



Forest Stewardship Council®



Promoting Gender Equality in National Forest Stewardship Standards

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Preface

Dear FSC Members and Standard Development Groups,

On behalf of the FSC International Board, I congratulate the FSC Gender Mainstreaming Steering Group for this FSC guidance document ***Promoting Gender Equality in National Forest Stewardship Standards***.

A group of members and key stakeholders of FSC had an intensive discussion at the 2014 FSC General Assembly to develop a gender equality strategy within the FSC system. This was adopted as part of the *FSC Global Strategic Plan 2015-2020*, where it is reflected as success criteria 1.4.2: *“To ensure that issues of gender equality are understood and addressed, FSC implements a system-wide gender equality strategy, creating an institutional culture and normative framework that facilitates improving gender sensitivity within the system.”*

This guidance document is the first important step within the overall ongoing work on gender strategy that will be included in the implementation of the global strategic plan.

We strongly encourage standard development groups that are still in the process of completing their national forest stewardship standard to use this document as guidance, and those which have finalized their standard, to improve over time to align with this guidance. This document’s implementation, along with the achievement of effective outcomes, will set FSC as a leading organization promoting gender equality and women’s empowerment in the forestry sector globally.

Finally, I would like to acknowledge the members of the FSC Gender Mainstreaming Steering Group: Nancy Vallejo (Lead, development of the guidance document), Martha Nuñez (FSC Board Special Representative on Gender), and Kim Carstensen, Marion Karmann and Joachim Meier-Doernberg (FSC global office staff), for their contributions to this guidance.

In solidarity,

Rulita Wijayaningdyah
Chairperson
FSC International Board of Directors

Introduction

Criterion 2.2 was adopted into the new *Principles and Criteria for the Forest Stewardship Council (FSC)* (P&C V5-2 EN) in 2015. Criterion 2.2 states: “The Organization shall promote gender equality in employment practices, training opportunities, awarding of contracts, processes of engagement and management activitiesⁱ.” Through its adoption, FSC is now committed to promoting Gender Equality in its work. According to the International Generic Indicators (IGIs) standard, FSC-STD-60-004 V1-0 ENⁱⁱ, criterion 2.2 is defined by nine indicators to enhance the consistency of the implementation of gender equality in all standards of the FSC system.

The purpose of this guidance document is to facilitate the inclusion of requirements on gender equality in FSC national forest stewardship standards (NFSS) and by so doing, fully address criterion 2.2. It serves to aid standards developers, FSC staff, and other bodies involved in developing and/or approving NFSS, in learning more about the gender equality provisions of the new P&C V5-2 and the IGIs. The document also addresses potential practical challenges related to the implementation of gender equality criterion. It explains why the nine IGIs on gender equality are important and provides examples of national indicators and means of verification.

The FSC Gender Mainstreaming Steering Group developed this document, with the help of informal consultation with external experts, certification bodies, and FSC members, including workers representatives.

The promotion of gender equality is important for FSC

Background

For decades, the international policy arena has worked towards a common global goal of achieving gender equality. Numerous declarations, international conventions, policies and strategies from the United Nations, multilateral systems, and private and non-governmental sectors express this goal. A list of key international legal and policy documents for gender equality may be found in Annex1.

In most countries, as a result of the ratification of the *United Nations Convention for the Elimination of all Forms of Discrimination against Women* (CEDAW) and the work of women's advocacy groups, a national law promotes gender equality and women's empowerment.

Since the *Fourth World Conference on Women* in Beijing in 1995, special efforts have been developed to close the gender inequality gap, particularly regarding environmental issues. It is broadly recognised that gender equality is a matter of fundamental human and labour rights and is a key driver to development and sustainability worldwide (ILO, 2016ⁱⁱⁱ). Despite some improvements, particularly in primary education and politics, progress is slow in reaching gender equality, and significant gaps remain. Economic, social and cultural issues, as well as care-work distributions in the home affect female participation in the labour force and employment rates heavily.

In 2015, the *Human Development Report* (HDR), *Work for Human Development* (UNDP, 2015^{iv}) noted that several critical areas that need substantial improvement include employment and health. Although women **contribute to 52 per cent of global work**, men dominate the world of paid work, representing about 65 per cent of the labour force, while women dominate that of unpaid work with more than 75 per cent part of the workforce. The HDR further notes that when women are in paid work, they face heavy disadvantages, with fewer access to senior managerial position, a phenomenon called the "glass ceiling". Globally, women only hold 22 per cent of senior leadership positions and 32 per cent of businesses do not have any female senior managers. **Women earn, on average, 24 per cent less than men for the same or comparable positions.** In general, the higher the position, the bigger the difference in earnings. In Latin America, for example, top female managers earn on average only 53 per cent of top male managers' earnings.

In the forestry sector worldwide, the gender inequality gap may be of great proportions. As pointed out by UN Economic Commission for Europe and FAO (UNECE/FAO, 2006^v), men dominate the forestry sector, even though gender equality focused policies and laws have been passed. For example, policy design and formal forestry management is almost always male-dominated; women rarely have input into forestry decision-making, both at the macro and even at the micro level. According to the International Union for Conservation of Nature's (IUCN) *Environmental and Gender Index 2015* (IUCN, 2015^{vi}), 17 of 65 countries surveyed had a gender focal point in their Forestry Ministry, 7 of 26 Forestry Ministries have a formal gender policy, and 10 have gender consideration in their policies and programmes.

“This vision of reality is influenced by socio-cultural norms and religious conceptions strongly driven by concepts of patriarchy that cut across ethnicities, castes, livelihoods, rural and urban communities, and the educated and the non-educated populace. As a result, men are generally favoured for access and control of forests, land, water and other productive resources while women are often excluded from possession and control of land, and from access to decision-making realms, reinforcing the notion of their vulnerability and dependence on men. Gender issues and concerns are then trivialized in key policy decisions and negotiations in both the formal and informal forestry sectors” (IUCN and WEDO, 2011, p. 21^{vii}).

An Opportunity

The new Sustainable Development Goals (SDGs^{viii}) 2030 agenda reaffirmed the global consensus on the importance of gender equality for achieving sustainable development. Nearly 20 per cent of all SDG targets are directed at fighting inequality and discrimination between genders. For example, SDG 5 aims “to achieve gender equality and empower all women and girls.”

As an important actor for sustainable development in general and as a leader for positive change in the forestry sector, FSC cannot ignore gender inequality, which is particularly pervasive in the sector. The new criterion 2.2 and the corresponding nine IGIs provide the opportunity to directly contribute to integrating gender equality and women’s empowerment in the practice and business of responsible forest management. The IGIs also further influence the organizational culture on the importance of the application of these human rights in businesses and communities; the objective being that policies, projects and measures are effectively and efficiently implemented for improved outcomes.

At its 69th session, the FSC International Board of Directors agreed that, “a strategy and work plan for mainstreaming gender equity is of a strategic and ethical importance to the organization” (FSC, 2015c, p. 3^{ix}). The new *Global Strategic Plan 2015-2020: Delivering Forest for All Forever*, reflects a similar sentiment, in which embracing diversity, empowerment of women and realisation of rights of people, including women, have become parts of FSC’s guiding principles. In addition, empowerment of people is one of the four FSC commitments and a gender equality strategy is one of the critical result areas. The implementation and achievement of effective outcomes will set FSC as leading organisation promoting gender equality and women’s empowerment in the forestry sector worldwide.

