning alternative dispute resolution.	Laws concerning reconciliaiton and mediation.	Same as above	Same as above	Same as above	
	Laws concerning arbitration.				
In case of considering the assistance of organization law.	Court law Public prosecutor's office law Attorney (bar association) law	Same as above	Same as above	Same as above	

Policy and plan on the improvement of drafting bills and organizations in charge of drafting bills.		➢Master plan on the improvement of drafting bills and organizations in charge of drafting bills.	➢Varioius master plans, blueprints and five-year plans, etc. ➢The implementation status of the current plan ➢Review of past plans.	
Police and plan on the improvement of legislature and organizations equivalent to legislature.		➢Plan to reform legislature and organizaitons equivalent to legislature (blueprint, master plan, etc.).	➢Varioius master plans, blueprints and five-year plans, etc. ➢The implementation status of the current plan ➢Review of past plans.	
Organization in charge of drafting laws subject to JICA's assistance.	Organization and services.	➢Organization, structure and the number of people. ➢Roles and jurisdiction of each organization and structure.	➢Laws that define authorities of justice ministry and structure. ➢Information and data on the whole picture of justice ministry's organizations. ➢Information and data on each organizaiton's jurisdiciton. ➢Information and data on the number of personnel and qualifications.	➢Information and data on on the number of personnel and qualifications by gender (When obtaining information and data on personnel, add "sex" to survey items).
	Services of drafting bills	➢Officials in charge of drafting bills. ➢Drafting service. ➢Issues and tasks. ➢Direction of improvement	➢Laws that define the process of drafting bills. ➢Information and data on the process of drafting bills.	
	Officials in charge of drafting bills.	➢Qualifications. ➢Training and educaiton.	➢Information and data on officials in charge of drafting bills.	
Organization in charge of operating laws subject to JICA's assistance.	Organization and services.	➢Organization, structure and the number of people. ➢Roles and jurisdiction of each organization and structure.	➢Laws that define authorities of justice ministry and structure. ➢Information and data on the whole picture of justice ministry's organizations. ➢Information and data on each organizaiton's jurisdiciton. ➢Information and data on the number of personnel and qualifications.	➢Information and data on on the number of personnel and qualifications by gender (When obtaining information and data on personnel, add "sex" to survey items).
	Service of operating the target law.	➢Officials in charge of operating the law. ➢(Expected) operational services. ➢Issues and tasks. ➢Direction of improvement.	➢Laws subject to JICA's assistance. ➢Information and data on the process of operating laws.	
	Officials in charge of operating laws.	➢Qualifications. ➢Training and educaiton.	➢Information and data on officials in charge of operating laws.	
Policy and plan on legal empowerment of citizens.		➢Plan on the improvement of legal knowledge in civil society. ➢Plan on the improvement of judicial access.	➢Varioius master plans, blueprints and five-year plans, etc. ➢The implementation status of the current plan ➢Review of past plans.	➢In varioius master plans, whether there are references to groups (especially women or social minorities) whose judicial access is limited. ➢If a particular group's judicial access is limited, whether there are references to the causes of limitaiton.
Legal knowledge of civil society	Access to laws.	➢Promulgation procedure. ➢Responsible ministries and agencies. ➢Official gazette and website.	➢Laws concerning promulgation. ➢Official gazette. ➢Government's and municipal offices' websites.	➢Whether actions are taken for a particular group (especially women or social minorities) whose judicial access is currently limited so as to help them receive informaiton.
	Law books.	➢Type and contents. ➢Pulication and distribution status.	➢Law books ➢Information on matters shown in the left	
	Legal educaitn	➢Legal education in elementary and secondary educaitons. ➢Educational program for citizens. ➢Access point of legal information.	➢Legal system, contents of the constitution and rights and obligcations of the people. ➢Main provider and focused areas. ➢Library and local governments.	

