

Study on G7 and G20 Gender Equality Impact

Women's Economic Empowerment, Climate Justice and LGBTIQ* Inclusion in Italy, Brazil and South Africa

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List of abbreviations

CSOs	Civil society organisations
EU	European Union
G7	Group of Seven: Canada, France, Germany, Italy, Japan, the United Kingdom, the United States of America
G20	Group of Twenty: Argentina, Australia, Brazil, Canada, China, France, Germany, India, Indonesia, Italy, Japan, Mexico, Russia, Saudi Arabia, South Africa, South Korea, Turkey, the United Kingdom, the United States of America, and the European Union.
ICT	Information and communications technology
ILO	International Labour Organization
LGBTIQ*	Lesbian, gay, bisexual, transgender, intersex and queer
OECD	Organisation for Economic Co-operation and Development
SOGIESC	Sexual orientation, gender identity and expression, and sex characteristics
SRHR	Sexual and reproductive health and rights
STEM	Science, technology, engineering, and mathematics
UN	United Nations
W7	Women7

Executive Summary

Study Aim and Focus

The G7 and G20 are informal multilateral fora that meet annually to agree on common goals on various topics, including gender issues. The aim of this study is to provide insight into the extent to which the G7 and G20 gender equality goals have been implemented so far, and to develop policy recommendations to further advance member states' performance. To do so, three case study countries are assessed in selected topic areas using secondary data and key informant interviews. The study focuses on the upcoming G7 and G20 Presidency countries – Italy (2024 G7 Presidency), Brazil (2024 G20 Presidency), and South Africa (2025 G20 Presidency), and analyses their implementation of commitments to (1) women's economic empowerment, (2) the promotion of climate justice and (3) the inclusion of lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ*) people in society.

Case Study Findings

Regarding women's economic empowerment, both the G7 and G20 have committed to promoting female employment, equal pay, women in leadership positions and entrepreneurship, financial inclusion and the reconciliation of work and family life. The study finds that all three countries made efforts to close gender gaps in access to paid employment, and to promote women's entrepreneurship as agreed in the G7/G20 gender equality commitments. Yet, substantial gender disparities persist. Thus, none of the assessed countries are expected to meet the G7/G20 Brisbane commitment (2014) of reducing the gender employment gap by 25% by 2025 without further progress; large gender pay gaps persist in Brazil and South Africa; and women remain underrepresented in decision-making positions in all three countries. Moreover, despite existing policies to reduce and/or redistribute unpaid care work in all three countries, women continue to disproportionately bear the burden of this work.

In the case of climate justice, the G7 and G20 recognise the importance to jointly address the climate crisis and gender equality. Both also highlight the importance of women's equal participation and decision-making in climate action. While women remain under-represented in the green economy (e.g., in the clean energy sector) in all three countries, the study results show that the G7/G20 gender equality commitments on climate justice are addressed to varying degrees. South Africa has adopted policy frameworks which acknowledge differential effects of the climate crisis and place those most affected at the forefront of climate action. Italy, in contrast, mentions that climate change may adversely affect gender equality in its national adaptation strategy but does not provide measures to address these risks. In Brazil, attention to the climate crisis has increased with the new president Lula da Silva (2023) who appointed black and indigenous women in high-ranking positions for climate action.

Finally, under the German G7 Presidency in 2022, the G7 substantially addressed LGBTIQ* inclusion for the first time in their

commitments, calling on G7 countries to promote equal opportunities, protection against intersectional discrimination and violence, and full, equal, and meaningful participation of LGBTIQ* persons in society. Furthermore, states agreed to promote LGBTIQ* inclusion in development cooperation and humanitarian action. Conversely, the G20 have not committed to LGBTIQ* inclusion explicitly. Nonetheless, this study analyses the status quo concerning LGBTIQ* persons in all three case study countries to identify possible policy avenues for addressing this topic. The study finds that Brazil and South Africa have progressive legal frameworks that protect the rights of LGBTIQ* persons and address related discrimination, while Italy has yet to pass legislation to prevent hate and violence towards LGBTIQ* persons. In all cases, more work is needed to translate these laws into practice, as discrimination and violence based on sexual orientation, gender identity and expression, and gender characteristics have remained widespread, hindering LGBTIQ* people from fully participating in society.

Policy Recommendations based on Case Study Findings

As the case study examples show, many of the commitments have been actively addressed, especially with respective legislation and policy. However, further work is required to overcome gender gaps in the labour market, realise climate justice, and fully achieve LGBTIQ* inclusion.



Women's economic empowerment

- Ensure that women in all their diversity have access to funds and credit (e.g., by expanding targeted
 funding for small and medium-sized enterprises owned by women in all their diversity, subsidized
 business training for women in all their diversity in the informal sectors, incentives to the private
 sector to diversify company boards, easily accessible financial education for women in all their
 diversity, and/or measures to combat gender stereotypes)
- Make sure that laws and regulatory mechanisms are put in place to address persistent gender pay gaps.
- Guarantee accessible and affordable day care services for all working parents and design parental leave policies that encourage the redistribution of unpaid care and domestic work.



Climate justice

- Ensure that **climate legislation and policy frameworks** are put in place that promote a fair transition and address differential effects of the climate crisis on marginalised groups.
- Make sure that sufficient data and analysis are available concerning the impacts of climate change on different social groups to enable evidence-based policymaking.
- Increase the representation and meaningful participation of women and marginalised groups in decision-making fora on climate impacts and solutions.
- Consider establishing an **inter-ministerial task force** focused on women in all their diversity and the climate crisis.