Key concepts and definitions

Gender	<i>Refers to the array of socially constructed roles and relationships, personality traits, attitudes, behaviours, values, relative power and influence that society ascribes to the two sexes on a differential basis. Whereas biological sex is determined by genetic and anatomical characteristics, gender is an acquired identity that is learned, changes over time, and varies widely within and across cultures. Gender is relational and refers not simply to women or men but to the relationship between them (UN Global Compact and UN Women, 2011, p. 11^x).</i>
Sex	<i>Refers to the biological characteristics that define humans as female or male. These sets of biological characteristics are not mutually exclusive as there are individuals who possess both, but these characteristics generally differentiate humans as females and males (UN Global Compact and UN Women, 2011, op.cit. p. 11).</i>
Gender Equality	FSC's defines <i>gender equality</i> or <i>gender equity</i> means that women and men have equal conditions for realising their full human rights and for contributing to, and benefiting from, economic, social, cultural and political development (FSC-STD-01-001 V5-2 EN^{xi}, adapted from FAO, IFAD and ILO workshop on 'Gaps, trends and current research in gender dimensions of agricultural and rural employment: differentiated pathways out of poverty', Rome, 31 March to 2 April 2009). This definition differs from internationally accepted concepts that differentiate "gender equity" and "gender equality", the former leading to the latter. The UN Global Compact provides a more descriptive definition of gender equality: <i>all human beings, both women and men, are free to develop their personal abilities and make choices without the limitations set by stereotypes, rigid gender roles, or prejudices. Gender equality means that the different behaviours, aspirations and needs of women and men are considered, valued and favoured equally. It does not mean that women and men have to become the same, but that their rights, responsibilities and opportunities will not depend on whether they are born female or male</i> (UN Global Compact and UN Women, 2011, op.cit. p. 11).
Equity	<i>A medium or instrument for equality, above any differences that may exist and create disadvantages for one person versus another. Equity is possible when there is fair treatment: a just consideration of differing needs and interests. This fair treatment ensures true and substantive equality, even when people express differences. Affirmative or positive actions (established in CEDAW Article 4, paragraph 1) are an example of the application of the principle of equity (UNDP, 2010, 144^{xii}).</i>
Gender Equity	<i>Gender equity means that women and men are treated fairly according to their respective needs. This may include equal treatment or treatment that is different but considered equivalent in terms of rights, benefits, obligations and opportunities. In the development context, a gender equity goal often requires built-in measures to compensate for the historical and social disadvantages of women</i> (UN Global Compact and UN Women, 2011, op.cit. p. 11). Equity leads to equality.

Empowerment	<i>Empowerment means that people - both women and men – can take control over their lives: set their own agendas, gain skills (or have their own skills and knowledge recognised), increase self-confidence, solve problems, and develop self-reliance. It is both a process and an outcome (UN Global Compact and UN Women, 2011, op.cit. p. 11).</i>
Gender Discrimination	<i>Any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field (United Nations Convention on the Elimination of Discrimination against Women (CEDAW-1979, Art. 1^{xiii}).</i>
Gender roles	<i>Roles learned from dominant cultural rules at historic moments. Men and women are conditioned in this way to perceive certain behaviour conduct and activities as inherently feminine or masculine, with masculine activities nearly exclusively for men and feminine activities almost exclusively for women. Gender roles are also linked to other sector- based identities such as race, ethnicity and social class (UNDP, 2010, op.cit. p. 146).</i>
Gender stereotype	<i>Rooted beliefs regarding attributes of men and women, usually accompanied by different appraisals. Commonly, attributes of vulnerable groups are highly de-valued and members of these groups are seen through a simplistic and slanted lens (UNDP, 2010, op.cit. p. 146).</i>
Gender-based violence	<i>Any behaviour, word or gesture that attacks the dignity and physical or emotional integrity of a person because of their gender. Gender-based violence has been carried out for the most part against the female sex, and this violence results, or may result, in greater physical, sexual or psychological suffering and even death. Threats, coercion or deprivation of freedoms in public or in private are forms of gender-based violence. Gender-based violence can occur with a partner, in a family, at the workplace or in any institution. Workplace and institutional violence are particularly relevant because women's jobs are put at risk and the workplace environment is degraded (UNDP, 2010, op.cit. p. 145).</i>
Gender gaps	<i>Differences between men and women in terms of opportunities and use, access to and control of material and symbolic resources, as well as differences in benefits received from development. These differences are manifested as inequality, discrimination and disadvantage that limit women's full exercise of their rights (UNDP, 2010, op.cit. p. 145).</i>
Affirmative action/Positive action	<i>Actions for preferential treatment oriented toward guaranteeing equality between men and women by compensating for the disadvantages and discrimination that the latter have been subjected to. One example is a quota for the incorporation of women in the electoral rolls of political parties or establishment of spaces for women in upper executive positions at some companies (UNDP, 2010, op.cit. p. 141).</i>

Sex-disaggregated data	<i>Data that is collected and presented separately on women and men. It is quantitative statistical information on the differences and inequalities between women and men. There is wide-spread confusion over, and misuse of, the terms “gender-disaggregated data” and “sex-disaggregated data”. Data should necessarily be sex-disaggregated but not gender-disaggregated since females and males are counted according to their biological difference and not according to their social behaviours. The term gender-disaggregated data is frequently used, but it should be understood as sex-disaggregated data (UN Global Compact and UN Women, 2011, op.cit. p. 11).</i>
Workers	<i>All employed persons including public employees as well as ‘self-employed’ persons. This includes part-time and seasonal employees, of all ranks and categories, including labourers, administrators, supervisors, executives, contractor employees as well as self-employed contractors and sub-contractors (ILO Convention C155 Occupational Safety and Health Convention, 1981). This is FSC’s scope when the standards refer to “worker”.</i>
Comparable value/Equity in pay	<i>An effort to correct the gender gaps reflected in different salaries for men and women (to the detriment of the latter) that arise from an economy that is severely sexually segregated. According to the principle of comparable value, tasks that are different but that have an equal value within the company should be subject to the same rate of pay. Establishing a position and salary structure with comparable value implies examining to what extent the work done principally by women is systematically under-valued and disregarded, precisely because it is women who are doing the work. Systematic under-valuing means that salaries paid to those who do work historically associated with women’s tasks receive lower pay than what they would receive for the same task if this work was done by men. The principle of comparable value seeks to remove the “femininity” associated with performance of a job as a factor for decreased salary (UNDP, 2010, op.cit. p. 142).</i>
Sexual harassment	<i>A sexual request that is improper or unwanted by the person receiving it. Sexual harassment is characterised by being repeated and including negative consequences in material conditions, employment, access to and use of resources. This harassment affects job performance and personal wellbeing. It can be manifested through the use of certain words and gestures of a sexual nature that may be hostile, offensive or even humiliating for the person receiving them (UNDP, 2010, op.cit. p. 149).</i>
True equality or de facto equality	<i>True equality is equal results for men and women. It demands equality of opportunities and correction of inequalities through equity actions (UNDP, 2010, op.cit. p. 150).</i>
Workplace Bullying/Mobbing	<i>Any incident where staff are abused, threatened or assaulted in circumstances related to their work [...] This behaviour may come from supervisors or colleagues or from any level of the organisation (ILO, 2012).</i>
Glass Ceiling	<i>A metaphor used to describe the low presence of women in the highest positions of the occupational pyramid, even when women have the same academic credentials, commitment and the years of experience as men. There are invisible barriers, usually related to discrimination, that become an impediment for women’s ascent in organisations (UNDP, 2010, op.cit. p. 147).</i>

Guidance on integrating the key concepts into NFSS

General guidance

Criterion 2.2: The Organization shall promote gender equality in employment practices, training opportunities, awarding of contracts, processes of engagement and management activities

As recommended in the IGIs, the examination of the national law and legislation is a natural and important first step. The IGIs provide the following generic instructions:

“Standard Developers shall identify national laws and regulations regarding gender equality in employment practices, training opportunities, awarding of contracts, processes of engagement and management activities. Standard Developers shall identify any gaps between the requirements of this criterion and national regulations and develop indicators that describe actions to be taken by The Organization to fill these gaps. Filling these gaps may in some cases require additional systems to be put in place by the Organization” (2015, p. 5^{xiv}).

One should, however, be careful in this analysis. A study undertaken in 173 economies and published by the World Bank identifies 155 countries that have at least one law that impedes women’s economic opportunities. The study concludes: “Having laws on the books is not the only thing that matters. In many economies a more gender-equitable legislative base may coexist with high gender inequality resulting from poor implementation of the laws, whether due to poor enforcement, poor design, or low capacity. Thus for women, laws on paper do not necessarily reflect legal realities.” (2015, p. 5^{xv})

If this reflects a reality in the country for which the standard is developed, SDGs should refrain from simply making a reference to the legal system and dropping one or more indicators. Instead, they should either adopt or adapt them and leave it to the auditors to identify if the requirements are implemented. This, of course, implies auditors are properly sensitized and trained on the issues of gender equity. Also, the reference to the specific law should be reflected in the standard and clearly indicated in the transfer matrix. In addition, the national laws that are referred to shall be added to the list of compulsory laws related to *Principle 1: Compliance with Laws* and *Annex A: Minimum list of applicable laws, regulations and nationally ratified international treaties, conventions and agreements*. Where to find such laws is up to standards developers to identify for each country they are developing the standard for, as this is too specific to be identified in a generic guide such as this one.