Source: Thematic Guidelines for "Rule of Law Promotion" pp.10—11

(Table 1-3) Survey Items for Examining Assistance of Functional Enhancement of Judicial System

When considering assisting the functional enhancement of court system, we must take into account various assistance fields including the development of rules, the functional enhancement of law-operating organizations, legal empowerment and human resource development and combine them as needed to implement the assistance. As it is impossible, however, to provide assistance to all fields, we need to narrow down assistance fields based on strategy and policy of the target country's government, needs of the target country, donors' activities and policy of Japan

As conducting surveys of matters listed below requires experts' advice, carry out surveys by using the framework of cooperation preparation, etc. as necessary.

Survey Items		Survey Matters	Information and Data to Obtain	Information and Data Incorporating Gender Perspectives to Obtain	Remarks
Police and plan on judicial reform.		➤Midum- to long-term plan and short-term plan. ·Justice stystem reform. ·Execution system reform. ·Correction system reform. ·Insolvency proceeding system reform. ·Alternative dispute resolution (ADR) system reform. ·Public prosecutor's office system reform. ·Attorney system reform. ·Improvement of legal knowledge in civil society. ·Judicial access reform. ·Continuous education of judicial officials. ·Training of judicial officials.	➤Various master plans, blueprints and five-year plans, etc. ➤The implementation status of the current plan. ➤Review of past plans.		
In case of considering the assistance of civil procedure law	Civil proceedings law.	【Contents】 ➤Circumstances of enatcment and revision (including the reception of laws). ➤Contents. ➤Needs and direction of revision. 【Implementaiton】 ➤Rules on drafting bills. ➤Organization responsible for drafting bills. ➤Main drafter. ➤Capacity of the main drafter. ➤Whether draft bills to be opened or not. 【Others】 ➤Legislation plan. ➤Membership and conclusion of related international treaties (multilateral and bilateral).	➤Provisions of old and existing laws. ➤Ensuring donors' cooperaiton in the target field. ➤Documents on strategy and policy in the target field. ➤Rules on drafting bills. ➤Legislation plan. ➤Policy on opening draft bills. ➤Information on the capacity of the main drafter. ➤Related international treaties (multilateral and bilateral).	➤Whether existing laws have provisions that are disadvantageous to a particular group (either to men or women or to social minorities). ➤If the target country ratifies "the Convention on the Elimination of All Forms of Discrimination against Women," whether there are provisions that conflict with the treaty. ➤Other donors' cooperaiton in gender mainstreaming.	
	Civil execution law				
	Insolvency law				
In case of considering the assistance of criminal procedure law	Criminal procedure law				
	Laws concerning rehabilitation and support				
In case of considering the assistance of laws concerning alternative dispute resolution.	Laws concerning reconciliation and mediation.				
	Laws concerning arbitration.				
In case of considering the assistance of organization law.	Court law.				
In case of considering the assistance of functional enhancement of court.	Standing of judiciary.	Relations with other state organizations (whether there is a supervisory organization and duty to report).	➤Constitution and other organization laws. ➤Information and data on the whole picture of national organizations. ➤Information and data on relations of various organizaitons. ➤Information and data on judicial independence.		