LGBTIQ* inclusion

- Ensure that **legislation and policies combatting homophobia, biphobia, lesbophobia, and transphobia** are put in place and ensure effective implementation and enforcement (e.g., through training of key stakeholders, adequate resource allocation and monitoring).
- Include **LGBTIQ* demographics** in the national census to provide data on sexual and gender diversity and promote research on realities of the LGBTIQ* community.
 - Provide **comprehensive sexual education** that is inclusive and anti-discriminatory.

Introduction

Study Background and Focus

As important multilateral fora, the G7 and G20 agree on common goals on various topics, including gender equality. Their goals are often viewed with a certain disdain because, as with many other international agreements, they are not binding law. Nevertheless, there are socio-political developments that can be linked to the objectives of the G7 and the G20 countries. Keeping this in mind, this study aims to shed light on successes and inhibiting factors in the implementation of the G7 and G20 gender equality goals (2018-2022). Furthermore, this study highlights the need for constant accountability of the G7 and the G20 countries regarding the implementation of their goals.

To provide insight into the extent to which the G7 and G20 gender equality goals have been implemented in the respective countries so far, and which inhibiting and succeeding factors affect their implementation, three countries were examined in more detail: Italy, Brazil, and South Africa. The case study in Italy examines the implementation in a G7 member state that will hold the G7 presidency next year (2024) and thus has a direct handhold for change processes. With the case studies in Brazil and South Africa, the holders of the G20 presidency in 2024 and 2025, respectively, the perspective of important players in the Global South will also be represented. Thematically, the study focuses on women's economic empowerment, climate justice and the inclusion of lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ*) people. This brings into focus a gender-related topic that has been consistently emphasised by the G7 and G20: women's economic empowerment. Additionally, it sheds light on an issue that is currently gaining momentum due to the climate crisis: climate justice. And finally, it addresses a topic that received more attention for the first time during the German G7 presidency: LGBTIQ* inclusion.

In the subsequent sections, the G7 and G20 gender equality commitments are introduced (for more information see Annex C). In the following chapter, the three country case studies are presented, including policy recommendations at the national level. The last chapter summarises the study's main findings.

G7 and G20¹ Commitments to Gender Equality

Gender equality as a fundamental human right is recognised as such by the G7 and G20 and is highlighted in both political fora as a political priority with regard to economic growth and sustainable development. In particular, women's economic empowerment has been a central theme in the G7/G20 commitments. The period of 2018-2023 however saw a diversification of thematic areas, with 2022 being the first to substantially highlight the need for LGBTIQ* inclusion (G7 Leaders' Communiqué, 2022; G7 Development Ministers' Meeting Communiqué, 2022). In the same vein, gender equality also has been recognised in the context of finding lasting solutions to climate change (ICRW, 2018), and calls for climate justice have increased with the worsening of the climate crisis in recent years.

In addition to these three thematic areas, gender equality commitments related to **peace and security, health, education, and violence against and sexual exploitation** of women and girls were integrated in the G7 and G20 goals. For example, in 2018, the G7 committed to supporting conflict-affected partner countries in the implementation of the UN Security Council Resolution 1325 on Women, Peace and Security (G7 WPS Partnership Initiative, 2018). Peace and security also include the recognition, prevention, and elimination of all forms of violence against women and girls. More recently, for example in 2021, the G7 expressed concern about the

¹ The Group of Seven (G7) and the Group of Twenty (G20) are informal fora for global governance and international economic cooperation. The G20 was founded in 1999 and officially established as an informal forum in 2009. It brings together the leading industrialised and emerging economies with the aim of coordinating economic and financial policies. The more exclusive subgroup of the G20, the G7, has existed since 1975 and 1976 respectively and is made up of the member states Canada, France, Germany, Italy, Japan, the United Kingdom, the United States, and the European Union. Committed to freedom and human rights, democracy, and the rule of law as well as sustainable development (Bundesregierung, 2023), the G7 meets annually, with the presidency held by a different member state each year (Schüle, Löschmann, & Alexander, 2016; Database, About G7, 2023; Database, About G20, 2023).

increase in violence against women and girls during the pandemic (G7 Summit Communiqué Carbis Bay, 2021). This was followed by a Gender-Equitable Covid-19 Recovery Plan in 2022 (Women7, 2022).

The remaining part of this introduction provides examples of key developments in G7 and G20 gender equality commitments for the period from 2018 to 2022, when the G7 Advisory Council on Gender Equality was convened. It aims to show how the thematic priorities of women's economic empowerment, climate justice, and LGBTIQ* inclusion evolved over time.



Women's Economic Empowerment

Women's economic empowerment represents one of the most prominently mentioned and continuously reiterated gender equality topics of the G7 and G20.

Both groups have consistently emphasised the need to reduce gender gaps in the labour market and with regards to unpaid work and access to productive resources. In 2014, the G20 committed to reducing the gender gap in labour force participation by 2025 (the so-called Brisbane goal), which was reaffirmed in the following years by both groups (Berger, Hilbrich, & Köhler, 2020). Furthermore, the G7 and G20 committed to reducing the gender pay gap and promoting women's access to positions with decision-making authority (ICRW, 2018; Ruthrauff, Thompson, & Cahill, 2019). Other reoccurring commitments include the reduction and redistribution of unpaid care and domestic work and the promotion of women's entrepreneurship and access to financial services (ICRW, 2018; Ruthrauff, Thompson, & Cahill, 2019).