As a general rule, the more demanding specification between an IGI and the corresponding national law should be reflected in the national standard.

Criterion 2.2, of all the indicators of the P&Cs, has the highest number of indicators (nine). This is an indication of both the criterion's importance and of the fact that gender equality is not covered well at the level of the criterion or elsewhere in the P&Cs. A possible pitfall of this situation is that standard developers, who are encouraged to be concise, may be more tempted to drop indicators than they would for criteria that have less indicators. However, such an approach would be a mistake and might fail to provide the tools to efficiently further gender equity through FSC certification.

Before making any decision regarding adopt, adapt or drop, it is important to understand the structure of the indicators, how they complement each other, and the key concepts that lie behind each of them. Before dropping an indicator, a careful analysis needs to be undertaken to show how and where other indicators cover the concepts addressed by the IGI. As a reminder, FSC has developed a transfer matrix that standard developers have to use to demonstrate and explain clearly how the IGIs were developed. This is evidently also true for all the indicators under criterion 2.2.

Possible means of verification

Means of verification (MoV) indicate where the information that shows the conformity (or not) with an indicator can be found. Possible MoV are proposed for each indicator below. These are examples, which by nature are quite generic. Standards developers should assess if these examples are relevant in the specific situation they address and/or if more specificity is needed.

As necessary, different MoV can be identified to better accommodate the needs of small intensity and risk (SIR) situations.

Pitfalls to avoid

1) **Being unnecessarily prescriptive**, such as using definitions that are too rigid or requesting that means of verification are mandatory. MoV should serve as examples, but should not limit the possibility to demonstrate the fulfilment of a requirement.

2) **Believing an indicator can be dropped if it is covered by the national legislation**: If the indicator is covered by legislation that is enforced systematically, the check is easy. This, however, is idealistic; countries do not always perfectly enforce their laws, as identified by the World Bank. (World Bank, 2015. *op.cit*^{xvi}) So, without a strong reason, simply dropping an indicator due to its coverage in legislation may not guarantee the concepts of that indicator being enforced by that country.

3) **Diminishing the requirement of an IGI because the local legislation is less demanding**: Whichever is more demanding, the IGI (or any adaptation of it) or the corresponding legislation, should be reflected in the national standard's indicator. This is because FSC is not only about implementing national laws, but about standards that reflect the values of the organization.

Transfer process of the International Generic Indicators

The promotion of gender equality and prevention of discrimination, like in the other IGIs, are covered in terms of transfer process by FSC-PRO-60-006 V2-0 for the *Development and Transfer of National Forest Stewardship Standards to the FSC Principles and Criteria Version 5-1*^{xvii}

As seen above, forestry is one of the sectors where the gap between genders is fundamentally rooted in practice. FSC is a tool to improve forest management needs, thus providing an incentive to address the issue, as it does for other aspects of forestry. Due to the existence of these significant gaps and the novelty of gender indicators in forestry, the introduction of gender indicators in quality assurance mechanisms may be more difficult to implement than other indicators that address issues that are not novel or are more familiar to that sector. For this reason, the gender related indicators should have an effective date of implementation that is double the length of time given for the implementation of other elements in the standard, i.e. six months.

The rest of the process - the phase in period (12 months) and the automatic annulation of certificates issued under an older version of the standard after 18 months - should remain the same.

Specific guidance, per indicator

2.2.1 Systems are implemented that promote gender equality and prevent gender discrimination in employment practices, training opportunities, awarding of contracts, and processes of engagement and management activities.

Why is this indicator important?

Indicator 2.2.1, unlike the others under criterion 2.2, focuses on the existence of a 'system'^{xviii} (or systems) to ensure that the performance elements of the criterion are consistently implemented. Systems ensure the consistency of the implementation of the policies, procedures, and practices. Without them and their implementation, performance that is witnessed one day may not happen the following day. Alone, a performance indicator only gives a snapshot of the situation. Conversely, a system indicator alone provides a 'movie', but of anything and without focus. Combined, a performance indicator and a system indicator, provide a 'movie' over time of the situation; it is only the combination of both, due to their interdependence, that provides the full picture and therefore gives a reliable vision over time of a specific aspect.

The development and implementation of systems are key mechanisms to internalise, affirm, and communicate the commitment from the leadership at its highest level throughout the organization. The system sets the framework for practical measures that the organization will implement for promoting gender equality and prevention of gender-based discrimination into the employment practices, training opportunities, awarding of contracts, and processes of engagement and management activities.

The system should ensure that sex-disaggregated data about current and departing workers, management staff, consultation processes, etc., are collected and are up to date. This is also relevant for any criterion and indicator that touches upon gender equality in other principles, particularly P3, P4, P5, P7, and P8.

Adopt, adapt or drop?

Indicator 2.2.1 may be adopted or adapted. It is extremely unlikely that indicator 2.2.1 can be dropped altogether, as it provides a framework for all performance indicators of the criterion elements from the criteria. In any case, before dropping the indicator, standard developers should be extremely cautious in identifying where the normative elements underpinning this indicator are covered elsewhere in their standard.

Possible means of verification

- The vision, mission, objectives, and targets of the organization and other top level policies, strategies and plans.
- The code of conduct of the organization.
- Written policies and procedures and other elements of the management system such as operative programmes, monitoring, and evaluation or manuals addressing gender equality, including participation in decision-making in the organization, prevention of gender-based discrimination, and sexual harassment.
- Any set of disaggregated data, including by sex and age, which supports the above.
- Complaints handling mechanisms.
- Public documents, statements, declarations, press releases, etc. adopted by different ways and evidence the commitment and policy decisions made.
- Records of management decisions and meetings.
- Job advertisements, training sessions, information shared in visible places by different ways and means.
- Interviews with forest management agents, female employees and workers, and other stakeholders.

Pitfalls to avoid

1) Interpreting the term “system” too rigidly: A common pitfall when an indicator asks for a system is that this is interpreted too rigidly. A system should be understood as a verifiable set of mechanisms and elements, which are organized in any way and are interrelated. These mechanisms and elements are sometimes not even written, but deeply rooted in the organisational culture, that ensures the constant application of values, policies and processes. This is particularly true for small communities operations. A rigid interpretation of "system" can lead to create unnecessary burdens to smaller organizations and thus become discriminatory. On the contrary, the certification process should be taken as an opportunity to register those existing elements, in order to facilitate its verification and audit. Standard developers should strive to adopt a wording that reflects the specific situation where their standard will be applied, but including the differences according to SIR.2)

Considering indicator 2.2.1 can replace the others in indicator 2.2: Another possible pitfall would be to consider that this indicator, because it repeats all the elements in the criterion, could replace the performance indicators that follow (see why this indicator is important).

2.2.2 Job opportunities are open to both women and men under the same conditions, and women are encouraged to participate actively in all levels of employment.

Why is this indicator important?

Indicator 2.2.2 is a performance indicator; it does not ask about procedures, rather it asks about the equality of job opportunities and encourages women to participate at all levels of employment. It tests whether the relevant parts of the system work.