	Institutions other than court that administer judicial policy (judicial reform committee, etc.).	➤Whether such institutions exist. ➤Roles and standing. ➤Organization and mechanism.	➤Constitution and other organization laws. ➤Information and data on the whole picture of judiciary. ➤Information and data on relations among each organization. ➤Information and data on each organizaiton.		Whether members of conference are only judges, or senior political officials or experts are included. How judges take office? (professional ranking system, appointment system, election system). Whether judges are involved in judicial administration.
	Organization, structure and jurisdiction of court	➤Organization and structure of ordinary courts. ➤Organization and structure of special court (constitutional court, etc.). ➤Level of appeal. ➤The number of each level of courts and locations. ➤The number of judges and appointments.	➤Constitution. ➤Court law and other organization law. ➤Inforation and data on judges.	➤Information and data on judges by gender (When obtaining information and data on judge, add "sex" to survey items).	
	Judicial administration authority	Right of personnel management on judges. Right of personnel management on personnel. Whether there is a supervisory organization and duty to report.	➤Constitution. ➤Court law and other organization law.		
	Judges.	Qualification. Training and educaion. Appointment. Term. Type. The number of judges. Guarantee of status (dismissal, evaluation and promotion) Point scoring by case. Pay.	➤Information on matters shown in the left column by the type of court and each level.		
	Court management.	Budget. Facilities. IT. Website. Qualifications of personnel. Training and education of personnel.	➤Court law and other organization law. ➤Information and data on court.		
	Lawsuit hearing.	Judicial body (jury system, joint judge-jury system, etc.).	➤Court law and other organization law. ➤Lawsuit procedure law and other procedure laws.		
	Statistics of trials .	The number of case received. Settlement rate.	➤Statistical information by each level and type of court.		
In case of considering the assistance in improving judgement document.	Judgment document.	Current issues. Needs and direction of improvement.	➤Information on matters shown in the left column (information included in plans, etc. on judicial reform).		
In case of considering the assistance in developing judicial precedent system.	Judicial precedents.	Standing of judicial precedents (whether to be source of the law or not). Access to judicial precedents (publication of law reports, etc.). Needs and direction of developing judicial precedents.	➤Constitution and other organization law. ➤Lawsuit procedure law and other procedure law. ➤Information on matters shown in the left column).		
In case of considering the assistance of functional enhancement of executive organ.	Civil executive agency.	Jurisdiction and roles Structure The number of personnel, status and qualification. Statistics on civil execution.	➤Organization law on civil executive agency. ➤Lawsuit procedure law and other procedure laws. ➤Information on matters shown in the left column.	➤The number of personnel, their status and qualifications by gender (when obtaining information and data on personnel, add "sex" to survey items).	
	Execution officer.	The number of execution officers, their status and qualifications. Authorities. Supervision and discipline.			