The empowerment of women's entrepreneurship and access to leadership positions remained a priority for the G7 and G20 in 2022. In addition, the G20 intends to "mitigate the adverse impact of the current trends on the labour market" (G20 Bali Leaders' Declaration, 2022), considering the potential opportunities of automation and digital technologies for gender equality. Also, the unequal distribution of care work remains an important issue, alongside the widespread gender pay gap and lack of financial inclusion of women (G20 Bali Leaders' Declaration, 2022)



Climate Justice

The interrelations of gender equality and climate justice have been recognised by the G7 and G20 but for the most part have not yet led to concrete goals. For example, in 2019, the G7 recognised the vulnerability of women and girls in particular to the impacts of climate change and environmental degradation (G7 Environment, 2019; G7 Environment Ministers' Meeting, 2019). Similarly, the G20 Communiqué of the Ministers of Agriculture (2021) emphasised the need for a holistic approach that jointly considers environmental degradation, economic opportunities and social impacts while taking into account gender equality and equity. Overall, both the G7 and G20 have emphasised the need for inclusive climate action and women's participation in critical sectors (G20 Agriculture Ministers' Communiqué, 2021; G20 Energy Climate joint Ministerial Communiqué, 2021; G7 Climate, Energy and Environment Ministers' Communiqué, 2022).

However, the G7, especially under German G7 presidency in 2022, have addressed climate justice in greater detail and adopted a more gender-inclusive approach. For example, the G7 Environment, Climate and Energy Ministers' Communiqué emphasised "the intrinsic value of gender and LGBTIQ* equality, the empowerment of women and girls, disability inclusion, inter-generational justice and diversity" in the context of a just transition (G7 Climate, Energy and Environment Ministers' Communiqué, 2022, p. 8). Furthermore, the importance of finding community-driven solutions that, among others, also involve indigenous people, have been reinforced. In doing so, the G7 committed to greater gender equity and inclusion in relation to its climate and biodiversity funding (G7 Climate, Energy and Environment Ministers' Communiqué, 2022). Furthermore, the agricultural sector and food security are mentioned as important areas for the equal participation of women and girls. The G7 Leaders' Communiqué (2022) also calls on energy ministers to identify additional areas in the energy sector where gender equality and equity can be enhanced (G7 Leaders' Communiqué, 2022).

While gender equality and social inclusion are now part of the discourse on climate action, it is very likely that climate justice will gain even more attention due to the aggravating climate crisis which will require more concrete action and resources.



The G7 countries have made significant progress in committing to the protection of the rights of marginalised groups, specifically LGBTIQ* people - a progress that the G20 has lacked until now. While gender equality (with a binary understanding of gender - women vs. men) has been a priority for both groups (Berger, Hilbrich, & Köhler, 2020), the inclusion of LGBTIQ* rights in the G7 policy agenda has been a more recent development. In 2021, the G7 mentioned for the first time the need to tackle discrimination and violence against LGBTIQ* people (G7 Summit Communiqué Carbis Bay, 2021), and in 2022, the G7 substantially integrated LGBTIQ* inclusion in their commitments (G7 Leaders' Communiqué, 2022; G7 Development Ministers' Meeting Communiqué, 2022).

During the German G7 presidency in 2022, the G7 adopted a gender-inclusive language that goes beyond the gender binary for the first time and emphasised the need for inclusion of LGBTIQ* inclusion in all spheres of society (G7 Leaders' Communiqué, 2022; G7 Development Ministers' Meeting Communiqué, 2022). The leaders agreed to promote equal opportunities, to protect LGBTIQ* persons from intersecting forms of discrimination and violence, and to ensure full, equal, and meaningful participation of LGBTIQ* persons in society (G7 Leaders' Communiqué, 2022). According to the Development Minister's Meeting Communiqué (2022), gender equality and the diversity of sexual orientations, gender identities, gender expressions and sex characteristics should also be sustainably taken into account in development cooperation. Concrete commitments in this context include increased cooperation with LGBTIQ* civil society and human rights defenders, and support for the UN LGBTI Inclusion Index to improve the availability of disaggregated data, while additionally acknowledging the important role of the UN Independent Expert on sexual orientation and gender identity (G7 Development Ministers' Meeting Communiqué, 2022).

The substantial consideration of LGBTIQ* rights in the G7 policy commitments is a significant success, reflecting growing recognition of the importance of protecting the rights of marginalised groups.

Case Studies

Methodological approach

To analyse the extent to which member states are implementing the G7 and G20 gender equality commitments, this chapter provides insight into the status quo and trends on selected topics in the upcoming G7 and G20 Presidency countries, namely Italy (2024 G7 Presidency), Brazil (2024 G20 Presidency), and South Africa (2025 G20 Presidency). For each of these countries, a case study was conducted following the principle of co-creation with local partners on the three selected topics. Experts based in partner countries collected and synthesised data along an analysis grid (see further information in Annex A and B), drawing on secondary data (including quantitative databases, studies, and strategic documents of governments) and primary data from interviews with key informants to discuss available legal and policy frameworks as well as micro-level developments.



Each topic is anchored to varying degrees in the G7 and G20 commitments so far, affecting its assessment in the case studies.