Indicator 2.2.2 directly addresses the widespread gap and inequalities between men and women in terms of employment opportunity, wages, social benefits, and hierarchy. This is particularly relevant in the forestry sector because, traditionally, forestry has been considered a man's profession. It seeks an affirmative or positive action-oriented approach to safeguarding equity between men and women by compensating for disadvantage traditionally experienced by women. Disadvantages typical to women in the forestry workforce include greater likelihood of casualization of work with flexible short-term employment. Poverty situations, low education, lack of occupational skills and the need to survive often leave women with no other alternatives than accepting 'unsustainable' employment with precarious working conditions. Other disincentives include discrimination, cultural attitudes, taxation policies, and perhaps most importantly, competing family responsibilities. (GRI-IFC 2019 p.27^{xix})

Indicator 2.2.2 blends three different but important concepts. The first concept is that job opportunities should be based on the same conditions for both sex (salary, social security, retirement, holidays, etc.). The second concept, implied, is that the conditions to actually do the job should take the specificity of each sex into account so as not to create a situation where, de facto, one sex would be discriminated against. Women may be discouraged to apply to certain levels of employment if the working conditions (e.g. working hours or ergonomic aspects) are designed specifically for men. The reverse is also true. The third concept is the requirement that women are encouraged to participate at all levels of employment, which requires specific actions, before and after the employment stage.

Adopt, adapt or drop?

If standard developers adopt the IGI, they should envisage accompanying the IGI with an implementation note to avoid any misinterpretation between the three elements (that for the same job, the same employment condition should apply). However, for actually doing the job, gender specific accommodations addressing gender specific needs may be necessary to ensure that both sexes have appropriate incentives to participate). Examples of such accommodations are separate toilets for males and females, flexibility in working time for health protection of pregnant women or nursing workers; and for women who want to take care of their children and progress in their work, child care facilities or support, etc. should be provided. Also,

there should be a requirement that the encouragement to participate at all levels of employment is not a passive one (the door is open), but is proactively accompanied with positive measures to empower women.

Standard developers may also consider adapting the IGI by splitting the IGI into three distinct national indicators: addressing 1) job opportunities and openings; 2) the specific adaptation of working conditions to both sexes; and 3) the encouragement to women to participate at all levels of employment. The wording of the indicators should favour a qualitative descriptive reporting instead of a purely quantitative one.

If standard developers decide to drop one or several parts of the indicator, they should identify and document this in the transfer matrix, where the normative concepts are adequately covered in their national standard.

Possible means of verification

- Management statements prohibiting gender based-discrimination.
- Absence of evidence that women may not have been hired, or have been penalized because of their gender, e.g. by being pregnant.
- Job descriptions and recruitment initiatives that encourage more women to apply, including to managerial positions.
- Record of gender-balanced selection panels and selection procedures that specifically prohibit gender-based discrimination.
- Records and sex-disaggregated data of training and capacity building and induction of personnel to all employees.
- Records of encouragement to women to apply to training and capacity building events.
- Records of empowerment or affirmative actions taken to encourage women to lead important initiatives and assignments inside the organization.
- Crossed interviews with staff and stakeholders.
- Updated sex-disaggregated data and records on job applications, recruitment process and procedures, successful applicants, training participants, etc.

Pitfalls to avoid

1) Considering equality means men and women should be the same: A common pitfall when considering the promotion of gender equality and the prevention of gender-based discriminations, is that this means that men and women should become the same. This is not the case, but their specific aspirations and needs have to be considered, valued, and favoured equally.

2) Thinking special measures to favour women is discriminatory: Another pitfall is thinking that taking special measures to favour the employment of women (who have demonstrably less job opportunities than men) is discriminatory. It is not. On the contrary, it is an international mandate to take such measures to ensure an equal playing field. Flexible working hours or separate toilets for females and males are non-limitative examples. Nor is it necessary to decide that an equal number of men and women need to be found in any job position. Some jobs may

require physical characteristics that can be found more frequently in one sex than the other. There is nothing wrong with that. The issue is that those who want to do a job that is not traditional of their gender should have the possibility to do it under the same conditions present for the members of the accepted gender who traditionally work that position.

3) Watering down the requirement to accommodate to local culture:

Additionally, thinking the requirement can be dropped or watered down because it is at odds with the local culture is a potential, very serious, pitfall. Requirements related to gender equality and non-discrimination are basic human rights. As such they are fundamental. What can and needs to be adapted to the local situation is the way the requirement is formulated, and the means of verification, but not the requirement itself.

2.2.3 Work typically carried out by women (nurseries, silviculture, non-timber forest product harvesting, weighing, packing, etc.) is included in training and health and safety programs to the same extent as work typically carried out by men.

Why is this indicator important?

Indicator 2.2.3 is a performance indicator. It implicitly acknowledges that some tasks and roles are traditionally assigned to one gender. It further recognises that activities typically undertaken by women often involve less training and even less payment than those that are typically undertaken by men, and attempts to correct this gap.

It covers all aspects of training, including personal and professional development, job-related skills, literacy training, education, vocational and information technology training, and health and safety programmes. Training needs to address the specific needs and interests of women and be available to them.

However, in isolation, the indicator is discriminatory in that it freezes men and women in traditionally-assigned roles and stereotypes. The achievement of the overall goal of promotion of gender equality and prevention of gender-based discrimination that is the topic of criterion 2.2 requires that the IGI is accompanied by requirements that the equal employment of women and men is promoted in non-traditional occupations for their gender and that conditions that respect their specific needs are put in place.

Adopt, adapt or drop?

Before adopting, adapting or dropping, standard developers should carefully evaluate if both aspects exist elsewhere, or are provided:

- equal training and health and safety programmes for work typically carried out by men and women; and
- that equal opportunities are offered for those that wish to participate in an activity that is traditionally not carried out by women or men are covered, how and where in their standard.

If the second aspect, currently missing in the IGIs, is not covered, they should include another indicator to the effect that ‘the equal employment of women and men is promoted in non-traditional occupations for their gender, and related training and health and safety programmes address their specific needs and interests’.

Possible means of verification

- Records and sex-disaggregated data on engagement activities with staff to identify different training needs and interests in non-traditional occupations for their gender.
- Records and sex-disaggregated data on equal employment opportunities for women and men in non-traditional occupations for their gender.
- Policies, procedures and records of actions that promote non-traditional occupations for a given gender.
- Records/lists of number and type of trainings conducted, with sex-disaggregated (and age classes) of number of invitees, of subscribers and of successful participants.
- Qualitative records on the participation of men and women in training, personal and professional development.
- Interviews with women and men.

Pitfalls to avoid

1) Thinking that promoting women in a non-traditional position is at the expense of men: An erroneous but traditional way of thinking, which has perpetuated the existence of gender gaps, roles, and stereotypes between women and men, is that encouraging jobs for women in non-traditional occupations for their sex would be disadvantageous for men. Employing women in non-traditional occupations actually brings economic and social gains for women, men, their families, businesses, communities, and nations as a whole in economic and cultural prosperity (ILO, 2016^{xx}).

2) Considering that, by recognizing an existing, potentially discriminating situation, an indicator sanctions discrimination: In this case, there are jobs that are typically and traditionally undertaken by men or women. Occupations in majority occupied by women are traditionally less covered by training and health and safety measures. Ignoring this situation will not help to improve it. It is thus important that an indicator addresses training and health and safety measures. However, an indicator should never be taken in isolation and it is important in similar circumstances that standard developers design indicators that counterbalance the discriminatory effect of the real life situation and try to provide incentives to change it in the medium term.

2.2.4 Women and men are paid the same wage when they do the same work.

Why is this indicator important?

Indicator 2.2.4 is a performance indicator. It is one of the most basic in terms of gender equality, and yet, as demonstrated at the beginning of this document, it far from represents the current situation. Indicator 2.2.4 takes its legal basis in the ILO's *Equal Remuneration Convention, 1951 (No. 100)*, which specifically addresses the issue of equal remuneration for men and women for work of equal value. Worth noting, the wording "work of equal value" includes tasks that are different but that

have an equal value within the company and should thus be subject to the same remuneration.

“Tackling the persistent gender wage gap in the workplace not only responds to an organisation’s commitment to international conventions that lay out the statute of equal pay but can also boost employee morale and retention in a competitive marketplace. Unequal pay is often referred to as one of the most common forms of discrimination between men and women, though the size of the pay gap may vary between countries and sectors” (GRI and IFC, 2009, p. 28^{xxi}).

Adopt, adapt, or drop?