In case of considering the assistance of functional enhancement of alternative dispute resolution (ADR) system	ADR system	Reconciliation and mediation with court involvement. ADR without court involvement. Qualifications, status and position of personnel of ADR related organizations. Training and education of personnel of ADR related organizations. Statistics. Executive authority.	➢Lawsuit procedure law and other procedure laws. ➢Court law and other organization law. ➢Statistics on matters shown in the left column. ➢Information on matters shown in the left column.	➢The number of personnel, their status and qualifications by gender (when obtaining information and data on personnel, add "sex" to survey items).	
In case of considering the assistance of prosecution agencies.	Prosecution agencies.	Roles and jurisdictin. Structure. The number of personnel, their status and qualifications. Development, education and training of personne.	➢Constitution. ➢Public prosecutors office law and other organization law. ➢Lawsuit procedure law and other procedure law. ➢Information on matters shown in the left column.	Same as above	
	Public prosecutors.	The number of public prosecutors, their status and qualifications. Development, education and training. Appointment. Authorities. (Discretionary prosecution). (Command and supervision over investigations). (Involvement in civil trials).	➢Constitution. ➢Public prosecutors office law and other organization law. ➢Lawsuit procedure law and other procedure laws. ➢Information on matters shown in the left column.	Same as above	
In case of considering the assistance of functional enhancement of bar association.	Bar association	The number and type of bar associations. Compulsory participation and voluntary participation. Activities.	➢Attorney law and other organization laws. ➢Information on matters shown in the left column.		
	Attorney	The number of attorneys. Status. Qualifications. Supervision and discipline. Development and education. Training.	➢Attorney law and other organization laws. ➢Lawsuit procedure law and other procedure laws. ➢Information on matters shown in the left column.	➢The number of attorneys, their status and qualifications by gender (when obtaining information and data on attorney, add "sex" to survey items).	
In case of considering the assiance in improving legal knowledge in civil society.	Access to laws	Promulgation procedure. Responsible govenrment ministries and agencies. Official gazette and website.	➢Laws on promulgation. ➢Official gazette. ➢Websites of government ministries and agencies.	➢Whether actions are taken for a particular group (especially women or social minorities) whose judicial access is currently limited so as to help them receive informaiton.	
	Access to judicial	Judicial precedent opening system. Law reports and website.	➢Laws on opening judicial precedents. ➢Law reports. ➢Court's website.		
	Law books	Type and contents. Publication and distribution.	➢Law books. ➢Information on matters shown in the left column.		
	Legal education	➢Legal education in elementary and secondary educations. ➢Educational program for citizens.	➢Contents. ➢Primary provider.		
In case of considering the assistance in improving judicial access in civil society.	Giving legal advice.	Type and primary provider. Methods.	➢Contents. ➢Primary provider.	➢Whether actions are taken for a particular group (especially women or social minorities) whose judicial access is currently limited so as to help them receive informaiton (Example: providing free legal consultation).	
	Litigation for public interests and class suit.	Type and primary provider. Primary provider. Procedure. Statistics.	➢Lawsuit procedure law and other procedure laws. ➢Information on matters shown in the left column.		
	Summary court procedure	Type and procedure. Statistics.	➢Lawsuit procedure law and other procedure laws. ➢Information on matters shown in the left column.		
In case of considering the assistance in improving support of judicial access in civil society.	Pro bono activities.	Contents of activities. Obligation to participate in activities.	➢Attorney law and other organization laws. ➢Internal regulations of bar association. ➢Information on matters shown in the left column.	➢Whether actions are taken for a particular group (especially women or social minorities) whose judicial access is currently limited so as to help them receive informaiton (Example: providing free legal consultation).	
	Legal aid.	Contents of system Statistics.	➢Laws on legal aid. ➢Information on matters shown in the left column.		
	Waving of the legal fees for a party in a civil lawsuit.	Contents of system. Statistics.	➢Lawsuit procedure law and other procedure laws. ➢Information on matters shown in the left column.		
	Public defense system (Public defender) (Public law office)	Contents of system Structure. Roles and jurisdiction. The number of attorneys, status and qualificaitons. The number of personnel, status and qualifications. Statistics.	➢Laws on public defense system. ➢Information on matters shown in the left column.		
In case of considering the assistance of functional enhancement of judicial officials, etc.	Continuous education of judges. Continuous education of court personnel (court clerk, etc.). Continuous education of civil executive agency personnel. Continuous education of personnel of justice ministry and related organizations. Continuous education of personnel of ADR-related organizations (mediators and arbitrators, etc.) Continuous education of public prosecutors. Continuous education of attorneys.	➢Systems. ➢Curriculums. ➢Educational materials. ➢Issues of current situations. ➢Needs and direction of improvement.	➢Information on systems. ➢Curriculums. ➢Educational materials. ➢Documents on strategy and policy in the target fields. ➢Ensuring donors' cooperaiton in the target fields.	➢The level of understanding of judicial officials about gender and social minorities.	
In case of considering the assistance in developing judicial officials.	Judicial officials development system.	Human resource development process in the legal profession. Qualifying examinations.	➢Laws on the development of judicial officials. ➢Information on matters shown in the left column.		
	Organizatios of developing judicial officials. Organizations of developing personnel of judicial and legal affairs related organizations.	➢System. ➢Organizations and structure. ➢Curriculums. ➢Educational materials. ➢The number of instructors and qualifications. ➢Issues of current situations. ➢Needs and direction of improvement.	➢Information on system. ➢Organizations and structure. ➢Curriculums. ➢Educational materials. ➢Information on instructors. ➢Documents on strategy and policy in the target fields. ➢Ensuring donors' cooperaiton in the target fields.	➢Whether there are items in curriculums that handle issues of gender and social minorities as necessary.	