Concerning women's economic empowerment, both the G7 and G20 have committed to promoting female employment, equal pay, women in leadership positions and entrepreneurship, financial inclusion and the reconciliation of work and family life. To examine the implementation of these goals, the case studies analyse women's access to the labour market and paid work, including gender gaps regarding wages, positions, and business ownership. Furthermore, they explore efforts to redistribute or reduce the burden of unpaid care and domestic work, and touch upon women's access to and control over productive resources.

In the case of **climate justice**², the G7 more strongly anchored the topic in their commitments compared to the G20. Aligned to the G7 commitments, the case studies look at laws and policies that recognise and address the vulnerability of women in all their diversity to the impacts of climate change. In addition, they provide insight into differential impacts of the climate crisis, women's participation in decision-making on climate action, as well as gender gaps in the green economy.

Finally, the G7 committed to **LGBTIQ* inclusion** under the 2022 German Presidency, emphasising equal participation of LGBTIQ* persons in all spheres of society and combatting intersecting forms of discrimination and violence against LGBTIQ* persons. The study also analyses the state of inclusion of LGBTIQ* persons in the G20 countries Brazil and South Africa, as a basis for policy recommendations that may be relevant for the G20 members in the future. In line with the G7 commitments, the case studies explore existing laws and policies to protect and promote the rights of LGBTIQ* persons and examine the incidence of violence based on sexual orientation, gender identity and expression, and sex characteristics (SOGIESC). They also assess the recognition of same-sex/-gender relationships and parenthood, and access to various aspects of life such as education, health, and employment.

Based on the findings in these case studies, **policy recommendations** are formulated on how to advance the implementation of the above-mentioned gender equality commitments at the national level in these three countries.

² In this study, climate justice is understood as the recognition of disproportionate impacts of climate change on marginalised communities and the equitable distribution of the costs and benefits of climate mitigation and adaptation. It aims to protect the rights of marginalised groups and ensure their participation in relevant decision-making processes (Mary Robinson Foundation, 2022).

³ Some parts of this study refer to women and men as binary gender categories because existing data sources mostly use a binary gender concept. This does not reflect the conviction of the authors and regrettably leads to limitations in the analysis of gender-specific effects.

Italy

Women's Economic Empowerment



Italy's low female employment rate and underrepresentation of women in leadership roles are attributed to cultural factors, resulting in an uneven distribution of family care, and inflexible work arrangements. Recently adopted laws aim to improve the work-life balance for parents and caregivers to promote gender equality in work and family life.

Participation in the labour market and paid work

Italy has the lowest female employment ratio among countries of the European Union. Only 50.7% of Italian women (followed by 50.8% of women in Greek) were employed at the end of 2022 (Salzano, 2023). Female employment has stagnated in the country for a while, with worrying signs of decline in pandemic years - the so-called 'she-cession' (II Sole 24ore, 2022). Out of 334,000 newly employed between December 2021 and 2022, 296,000 were men (over 88%) and only 38,000 were women (Ceglia, 2023). Furthermore, more than 30% of women work part-time and are mainly employed in the informal economy, where labour rights and health guarantees are lower (Del Boca, 2022).

In contrast, the **gender pay gap in Italy is lower compared to other EU and G7 countries**. In Italy, working women earn 4.2% less than men, compared to an EU average of 13% (Anselmi, 2022). In 2021, Italy signed a **new law on equal pay** (Law 162/2021) that aims to further reduce the gender pay gap and encourage women's participation in the labour market. The law introduces changes to the Equal Opportunities Code (Legislative Decree 198/2006) focusing on transparency and rewards in line with the National Recovery and Resilience Plan (PNRR), which contains a National Strategy for Gender Equality 2021-2026 (Payanalytics, 2022). Key changes include the introduction of a gender equality certification for companies to incentivise the reduction of gender gaps.

In addition to low female employment, **women's representation in leadership positions** remains an issue in Italy. Women make up 27.9% in managerial positions in Italy (in 2022) (increased from 26% in 2012), representing a lower rate compared to neighbouring countries: Austria (33.4%), France (39.9%), Slovenia (34.8) and Switzerland (31.5%) (in 2021 (ILO, n.d.). Furthermore, the percentage of female CEOs has dropped to 3% (compared to 4% in 2021), putting the country at the bottom of the European ranking along with Germany (3%) and Switzerland (2%) (European Women on Board, 2021).

An important inhibiting factor of women's participation in the labour market is **gender-based violence** in the workplace. Although Italy has ratified ILO's 190 Convention on the elimination of violence and harassment in the world of work, and the national law (Article 26 of the 2006 National Code for Equal Opportunities between Women and Men) prohibits discrimination and (sexual) harassment at work and ensures that workers who legally challenge such behaviour are protected from negative consequences (the budget law of 2018), gender-based violence at work continues to persist. Between 2015 and 2016, over 1.4 million Italian women have experienced some form of gender-based violence at work (ISTAT, 2017).

Unpaid care and domestic work

The nuclear **family is at the foundation of the Italian welfare system**. Traditionally the state relied on women's work in the household to provide care for dependents. This model has been defined as the 'Mediterranean model

⁴ However, this might be linked to low female labour force participation and does not necessarily correspond to greater equality between men and women (Anselmi, 2022).

⁵ According to data of the G7-Dashboard, the gender wage gap in Italy (in 2020) amounts to 7.6% in Italy, compared to 14.6% in the G7 countries (OECD, 2022).