The ILO Convention 100 addresses remuneration, and not only wages. The term **remuneration** includes the ordinary, basic or minimum wage or salary and any additional emoluments whatsoever payable directly or indirectly, whether in cash or in kind, by the employer to the worker and arising out of the worker's employment. To be sure their standard is compatible with ILO core conventions, standard developers should:

- adopt only if their national legislation or other applicable normative texts include equal remuneration for both sexes for the same work, AND it is rigorously enforced. If not;
- adapt to include social benefits in the wording, such as in this example: “Equal wages and social benefits, including retirement benefits are paid to women and men for work of equal value”.
- Given its fundamental nature, it is not recommended to drop this indicator at all, as this would send the wrong message.

Possible means of verification

- Records of sex-disaggregated data by age class on wages, work hours and social and economic benefits, including retirement benefits paid.
- Records of regular wages and other benefit reviews.
- Details of insurance policies.
- Interviews with workers and management staff (any person with a paid relationship with the organization, including sub-contractors, at the exclusion of bona fide external collaborators, daily contract workers and commercial service providers. (adapted from ILO, 2001^{xxii} definition in Collective Agreement on a Procedure for the Resolution of Grievances, 27 March 2000)

Pitfalls to avoid

1) Justifying unjustifiable differences: A common pitfall is justifying differences in remuneration based on gender-related consideration. Actually, whenever a gap in remuneration between women and men is encountered, this is in itself a strong indicator of a discriminatory pattern.

“Some of the wage gaps can be explained by differences in education, skill levels and years of experience—often related to women’s care responsibilities—but in most cases a large part remains unexplained... One

explanation for the unexplained portion of the wage gap is discrimination—whether overt or covert—at work” (UNDP, 2015, pg. 110).

2.2.5 Women are paid directly and using mutually agreed methods (e.g. direct bank transfer, direct payments for school fees, etc.) to ensure they safely receive and retain their wages.

Why is this indicator important?

Indicator 2.2.5 is a performance indicator. It addresses the need to economically empower women through systems that ensure they can benefit directly from their wages and other elements of remuneration. It is widely recognized (e.g. Gurung and Martinez^{xxiii}) that women tend to reinvest their earnings into their family and community, which requires women have control over their earnings. Direct payments are particularly important in countries where many laws still remain restricting women from taking certain actions, such as having bank accounts, or where women do not have the decision-making power in their household to use their earnings as they choose (WB, 2016^{xxiv}).

Adopt, adapt, or drop?

This IGI has a flaw in that it provides examples, and examples in an indicator have a strong likelihood to be interpreted as normative elements, which they are not. It also implies that the methods and examples described are THE way to ensure women safely retain their wages and retain their wages. Finally, one of the examples can be seen as directly discriminative, assuming that the payment of school fees has to fall upon women. Therefore, the approach may be too directive and offer little space to adopt locally adapted methods to the same effect. It is suggested to:

- Adapt it in a way that avoids these interpretation issues. For example, by saying: “Women are paid directly, using mutually agreed methods that ensure they safely receive and retain their wages”; or any variation that adequately covers the second and substantive part of the indicator: “...ensure they safely receive...”.
- As for the other IGIs, drop only if it is adequately covered elsewhere in the standard.

Possible means of verification

- Records of agreements on the way to pay the wages and other benefits.
- Interviews with employees showing the agreement is not forced (either internally or externally to the organization).
- Records of direct transfers and direct contracts with women.

Pitfalls to avoid

1) Focusing on the means and not on the end. What is desired through this indicator is that women safely receive and retain their remuneration.

2.2.6 Maternity leave is no less than a six-week period after childbirth.

Why is this indicator important?

Indicator 2.2.6 is a performance indicator. It addresses maternity protection, a topic that is a fundamental human right recognized by the Universal Declaration of Human Rights, included in *The International Covenant on Economic, Social and Cultural Rights* (ICESCR, 1966), and the *Convention for the Elimination of All Forms of Discrimination Against Women* (CEDAW, 1979).

Article 11.2.b of CEDAW demands: “To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances.”

Indicator 2.2.6 is anchored in the core *ILO Maternity Protection Convention, 2000* (No. 183^{xv}), and its accompanying recommendation (No. 191), which states, *inter alia*, that:

- a woman shall be entitled to a maternity leave of no less than 14 weeks (art. 4.1).
- the maternity leave shall include a compulsory leave of 6 weeks after childbirth (art. 4.4).
- the pre-natal portion of the leave shall be extended by any period elapsing between the presumed and the actual date of childbirth without reduction of the compulsory post-natal period (art 4.5).

Only 34 per cent of countries meet the requirement of ILO Convention 183; it is estimated worldwide that around 830 million women workers do not have adequate maternity protection, while only 330 million receive maternity leave cash benefits. Particularly critical is the situation of certain groups of women workers who are most often excluded from protection in law and in practice, such as women who are self-employed, domestic, temporary workers, migrants, or Indigenous (Addati et.al., 2014, pag.xii & 7^{xv}). These numbers clearly show the importance of the indicator.

Adopt, adapt, or drop?

ILO Convention 183 addresses three key aspects of maternity protection, of which the IGI only covers one: the mandatory post-natal leave. To be sure their standard is compatible with ILO Core conventions, standard developers should:

- adopt only if their national legislation and social security system addresses all three aspects covered by Convention 193, AND it covers all the population in the country. In this case, the specific laws should be included in the list of compulsory laws; if not,
- adapt to include the missing elements in the wording, such as in this example: “Maternity leave is no less than a 14-week period, of which a minimum of six week shall occur in any circumstance after childbirth”. This is the minimum to comply with the ILO core Convention, but if the national system requires higher period of leave, the indicator should reflect the higher.

Standard developers should also consider the inclusion of:

- the prevention of discrimination based on reproductive status through actual employment practice (e.g. favouring men because they will require less leave in case of childbirth);

- employment security under the same conditions and status that allows for interruptions for, and return from maternal leave; and
- the requirement for safe working conditions and protection from exposure to hazardous materials and disclose potential risks, including to reproductive health.

Given its fundamental nature, it is not recommended to drop this indicator at all, as this would send the wrong message.

Possible means of verification

- Examples of communications to explain employee rights to staff.
- Records of maternity and paternity leave given to employees.
- Employment contracts and/or a collective bargaining agreement.
- Interviews with staff, particularly females who are or have been pregnant while working for the organization.

Pitfalls to avoid

1) Dropping the indicator because it is covered to some extent by national legislation: A potential pitfall includes dropping the indicator because some kind of maternity protection exists in the national legislation. This does not imply that women are actually protected and laws effectively implemented. The point is made in general for all indicators, but is particularly relevant for this one.

2) Grouping the indicator on maternity and paternity leave: Doing this would confuse the fundamental legal requirements that protect women giving birth (14 weeks, six of which shall be after childbirth) and a welcome and important element of bridging gaps between gender in a couple, but that it for now less firmly grounded into international legislation.

2.2.7 Paternity leave is available and there is no penalty for taking it.

Why is this indicator important?

Indicator 2.2.7 is a performance indicator. It is grounded in *ILO Workers with Family Responsibilities Convention, 1981* (No.156) that recognized that “a change in the traditional role of men as well as the role of women in society and in the family is needed to achieve full equality between men and women.”

The two quotes below evidence the importance of indicators 2.2:

- “Fathers undertaking a more active role in caregiving is likely to be one of the most significant social developments of the twenty- first century” (Addati et.al., 2014^{xxvii}).
- “A shift towards a model in which men act as active co-parents rather than helpers of their women partners is crucial for the development of a more equitable division of labour in the home, which is the premise for gender equality at work” (Addati et.al., 2014, pag.118^{xxviii}).

According to the *Human Development Report* (UNDP, 2015^{xxix}), more equal and encouraged parental leave can participate in a better work-life balance for women and men, higher rates of female labour force participation and wage gap reductions.

Adopt, adapt, or drop?

Indicator 2.2.7 should be adopted only if the national legislation specifies a minimum and remunerated paternity leave that allows a true sharing of responsibility between the parents.

If not, and to avoid that only a few alibi days are offered, the IGI should be adapted to reflect a minimum remunerated time for paternity leave that allows this sharing of responsibilities. By analogy with the minimum maternity leave after childbirth, it is recommended to set this period at six weeks.

Possible means of verification

- Examples of communications to explain their right to staff.
- Records of maternity and paternity leaves given to employees.
- Interviews with staff, particularly those who are or have been young parents while working for the organization.