Source: Thematic Guidelines for "Rule of Law Promotion" pp.12—13

(Table 1-4) Survey Items for Examining Assistance of Functional Enhancement of Reconciliation and Mediation

When considering assisting the functional enhancement of reconciliation and mediation systems, we must take into account various assistance fields including the development of rules, the functional enhancement of law-operating organizations, legal empowerment and human resource development and combine them as needed to implement the assistance. As it is impossible, however, to provide assistance to all fields, we need to narrow down assistance fields based on strategy and policy of the government of the target country, needs of the target country, donors' activities and policy of Japan

As conducting surveys of matters listed below requires experts' advice, carry out surveys by using the framework of cooperation preparation, etc. as necessary.

Survey Items		Survey Matters	Information and Data to Obtain	Information and Data Incorporating Gender Perspectives to Obtain	Remarks
Policy and plan on building/reforming the mediation system (policy and plan on mediation system conducted at court may be included in the policy and plan on judicial reform). (Policy and plan on mediation systems conducted outside court may be included in policy and plan on promoting the reconciliation of the people, peaceful conflict resolution and decentralization).		➢Contents of medium- to long-term plan and short-term plan. ➢Implementation of medium- to long-term plan and short-term plan.	➢Various master plans, blueprints and five-year plans, etc. ➢The implementation status of the current plan. ➢Review of past plans.		
Existing mediation and arbitration institutions.		➢Whether there are mediation institutions (for mediating business affairs, etc.). ➢Whether are mediation institutions for administrative, civil and community affairs.	➢Management entity. ➢Internal regulations. ➢Matters shown in the below column.		
Laws on reconciliation and mediation		【Contents】 ➢Circumstances of enactment and revision. ➢Contents. ➢Needs and direction of revisions. 【Implementation】 ➢Rules on drafting. ➢Responsible organization for drafting. ➢Main drafter. ➢Capacity of the main drafter. ➢Whether drafts to be opened or not. 【Others】 ➢Legislation plan. ➢Membership of related international treaties (multilateral and bilateral).	➢Provisions of old and existing laws. ➢Ensuring donors' cooperation in the target field. ➢Documents on strategy and policy in the target field. ➢Rules on drafting. ➢Legislation plan. ➢Policy on opening drafts. ➢Information on the capacity of the main drafter. ➢Related international treaties (multilateral and bilateral).		
Provisions for reconciliation and mediation in civil proceedings law.					
Provisions for reconciliation and mediation in court regulations.					
Provisions for reconciliation and mediation in attorney law and regulations of bar association (if a bar association establishes a mediation institution, or attorneys play the role of mediator at court or bar associations).					
Persons in charge of reconciliation and mediation (judge and mediators, etc.).		➢Qualifications. ➢Development, education and training. ➢Appointment. ➢Term. ➢The number of persons in change. ➢Guarantee of status (dismissal, evaluation and promotion). ➢Point scoring by case. ➢Remuneration.	➢Information and data on matters shown on the left column.	➢Information and data by gender on matters shown in the left column (when obtaining information and data, add "sex" to survey items).	
Institutions for reconciliation and mediation (institutions in court and outside court).		➢Budget. ➢Facilities. ➢IT ➢Website. ➢Qualifications of personnel. ➢Development and education of personnel. ➢Effect of reconciliation and mediation (with or without compulsory execution, etc.)	➢Information and data on matters shown on the left column.		
Statistics		➢The number of cases received. ➢Settlement rate.	➢Information and data on matters shown on the left column.		
Civil society's access to reconciliation and mediation.		➢Procedure. ➢Agent. ➢Costs. ➢Cost support system.	➢Information and data on matters shown on the left column.	➢Regarding matters shown in the left column, whether there is a particular group (especially women or social minorities, etc.) whose access is limited or problematic.	Check the accessibility of civil society.
Continuous education of persons in charge of reconciliation and mediation (judges and mediators, etc.)		➢System. ➢Curriculums. ➢Educational materials.	➢Information and data on matters shown on the left column.	➢If a particular group's access to reconciliation and mediation systems is limited, whether curriculums and educational materials include contents concerning the limit or problematic access of the group (especially women or social minorities).	
Assistance in developing persons in charge of reconciliation and mediation (judges and mediators, etc.).	Development system	➢Process of applicants. ➢Qualifying examination.	➢Information and data on matters shown on the left column.		
	Development institutions (especially education in reconciliation and mediation).	➢Roles and jurisdiction. ➢Structure. ➢The number of instructors, status and qualifications. ➢The number of personnel, status and qualifications. ➢Curriculums. ➢Educational materials.	➢Information and data on matters shown on the left column.		