⁶ From 1 January 2022, a 'gender equality certification' is introduced for companies and will allow them to benefit from an exemption from paying social security contributions, up to a limit of 1% and EUR 50,000 per company per year. There is also a bonus score for access to European and national funds. The document aims to attest to the policies and measures concretely adopted by the employer to further reduce the gender gap, such as opportunities for growth within the company, equal pay for equal work, policies for managing gender differences and maternity protection (Payanalytics, 2022).

of welfare state' (Bettio & Plantenga, 2004; Naldini, 2003; Trifiletti, 1999). This family-oriented vision of the welfare state is intertwined with women's low participation in the labour market, the highly unequal distribution of unpaid work between men and women⁷ and the deficiency of private and public services for the care of children, persons with disabilities and elderly people.

The main policy enabling early childcare, both in terms of take-up and economic size, is **maternity leave**. Maternity is protected by Article 37 of the Constitution and regulated by law D.L. n. 151 of 26 March 2001 (Gazzetta Ufficiale, 2001). Italy has one of the longest statutory maternity leaves in the EU (22 weeks paid at 80% of the wage) and a generous parental leave⁸ compared to other countries. Furthermore, Italy adopted Legislative Decree No. 105 of 30 June 2022 to redistribute unpaid care work and better reconcile work and family life, translating European legislation to the national level (Gazzetta Ufficiale, 2022). It established, among others, 10 days of compulsory paternity leave, an extension of parental leave for a single parent from 10 to 11 months, and an allowance for self-employed mothers. Employers who agree to remote working are also required to prioritise employees with children. Moreover, the benefits for caring for sick or persons with disabilities have been extended to partners in a civil union or cohabiting partners.

Furthermore, Italy provides **public childcare services** for children under the age of three. However, the levels of childcare supply and children's enrolment significantly varies across different regions and towns. Yet overall, only 26.3% of children up to three years of age were in formal care in Italy in 2019, falling below the European Council's 2022 target of 33% (EIGE, 2019), while childcare services for children aged 0-2 are low and although childcare coverage for children aged three and up to the minimum compulsory school age were more widely available, full-time care remains an issue across all age groups. Finally, there is no national provision of out-of-school care facilities and extra-curricular activities, posing challenges given long school summer holidays and short school days. To increase enrolment in childcare facilities, Italy's National Recovery and Resilience Plan aims to expand day-care and full-time nurseries (Domani, n.d.a.).

In addition to childcare, the **care for the elderly** often falls on family members. This puts pressure on women in their fifties and sixties who face the double difficulty of balancing work with caring for their elderly relatives and childcare for their grandchildren (INAPP, 2018).

Access to and control over resources

Women are less likely than men to start their own enterprises. **Women's businesses** account for 22.2% of the total entrepreneurial activity in Italy, compared to an EU average of 32% (Rai, 2023). Reasons for low levels of entrepreneurship among women in Italy include fear of the weight of bureaucracy (56%), fear of failure (35.7%), work-life balance (21.9%) gender stereotypes and prejudices (13.5%) (Rai, 2023). In addition, four out of ten women perceive that they have more difficulty in growing a business than men (ibid). According to experts, women entrepreneurs face obstacles when accessing credit, that is denied or granted on more disadvantageous terms than men. Women only are asked for a guarantee signed by a parent or husband or male business partner. To address these barriers, Italy's National Recovery and Resilience Plan includes investments of EUR 400 million to advance women entrepreneurs by June 2026 (Italia Domani, n.d.b.).

⁷ The gender gap in unpaid care and housework between men and women amount to almost 3 hours per day. The average gap across G7 countries are 2 hours (OECD, The G7 present the "G7 Dashboard on Gender Gaps", which provides an easily accessible "birds-eye view" of key indicators on gender gaps covering a range of socio-economic areas of foremost policy relevance across G7 countries., 2022).

⁸ Parental leave is paid at 30% of the wage. Each parent is individually entitled to a maximum of six months and overall. The couple is entitled to a maximum of 10 months. If the father takes up at least 3 months, an extra bonus of one month is granted to the couple.

Intermediary conclusions on G7/G20 gender equality commitments

- Italy's **female employment** ratio is substantially lower compared to other EU and G7 countries and gender gaps in labour force participation remain wide. Hence, Italy is falling short of meeting the G7/G20 gender equality commitment (first set in Brisbane 2014) of reducing the gender employment gap by 25% by 2025.
- Similarly, in contrast to the G7/G20 gender equality commitment to promote women's access to **positions with decision-making authority**, the share of women in leadership positions has hardly increased over the past decade and has remained lower compared to neighbouring countries.
- Yet, Italy has a relatively low **gender wage gap** compared to other EU and G7 countries and took efforts (i.e., a new law on equal pay focused on transparency and rewards) to further reduce the pay gap in line with the G7/G20 gender equality commitments
- Women continue to carry the burden of **unpaid care and domestic work** and the gender gap on unpaid work is substantially larger in Italy compared to the G7 average. While Italy has introduced measures to expand formal childcare, further efforts are needed to meet the G7/G20 gender equality commitments of recognising, reducing, and redistributing unpaid work.
- Aligned with the G7/G20 gender equality commitments, Italy has stacked up its efforts to promote women's entrepreneurship.

Climate Justice



Italy has increased its funding to combat the effects of climate change, but leaders of the current government have publicly downplayed the seriousness of the situation. For this reason, there is also little relevant legislation or policy that recognises the link between the climate crisis and gender equality.