Pitfalls to avoid

1) Merging the indicator on paternity leave with the one on maternity leave:

Indicator 2.2.7 is mostly addressing the male side of the parental leave equation. As explained for IGI 2.2.6, the two indicators must remain separated because their legal ground is different and they address different but important aspects of minimizing the disadvantage that maternity can imply for women.

2.2.8 Meetings, management committees and decision-making forums are organized to include women and men, and to facilitate the active participation of both.

Why is this indicator important?

Indicator 2.2.8 is a performance indicator. The promotion of gender equality and prevention of discrimination requires empowering women to take an active part in the business and company community. This implies proactively promoting the participation of women in meetings, management committees, and decision-making forums. To this effect, the GRI-IFC notes (GRI-IFC, 2009, Pag. 50^{xxx}):

- “In order to enable women’s effective and active participation in programs throughout design and implementation stages, identify women’s learning and leadership needs and help ensure that these needs are addressed.
- Provide career information and training programs designed ... that are accessible by and targeted to both women and men.
- Consider establishing programs to encourage women to enter non-traditional fields related to the organization.”

Adopt, adapt, or drop?

Adopt or adapt adding the concept of “active encouragement” of women to participate, for example along the lines of ‘Women are actively encouraged to take part in meetings, management committees and decision-making forums, which are

organized to include equally women and men, and to facilitate the active participation of both.’ Please note that ‘equally’ does not necessarily mean the same number or parity, but is a broader concept including power distribution.

Possible means of verification

- Notes of meetings showing the balanced participation, both in terms of attendance, discussion and decision-making, of both women and men.
- Interviews with female staff.
- Empowerment training with sex-disaggregated data on participation workers and management staff.
- Procedures for the organization of meetings, management committees and decision-making forums that take the needs and specificity of each gender into account (e.g. ensuring that meetings are not fixed at a time where children are at home; different methodologies are utilized to encourage open and equal participation of women and men).
- Memos encouraging staff to participate and take part in the training.
- Sex-disaggregated data on the participation in meetings, management committees and decision-making forums.
- Review the organization chart to locate how many women are in positions of decision-making.

Pitfalls to avoid

1) Believing low participation by women is due to a long lasting cultural behaviour: It is a common pitfall to think that such cultural behaviour would take so much time to address that it cannot be measured.

2) Thinking it is not up to the organization to resolve. A number of actions can be taken by the organization that would lead to the empowerment of women and the encouragement to participate, such as training and mentoring. Depending on context, meetings for men and separately for women might be more outcome-oriented than in mixed groups. Also, people moderating meetings, management committees and other decision-making forums can be trained to understand the specific way each gender expresses itself. For example, it is not because men often speak more forcefully and more assertively defend their positions than women that the arguments or positions women hold are of less importance.

2.2.9 Confidential and effective mechanisms exist for reporting and eliminating cases of sexual harassment and discrimination based on gender, marital status, parenthood or sexual orientation.

Why is this indicator important?

Indicator 2.2.9 is a performance indicator, as it requires the mechanisms to be effective and the elimination of harassment and discrimination, also referred to as workplace bullying/mobbing (see definition). It addresses gender based harassment and discrimination, one of the very central aspects of gender discrimination. Sexual harassment, or the absence thereof, is considered part of the health and safety measures in the workplace:

“It a responsibility of [organizations] to guarantee a safe working environment by implementing policies and practices to secure the health and well-being of all employees... Employers [should] strive to prohibit and prevent all forms of violence in the workplace, including verbal, physical, and sexual harassment”. (GRI-IFC, 2009, p. 34^{xxxii}) “In the United Kingdom the cost of absenteeism, loss of productivity, and rapid turnover of employees due to violence against women is estimated at £2.7 billion (about 3.5 billion Euros).” (PCSA International 2008 in GRI-IFC, 2009, p. 49^{xxxiii})

Indicator 2.2.9, however, mixes different elements and is incomplete. It mixes reporting and actually preventing (to the point of elimination) harassment and discrimination. While it is key that people using the reporting mechanisms are ensured the process is confidential, the mechanisms themselves need to be well known to all staff. Mechanisms to eliminate harassment and discrimination need to be made very visible and publicized, and not be confidential. It is incomplete in that it addresses confidentiality but omits safety. People accessing complaints mechanisms need to be sure it does not jeopardize their safety and cannot lead to retaliations. Furthermore, indicator 2.2.9 does not make the correlation between domestic and work-based violence. This is important because “studies show that that 96% of domestic violence victims experience problems at work due to abuse”. (American Institute on Domestic Violence 2001 in: GRI-IFC, 2009, p. 49^{xxxiii}). This very high correlation might be explained by a psychological state of victims of violence that make them “easier preys”. It is, however, not the role of this document to identify the causes for this situation, but to acknowledge the correlation exists and that addressing violence needs to happen both at the domestic level and in work places.

The following is an example, drawn from the *Calvert Women’s Principles* (2014, p. 10^{xxxiv}), that highlights a number of points specifically related to health, safety, and freedom from violence, showing the interrelationship of the different elements:

- a. “Prohibit and prevent all forms of violence in the workplace, including verbal, physical, or sexual harassment.
- b. Ensure the safety of female employees in the workplace, in travel to and from the workplace, and on company-related business, and ensure the safety of vendors in the workplace.
- c. Provide and promote policies and programs addressing domestic violence.
- d. Eliminate and disclose unsafe working conditions and provide protection from exposure to hazardous or toxic chemicals in the workplace, particularly when those substances have known or suspected adverse effects on the health of women, including reproductive health.
- e. Allow time-off from work for employees seeking medical care or treatment, for themselves or their dependents, including family planning, counselling, and reproductive health care, and support return to positions of equal pay and status.
- f. Prohibit discrimination in hiring and employment based on health status, such as individuals with HIV/AIDS positive status or persons with disabilities.

- g. Strive to provide gender equitable health services and insurance.”

Adopt, adapt, or drop?

Indicator 2.2.9 is too vague to be adopted as is, rather it should be split and adapted to cover the elements described above as much as possible. In particular, the adaption should go into greater depth on the policies proscribing sexual harassment and procedures (which should be known to the staff), the need for reporting mechanisms to be confidential and safe, and the link between domestic and work related violence should be addressed. For example:

‘Policies are implemented that clearly state that violence, sexual harassment and discrimination in any form are prohibited in the workplace and that breaches are sanctioned.’

‘Staff have an easy access to confidential, safe and free of retaliation processes to report violence, sexual harassment and discrimination.’

‘Programmes addressing domestic violence are provided and promoted.’

Do not drop this indicator.

Possible means of verification

- Policies, procedures and associated documentation on implementation.
- Records of awareness training to personnel including manager, security and supervising staff.
- Sex-disaggregated records of incidents and complaints related to health and safety, including violence, sexual harassment and discrimination based on gender, marital status, parenthood or sexual orientation and their follow up.
- Interviews with staff at all levels, particularly women.

Pitfalls to avoid

1) Thinking domestic violence has nothing to do with the employer: The most common pitfall is thinking that the organization has no say in addressing domestic violence. If, as seen above, there is a high correlation between domestic and workplace violence, and this violence leads to huge productivity losses, it is not only the moral responsibility of the organization to undertake programmes aimed at curbing domestic violence, but it is also a sound business practice.

Training, education, sensitization, possibly mediation, amongst others, are positive actions the organization can take.

2) Thinking sexual harassment and discrimination are acceptable in a given culture: Another common pitfall would be considering sexual harassment and discrimination elements so deeply rooted in the culture that standards need to provide for ample space and time for implementing the requirements. Violence, sexual harassment, and discrimination are breaches of fundamental human rights. They are not more acceptable than child abuse. However, indicators addressing this issue should not be phrased in a way that would imply that an organization could not be certified if a breach is identified. Indicators should ask that the organization has all the means to address breaches and tools to minimize happenstance of breaches.