Source: Thematic Guidelines for "Rule of Law Promotion" p. 14

(Table 1-5) Survey Items for Examining Assistance of Functional Enhancement of Judicial Training Agency

When considering assisting the functional enhancement of organizations of developing judicial officials, we must take into account various assistance fields including the development of rules, the functional enhancement of law-operating organizations, legal empowerment and human resource development and combine them as needed to implement the assistance. As it is impossible, however, to provide assistance to all fields, we need to narrow down assistance fields based on strategy and policy of the government of the target country, needs of the target country, donors' activities and policy of Japan
As conducting surveys of matters listed below requires experts' advice, carry out surveys by using the framework of cooperation preparation, etc. as necessary.

Survey Items		Survey Matters	Information and Data to Obtain	Information and Data Incorporating Gender Perspectives to Obtain	Remarks
Policy and plan on building/reforming institutions for developing judicial officials (policy and plan may be included in the policy and plan on judicial reform).		➢Contents of medium- to long-term plan and short-term plan. ➢Implementation of medium- to long-term plan and short-term plan.	➢Various master plans, blueprints and five-year plans, etc. ➢The implementation status of the current plan. ➢Review of past plans.		
Information on institutions for developing judicial officials		➢Institutions. ➢Organizations and structure. ➢Curriculums. ➢Educational materials. ➢The number of instructors and qualifications. ➢Issues of the current situation. ➢Needs and direction of improvement.	➢Information on conditions of institutions. ➢Organizational and structural charts. ➢Curriculums. ➢Educational materials. ➢Information on instructors. ➢Documents on strategy and policy in the target field. ➢Ensuring donors' cooperation in the target field.	➢Other donors' cooperation in gender mainstreaming.	
Laws on developing judicial officials. Provisions for developing judges in court law. Provisions for developing judicial officials in public prosecutor's office law. Provisions for developing attorneys in attorney law.		【Contents】 ➢Circumstances of enactment and revision. ➢Contents. ➢Needs and direction of revisions. 【Implementation】 ➢Rules on drafting. ➢Responsible organization for drafting. ➢Main drafter. ➢Capacity of the main drafter. ➢Whether drafts to be opened or not. 【Others】 ➢Legislation plan. ➢Membership of related international treaties (multilateral and bilateral).	➢Provisions of old and existing laws. ➢Ensuring donors' cooperation in the target field. ➢Documents on strategy and policy in the target field. ➢Rules on drafting. ➢Legislation plan. ➢Policy on opening drafts. ➢Information on the capacity of the main drafter. ➢Related international treaties (multilateral and bilateral).		
Matters of continuous education of judicial officials.	Continuous education of judges.	➢Sytesm. ➢Curriculums. ➢Educational materials. ➢Issues of the current situation. ➢Needs and direction of improvement	➢Information on conditions of system. ➢Curriculums. ➢Educational materials. ➢Documents on strategy and policy in the traget field. ➢Ensuring donors' cooperaiton in the traget field.		
	Continuous education of public prosecutors.				
	Continuous education of attorneys.				

Arial: Thematic Guidelines for "Rule of Law Promotion" p. 15