Legal and policy frameworks

The **National Strategy for Adaptation to Climate Change** of the Ministry of Environment and Protection of Land and Sea mentions the exacerbated risks to gender inequality from climate change but **does not provide further data or analysis from a gender perspective** (Ministero dell'ambiente e della sicurezza energetica, 2016).

At the 2022 United Nations Climate Change Conference (COP27), Italian Prime Minister Giorgia Meloni announced an increase in Italy's financial contribution to the fight against climate change by USD 1.4 billion⁹ over five years (SKY TG24, 2022). Nevertheless, Meloni and other members of the government have made public comments downplaying the seriousness of the climate crisis. For example, Meloni has warned against "climate fundamentalism" and Economy Minister Giancarlo Giorgetti has stated that "if we push environmental sustainability, we will have serious consequences for social sustainability" (Cancellato, 2022).

Gendered climate impacts

Related to the limited acceptance and policies to tackle the climate crisis, there is little to no analysis (by the government) of the gendered impacts of climate change in Italy. A gender perspective is missing because the climate crisis is not addressed with regard to social factors. Yet women are deemed particularly vulnerable in the agricultural sector for several reasons related to structural inequalities (discrimination on the basis of age or race, nationality, geographical origin, residence status, family situation and income). They include exploitation,

⁹ Equivalent to 1.3 billion euros.

¹⁰ Translated from Italian. Original quote: "se spingiamo sulla sostenibilità ambientale avremo gravi conseguenze sulla sostenibilità sociale".

¹¹ Many women are exploited in Italian agriculture through illegal employment. A shadow economy, called "Caporalato", exists and thrives through illegal forms of recruitment and organisation of workers in dependent work. Caporalato is particularly widespread in Italy in the fruit and vegetable sector and in construction (MicroMega, 2022). Caporalato also affects women. The Placido Rizzotto Observatory estimates that 180,000 workers are affected by severe exploitation, and considering that the percentage of female agricultural workers is about 32%, the number of severely exploited women is at least 51-57,000 (Osservatorio Placido Rizzotto, 2020).

substantial gender wage gaps in agriculture and violence at work. Climate-related impacts may exacerbate these incidents, however, the absence of comprehensive analysis prevents the identification of direct links.

Women in decision-making on climate action

Women are underrepresented in decision-making positions in climate action. The current government has changed the name of the Ministry of Ecologic Transition into the Ministry of the Environment and Energetic Security. The head of the ministry is a man, Gilberto Pichetto Fratin, while the vice minister is a woman, Vannia Gava. In terms of gender composition, women make up only 25% of the ministry (EIGE, 2022).

Gender gaps in the green economy

According to a report by the Foundation for Sustainable Development of 2021, the expansion of renewable energy has also improved the gender balance in the energy sector, where 32% of jobs are held by women (compared to 22% in the oil and gas industry). In the report the picture of new jobs created by the net-zero conversion is seen as very promising (Fondazione per lo sviluppo sostenibile, 2021). Nevertheless, this is the only mention of women in the entire report.

In line with this, the Environment and Gender Index (EGI), published by the International Union for Conservation of Nature (IUCN) in 2013, finds that Italy is last among the 16 OECD high income countries ¹² in terms of women's participation and responsibility and gender equality in environment-related sectors (IUCN, 2013).

A transition to a carbon-free, greener economy will create new jobs. By including women, climate justice will be more sustainable (UNFCCC, 2023). Nevertheless, in terms of skills relevant to green jobs, women are still underrepresented in STEM subjects. STEM subjects (science, technology, engineering, and mathematics) have traditionally been dominated by men. Data shows that these fields have become increasingly popular among women and girls. For example, 22% of girls enrolled in university in 2021 chose a STEM subject, with a 15.7% increase in female enrolment in computer science and ICT (II Sole 24ore, 2022). Despite this increase, few women choose to study STEM subjects at university although those who do tend to graduate with better grades than their male peers (Alma Laurea, 2019).

In terms of **employment opportunities**, men who have studied a STEM subject are still more likely than women to find a job within one year in Italy (Assolombara, 2020). Furthermore, gender inequalities in salaries are evident with women earning around 300 Euros per month less than their male counterparts (Alma Laurea, 2019; Assolombara, 2020). In addition, it should be mentioned that many young aspiring women scientists are still hampered by prejudices and stereotypes (II Sole 24ore, 2022).

Civil Society

In Italy, there are many environmental civil society organisations dealing with a wide range of areas. From those that work exclusively for animal welfare, to those that deal mainly with birds and wildlife, to those that work for the sea, forests, hiking trails in the mountains and the fight against poaching. The largest and best-known are undoubtedly WWF, Greenpeace, Legambiente, the Touring Club and the Anti-Vivisection League. There are other organisations that strive primarily for climate justice, for example, Recommon is an association that challenges corporate and state power responsible for the plunder of territories. Led by young people there are grassroots organisations such as Extinction Rebellion, Fridays for Future, Ultima Generazione, mainly led by young people.

In agriculture, women earn about a quarter less than men. Furthermore, the practice of unfair employers of declaring fewer days in their pay packets than those worked prevents women not only from accessing accident, sickness, and agricultural unemployment benefits, but also maternity benefits (MicroMega, 2022).