Acknowledgements

1. Rulita Wijayaningdyah*, FSC's Board Chair
2. Martha Nuñez*, Special Gender Representative, FSC International Board of Directors
3. Joachim Meier-Dörnberg*, Social Policy, FSC
4. Marion Karmann*, Monitoring & Evaluation, FSC
5. Pasi Miettinen*, Policy & Standards Unit, FSC
6. Gordian Fanzo*, Policy & Standards Unit, FSC
7. Maurem Kayna Lima Alves* (Celulose Riograndense), Brazil, FSC member, economic south
8. Karen Kirkman*, South Africa, FSC member, economic south
9. Paula Montenegro, Argentina, FSC member, social south
10. Paulina Baca, Ecuador, FSC member, social south
11. Yolanda Ramirez, AIDER, Peru, FSC member, social south
12. Zandra Martinez, Mexico, FSC member, social south
13. Vera Santos, FSC Portugal
14. Elisabet Bröms Sterne*, DNV-GL, Sweden, CB, FSC member, economic north
15. Eglantine Goux Cottin*, Bureau Veritas, France, CB, FSC member, economic north
16. Mateo Cariño Fraisse, Nepcon net, Spain, FSC member, economic north
17. Stuart Charlton, SGS, South Africa, FSC member, economic south
18. Jeannette Gurung*, Wocan, Thailand, external expert
19. Margaux GRANAT*, IUCN's Global Gender Office, Washington, external expert
20. Jackie SILES*, IUCN's Global Gender Office, Washington, external expert

Annex 1 - International Legal and Policy Framework for Gender Equality

Preamble to the UN Charter

The preamble to the United Nations Charter (1945^{xxxv}) notes that one of its objectives is *to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small.*

Universal Declaration of Human Rights^{xxxvi}

Universal Declaration of Human Rights (1948^{xxxvii}) called for “equality”: *Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom*

Resolution 8/7 by the UN Human Rights Council: Mandate of the Special Representative of the Secretary-General on the Issue of Human Rights and Transnational Corporations and Other Business Enterprises (June 18, 2008)

To integrate a gender perspective throughout his work and to give special attention to persons belonging to vulnerable groups, in particular children.

The SRSG (2009) Report to the Human Rights Council recommends companies institute *an ongoing process of human rights due diligence, whereby companies become aware of, prevent, and mitigate human rights impacts. Four elements of human rights due diligence were outlined in this report: “having a human rights policy, assessing human rights impact of company activities, integrating those values and findings into corporate cultures and management systems, and tracking as well as reporting performance.*

Convention on the Rights of the Child (1989^{xxxviii})

The Convention on the Rights of the Child (CRC) focuses on the inalienable rights of children.

Article 2

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

The CRC also includes the principles that both parents have common responsibilities for the upbringing and development of the child and that parents and legal guardians should be rendered appropriate assistance in the performance of their child-rearing responsibilities.

[The International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families \(1990\)](#)

Article 7

States Parties undertake, in accordance with the international instruments concerning human rights, to respect and to ensure to all migrant workers and members of their families within their territory or subject to their jurisdiction the rights provided for in the present Convention without distinction of any kind such as to sex, race, colour, language, religion or conviction, political or other opinion, national, ethnic or social origin, nationality, age, economic position, property, marital status, birth or other status.

ILO Conventions and Related Recommendations that promote gender equality as of 2012^{xxxix}

“FUNDAMENTAL PRINCIPLES AND RIGHTS AT WORK

- Equal Remuneration Convention, 1951, No. 100, and Recommendation No. 90
- Discrimination (Employment & Occupation) Convention, 1958, No. 111, and Recommendation No.111
- Freedom of Association and Protection of the Right to Organise Convention, 1948, No.87
- Right to Organise and Collective Bargaining Convention, 1949, No. 98
- Minimum Age Convention, 1973, No. 138, and Recommendation No. 146
- Worst Forms of Child Labour Convention, 1999, No. 182, and Recommendation No.190
- Forced Labour Convention, 1930, No. 29, and Recommendation No. 35
- Abolition Forced Labour Convention, 1957, No.105

MATERNITY PROTECTION, WORK AND FAMILY

- Maternity Protection Convention, 2000, No. 183, and Recommendation No. 191
- Workers with Family Responsibilities Convention, 1981, No. 156, and Recommendation No.165

EMPLOYMENT PROMOTION

- Employment Policy Convention, 1964, No. 122, and Recommendation No. 122
- Employment Policy (Supplementary Provision) Recommendation, 1984, No. 169
- Human Resources Development Convention, 1975, No. 142, and revised by Recommendation No.195, 2004
- Termination of Employment Convention, 1982, No. 158, and Recommendation No.166

- Job Creation in Small and Medium-Sized Enterprises Recommendation, 1998, No. 189
- Employment Relationship Recommendation, 2006, No. 198

SPECIFIC CATEGORIES

- HIV and AIDS Recommendation, 2010, No. 200
- Domestic Workers Convention, 2011, No. 189, and Recommendation No. 201
- Indigenous and Tribal People's Convention, 1989, No. 169
- Migration for Employment Convention (Revised), 1949, No. 97, and Recommendation No. 86
- Migrant Workers (Supplementary Provisions) Convention, 1975, No. 143, and Recommendation No. 151

WORKING CONDITIONS

- Night Work (Women) Convention (Revised), 1948, No. 89,
- Protocol of 1990 to the Night Work (Women) Convention No. 89
- Night Work Convention, 1990, No. 171, and Recommendation No. 178
- Home Work Convention, 1996, No. 177 and Recommendation No. 184
- Part-time Work Convention, 1994, No. 175, and Recommendation No. 182

United Nations Convention on the Elimination of All Forms of Discrimination against Women ([CEDAW-1979^{xi}](#))

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was adopted by the UN General Assembly in 1979, as an internationally binding instrument that provides the basis for equality between women and men. The Treaty constitutes an international standard for protecting and promoting women's human rights: a "Bill of Rights" for women. It is the only international instrument that comprehensively addresses women's rights within political, civil, cultural, economic, and social life and sets an international agenda for national action to end gender discrimination and to protect human rights and fundamental freedoms for women.

United Nations Fourth Women Conference in Beijing (1995)^{xii}, [Beijing Declaration and Platform for Action](#)

Beijing Platform for Action set forward an agenda for women's empowerment, promoting and protecting the full and equal enjoyment by women and men of all human rights and fundamental freedoms without distinction of any kind as to race, colour, sex, language, religion, political or other opinions, national or social origins, property, birth or other status (Action Plan).

The Beijing Platform is based on the principles of shared power and responsibility between women and men at home, in the workplace, and in the wider national and international communities. Its aim is to remove "all the obstacles to women's active participation in all spheres of public and private life through a full and equal share in economic, social, cultural and political decision-making."

Women's Empowerment Principles: Equality means business (UN Global Compact and UN Women, 2011)

Principle 1: Establish high-level corporate leadership for gender equality

Principle 2: Treat all women and men fairly at work – respect and support human rights and nondiscrimination

Principle 3: Ensure the health, safety and well-being of all women and men workers

Principle 4: Promote education, training and professional development for women

Principle 5: Implement enterprise development, supply chain and marketing practices that empower women

Principle 6: Promote equality through community initiatives and advocacy

Principle 7: Measure and publicly report on progress to achieve gender equality

Sustainable Development Goals: Transforming our world: the 2030 Agenda for Sustainable (UN 2015)^{xlii}

Global 2030 Roadmap approved by UN Member States established in Goal 5:

Goal 5: “Achieve gender equality and empower all women and girls

5.1 End all forms of discrimination against all women and girls everywhere

5.2 Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation

5.3 Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation

5.4 Recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate

5.5 Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life

5.6 Ensure universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action and the outcome documents of their review conferences

5.a Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws

5.b Enhance the use of enabling technology, in particular information and communications technology, to promote the empowerment of women

5.c Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels”

United Nations Declaration on the Rights of Indigenous Peoples^{xliii}

Adopted by United Nations General Assembly Resolution 61/295 on 13 September 2007, the Declaration demand:

Article 21:

“1. Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.

2. States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, **women**, youth, children and persons with disabilities.

Article 22:

1. Particular attention shall be paid to the rights and special needs of indigenous elders, **women**, youth, children and persons with disabilities in the implementation of this Declaration.

2. States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous **women** and children enjoy the full protection and guarantees against all forms of violence and discrimination.