Moreover, women in agriculture are also exposed to **violence and harassment** in the workplace, on the means of transport that take them to the fields, in greenhouses, in warehouses or factories in accommodation provided by employers. This is a phenomenon that has always been present in this employment sector (Palumbo & Sciurba, 2018), long neglected and for which there is no official data. Violence is exercised in multiple forms (verbal, physical, psychological, and sexual) and is generally accompanied by threats, such as that of losing one's job, being demoted or not paid (ActionAid, 2022).

¹² The EGI classifies OECD country groups according to the World Bank Classification of income groups. Italy ranks 8 among in total 16 countries in the separate OECD category for all high-income OECD members (IUCN, 2013).

In terms of gender equality, the transfeminist movement Non Una Di Meno has its own discussion table on climate change entitled Land, Body, Territories and Urban Space. Fridays for Future also has a specific table to discuss the intersection between gender equality and climate change.

Intermediary conclusions on G7/G20 gender equality commitments

- Italy recognises the exacerbated risks to gender inequality from climate change (in its National Strategy for Adaptation to Climate Change) as emphasised by the G7 but does not provide any analysis of differential effects of the climate crisis or measures to address them.
- Relatedly, Italy has neither emphasised the important role of women in all their diversity in environmental management in national strategic documents, nor has it done enough to address climate change-related threats to their livelihoods.
- Although women's engagement in clean energy is higher than in fossil industries (i.e., oil and gas), women have remained **under-represented in environment- and energy-related sectors**. To meet the G7 commitment Italy has yet to identify areas of action to enhance gender equality and diversity in key sectors such as energy.

LGBTIQ* Inclusion



The rights of LGBTIQ* people in Italy are less protected than in other Western European countries, and the situation threatens to deteriorate further after the election of the farright government in 2022. To this date, Italian LGBTIQ* citizens face discrimination and violence on a daily basis, especially in the labour market and in health care. The state and legal infrastructure offers little protection, which is why strengthening LGBTIQ* rights mostly depend on civil society initiatives.

Legal and policy frameworks

Italy is one of the few Western European countries without a legal framework explicitly criminalising discrimination against LGBTIQ* people. The Mancino Law, passed in 1993, is the main instrument to combat discrimination. It explicitly names discrimination on the basis of ethnicity or religious orientation but does not mention sexual orientation or sexual identity (Gazzetta Ufficiale della Repubblica Italiana, 1993). In 2018, the Zan Law was proposed to integrate discrimination based on gender, sexual orientation, gender identity and disability into the Mancino Law as well as a series of actions to prevent it (Senato della Repubblica, 2020). The bill was met with fierce opposition from the far right and conservative parties and eventually failed to be discussed in October 2021 (Il sole 24 ore, 2021). ¹³ As a result, Italy does not have a law to protect and prevent hate crimes and violence against LGBTIQ* persons. Although Italy has a Department for Equal Opportunities, incardinated within the Presidency of the Council of Ministers, to coordinate regulatory and administrative initiatives in all matters pertaining to the design and implementation of equal opportunities policies, there remains a lack of implemented legal frameworks protecting the rights of LGBTIQ* people. Furthermore, since the election of Giorgia Meloni's government in October 2022 (Kirby, 2022), LGBTIQ* rights are even more at stake. Recently, in March 2023, the European Parliament (EP) condemned Italy's conservative government after it demanded that a municipality stop registering children of same-sex parents. This was the first step towards restricting LGBTIQ* rights since they came to power (Giuffrida, 2023).

Despite limited domestic LGBTIQ* legislation, Italy contributes to the promotion and protection of LGBTIQ* rights in the rest of the world through diplomatic and awareness-raising activities. Italy does so both in multilateral fora and in bilateral relations with partner countries, as well as by participating in informal initiatives and coalitions dedicated to this purpose, such as the "UN LGBTI Core Group" (since 2017), an interregional group

¹³ There is a tool in Italy provided by art. 96 of the Senate Rules of Procedure which enables senators to vote on whether or not a bill should be discussed at all: 'Before consideration of the articles of a bill begins, one senator from each group may make a proposal that it not be considered'.

of now 33 states, founded in New York in 2008 to promote at the United Nations the fight against discrimination based on sexual orientation and the protection of the rights of LGBTIQ* persons, especially to protect them from discrimination and violence.¹⁴

Furthermore, sex reassignment and legal gender recognition is permitted under Act No. 164 of 14 April 1982: 'Norme in materia di rettificazione di attribuzione di sesso' (Gazzetta Ufficiale della Repubblica Italiana, 1982). Persons seeking a change of sex and registered gender, or transgender persons in general, can request an appointment at one of the Italian institutions, associations or garrisons that offer gender affirmation services. Only then can the whole process of gender affirmation be initiated (the duration of which is subjective) to obtain a legal change of sex and gender registration. It should be noted that it is only at the end of the gender affirmation process that one can apply to the competent court for authorisation to change one's registered gender and legal name

Violence on the basis of SOGIESC

Violence on the basis of SOGIESC is a major issue in Italy. Since 2019, indicators for gender-based violence (GBV), which had remained mostly invariant in the previous years, suggest that the situation worsened (ISTAT, 2021). Against the trend in other countries, Italy saw a significant increase in femicides (MIIR, n.d.). Furthermore, since 2020 the Italian feminist movement Non Una di Meno (NUDM) counts the killing of trans people and the suicide of ciswomen and transwomen as a consequence of gender-based violence.