United Nations Framework Convention on Climate Change^{xlv}

Conference of the Parties has adopted several decisions: Gender equality is key to the achievement of the UNFCCC objective (UNFCCC, 2016)^{xlv}:

COP 16: "... recognizes that the adverse effects of climate change have a range of direct and indirect implications for the effective enjoyment of human rights and that the effects of climate change will be felt most acutely by those segments of the population that are already vulnerable owing to geography, gender, age, indigenous or minority status and disability."

COP 18: Decision 23/CP.18: Promoting gender balance and improving the participation of women in UNFCCC negotiations and in the representation of Parties in bodies established pursuant to the Convention or the Kyoto Protocol

COP 20 (2014): "Decision 18/CP.20: Established the two-year Lima work programme on gender mandating a shift".

COP 21: "Acknowledging that climate change is a common concern of humankind, Parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights, ..., as well as gender equality, empowerment of women and intergenerational equity."

United Nations Convention on Biological Diversity^{xlvi}

Decision adopted by The Conference of the Parties at its Twelfth meeting, Republic of Korea, 6-17 October 2014. XII/7. Mainstreaming gender considerations.

The CBD has developed a 2015-2020 Gender Plan of Action, which defines the Secretariat's role in stimulating and facilitating efforts, both in-house and with partners and Parties at the national, regional, and global levels to overcome constraints and take advantage of opportunities within its work. It also sets out actions that may be undertaken by Parties to mainstream gender in work under the Convention.

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- ⁱ Forest Stewardship Council, 2015. Development and Transfer of National Forest Stewardship Standards to the FSC Principles and Criteria Version 5-1 (FSC-PRO-60-006 V2-0 EN). Bonn
- ⁱⁱ Forest Stewardship Council, 2015b. International Generic Indicators (IGIs) standard, FSC-STD-60-004 V1-0 EN
- ⁱⁱⁱ International Labour Organisation, 2016. Women at Work: Trends 2016, International Labour Office – Geneva.
- ^{iv} United Nations Development Programme-UNDP, 2015. Human Development Report, Work for Human Development, New York.
- ^v UNECE/FAO, 2006. Time for Action: Changing the gender situation in Forestry. Report of the specialists on gender and forestry. FAO, Rome.
- ^{vi} International Union for Conservation of Nature, 2015. IUCN' Environmental and Gender Index 2015, in collaboration with UN Women, Washington
- ^{vii} Aguilar, L., Quesada-Aguilar, A. and Shaw, D.M.P. (eds) (2011). Forests and Gender. Gland, Switzerland: IUCN and New York, NY: WEDO
- ^{viii} United Nations General Assembly, 2015. Resolution adopted 70/1. Transforming our world: the 2030 Agenda for Sustainable Development.
<https://sustainabledevelopment.un.org/content/documents/21252030%20Agenda%20for%20Sustainable%20Development%20web.pdf>
- ^{ix} Forest Stewardship Council, 2015c. APPROVED Minutes of the 69th meeting of the FSC Board of Directors in Kuala Lumpur, Malaysia from 10th – 14th August 2015, pag.3
- ^x United Nations Global Compact and United Nations Entity for Gender Equality and the Empowerment of Women, 2011 Women's Empowerment Principles: Equality means business. NY.
<https://www.unglobalcompact.org/library/65>
- ^{xi} Forest Stewardship Council Principles and Criteria, FSC-STD-01-001 V5-2 EN, Bonn
- ^{xii} United Nations Development Programme, 2010. Gender Equality in the Workplace: How to make progress with a Certification Programme for Gender Equality Management Systems. NY
- ^{xiii} United Nations Convention on the Elimination of All Forms of Discrimination against Women, 1979.<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CEDAW.aspx>
- ^{xiv} International Bank for Reconstruction and Development / The World Bank, 2015. Women, Business and the Law, 2016. Getting to Equal. Washington, DC.
- ^{xv} International Bank for Reconstruction and Development / The World Bank, 2015. Women, Business and the Law, 2016. Getting to Equal. Washington, DC.
- ^{xvi} International Bank for Reconstruction and Development / The World Bank, 2015. *op. cit.*
- ^{xvii} Forest Stewardship Council, 2015. *op. cit.*
- ^{xviii} A set of interacting or interdependent component parts forming a complex/intricate whole. (<https://en.wikipedia.org/wiki/System>).
- ^{xix} Global Reporting Initiative and International Finance Corporation, 2009. Embedding Gender in Sustainability Reporting – A Practitioner's Guide
- ^{xx} International Labour Organisation, 2016. *op. cit.*
- ^{xxi} Global Reporting Initiative and International Finance Corporation, 2009. *op. cit.*
- ^{xxii} International Labour Organisation, 2001. Collective Agreement on a Procedure for the Resolution of Grievances between the International Labour Office and the ILO Staff Union

-
- xxiii Gurung, J; Pearl-and Martinez R (2015). Accelerating Investment in Women through Certification. W+ White Paper 2015/1 Bangkok: WOCAN.
- xxiv International Bank for Reconstruction and Development / The World Bank, 2015. *op. cit.*
- xxv C183 - Maternity Protection Convention, 2000 (No. 183). Convention concerning the revision of the Maternity Protection Convention (Revised), 1952 (Entry into force: 07 Feb 2002) Adoption: Geneva, 88th ILC session (15 Jun 2000) - Status: Up-to-date instrument (Technical Convention). www.ilo.org NORMLEX Information System on International Labour Standards
- xxvi Addati, Laura, Cassirer, Naomi, Gilchrist, Katherine, 2014. Maternity and paternity at work : law and practice across the world International Labour Office-ILO, Geneva.
- xxvii Addati, Laura, Cassirer, Naomi, Gilchrist, Katherine, 2014. *op. cit.*
- xxviii Addati, Laura, Cassirer, Naomi, Gilchrist, Katherine, 2014. *op. cit.*
- xxix United Nations Development Programme-UNDP, 2015. Human Development Report, *op. cit.*
- xxx Global Reporting Initiative and International Finance Corporation, 2009. *op. cit.*
- xxxi Global Reporting Initiative and International Finance Corporation, 2009. *op. cit.*
- xxxii Global Reporting Initiative and International Finance Corporation, 2009. *op.cit.*
- xxxiii Global Reporting Initiative and International Finance Corporation, 2009. *op.cit.*
- xxxiv Calvert Investments, Inc., 2014. Calvert Women's Principles.
- xxxv United Nations Charter (1945). <https://treaties.un.org/doc/Publication/CTC/uncharter.pdf>
- xxxvi Universal Declaration of Human Rights (1948).
<http://www.ohchr.org/en/udhr/pages/introduction.aspx>
- xxxvii Universal Declaration of Human Rights (1948b).
<http://www.ohchr.org/EN/UDHR/Pages/Language.aspx?LangID=eng>
- xxxviii United Nations Convention on the Rights of the Child, 1989.
<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>
- xxxix International Labour Office, International Labour Office, Bureau for Gender Equality, International Labour Standards Department – ILO, 2012. Gender equality and decent work: Selected ILO Conventions and Recommendations that promote gender equality as of 2012, Geneva (available in French and Spanish) http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---normes/documents/publication/wcms_088023.pdf
- xl United Nations Convention on the Elimination of All Forms of **against Women- CEDAW, 1979**. *op. cit.*
- xli United Nations Fourth Women Conference in Beijing (1995), Beijing Declaration and Platform for Action.
<http://www.un.org/womenwatch/daw/beijing/platform/>
- xlvi United Nations General Assembly, 2015. *op. cit.*
- xlvi United Nations General Assembly Resolution 61/295, 2007. United Nations Declaration on the Rights of Indigenous Peoples. http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf
- xlii United Nations Framework Convention on Climate Change. Gender and Climate Change. http://unfccc.int/gender_and_climate_change/items/7516.php
- xliii United Nations Framework Convention on Climate Change, 2016. Gender and Climate Change SBI 44, Agenda Item 15, Bonn Climate Change Conference 16 – 26 May 2016.
http://unfccc.int/files/gender_and_climate_change/application/pdf/overview_presentation.pdf
- xliii United Nations Convention on Biological Diversity, 2015. Gender and Biodiversity.
<https://www.cbd.int/gender/>