While these trends are worrying as such, they are likely underreporting the actual numbers of SOGIESC-based violence and hate crimes. As Italy does not have a law against homophobia, biphobia, lesbophobia interphobia and transphobia (homo-bi-lesbo-trans-inter-phobia), it is not possible for Italy's Observatory for Security against Discriminatory Acts of the Police (OSCAD) to keep an exhaustive account and monitor assaults, beatings, and violence against LGBTIQ* people.

Besides these limitations to the transparency about occurring violence, there are also no governmental training programmes for judicial, law enforcement, and correctional officials on human rights and protection from violence concerning SOGIESC in Italy. 15

Same-sex/-gender relationships and parenting

Since the Cirinnà law was passed in May 2016, civil partnerships between people of the same sex have been possible. The law grants same-sex couples legal protection and the rights and obligations also provided for civil unions, but adoptions are not possible, nor the possibility to have children through in vitro fertilisation (IVF) or surrogacy¹⁶ (Senato della Repubblica, 2016). Civil unions thus do not allow for the recognition of non-heteronormative family units, which endangers the peace and future of the child. Since both parents cannot be officially registered as parents in same-sex relationships, there is a high risk that children are being taken away in the event of the biological parent's death, and children run the risk of being separated from those who have raised and cared for them over the years.

Despite the legally possible civil partnerships, data on acceptance of the LGBTIQ* community shows that discriminatory attitudes towards LGBTIQ* relationships are more widespread in Italy compared to the EU average, with lower percentages of people believing in equal rights for gay and lesbian people, accepting emotional relationships between same-sex couples, supporting legal gender identity changes, and indicating a 'third gender' on public documents (Eurobarometer, 2019). Yet discriminatory attitudes have been declining. A 2020 survey by Eurispes found that the percentage of Italians in favour of egalitarian marriage increased to 59.5%, up from 50.9% in 2019. The survey also found that younger age groups were more accepting of same-sex

¹⁴ Other examples include Italy's support of the Global Equality Fund (GEF), an intergovernmental fund, established in 2011 by the United States, to support projects to protect the rights of LGBTIQ* people; and the participation in the Equal Rights Coalition (ERC), an international cooperation platform founded in 2016 to promote the rights of LGBTIQ* people through exchange of information and good practices, the coordination of international action, public declarations and diplomatic initiatives, to which the states of the coalition adhere on a voluntary basis.

¹⁵ Training on intimate partner violence, stalking and sexual violence is part of the mandatory curriculum for candidate officials of the two law-enforcement bodies responsible for policing cases of violence against women, namely the state police (Ministry of Interior) and the carabinieri (Ministry of Defence). But there is no training regarding LGBTIQ* issues.

¹⁶ In May 2023, the proposal to tighten the ban on surrogacy was published. The amendment provides for a prison sentence of up to three years (II Fatto Quotidiano, 2023).

marriage, with 77.1% of 18-24-year-olds supporting it, compared to 45.3% of those over 64. Additionally, 42% of respondents believed that same-sex couples should be allowed to adopt children (compared to 31% in 2019 and 27.8% in 2015) (Eurispes, 2020).

Access to education

Italy is one of the very few nations in Europe, along with Cyprus, Bulgaria, Poland, Romania and Lithuania, without curricula for affectivity, sexuality and reproductive health education. It is well known that comprehensive sexual education prevents violence on the basis of SOGIESC (Council of Europe, 2018). Nevertheless, from 1977 to 2019, there were 16 parliamentary initiatives to regulate the introduction of sex education in schools (ANSA, 2022) and the overwhelming majority (94%) believe that schools should provide information on sexuality and reproduction (Ministero della Salute, 2019). With no such information provided in school, eight out of ten students search the internet for information on sexual and reproductive issues, and one in four ask their family (ibid).

Incidents of bullying, violence, and mobbing against LGBTIQ* people damage their psychological and physical health since an early age, also in school settings (Moagi, Van Der Wath, Jiyane, & Rikhotso, 2021). Data indicates that 40.3% of homosexuals/bisexuals have experienced discrimination at school or university, during job search or in the workplace compared to 27.9% of heterosexuals. Discrimination was expressed in 24% of cases at school or university, in 29.5% during job search, and in 22.1% at work; the percentages for heterosexuals are, respectively, 14.2%, 31.3% and 12,7% (ISTAT, 2012).

Access to healthcare

There is limited data available on the connection between sexual orientation and health or healthcare in Italy. This is because, until a few years ago, none of the major Italian national health surveys collected data on sexual orientation or gender identity, and health systems did not have electronic forms or registries to monitor LGBTIQ* patients (Oggi Scienza, 2012).

A study on the treatment of LGBTIQ* people found that **discrimination is widespread in the Italian health sector** (Chroniqueers, n.d.). For example, same-sex couples are excluded from attending medical examinations and information about the medical condition of their partners. Further, the misuse of pronouns as well as homophobic remarks are widespread, and medical staff often lack competence and sensitivity for the (reproductive) health of LGBTIQ* patients (Ministero della Salute, 2019). For this reason, LGBTIQ* patients often do not receive the medical treatment they need. Conversely, their health may deteriorate due to the discrimination and violence they experience in the health system (Chroniqueers, n.d.).

Good practice to challenge discrimination of trans and intersex people: With regard to trans and intersex rights, Italy has established the first institutional portal in Europe dedicated to the well-being and health of trans people (Infotrans.it). The portal provides independent, certified and updated information for transgender people, institutions, employers, workers and employees, for overcoming the bureaucratic obstacles related to gender marker change and the phase of initial insertion and/or eventual re-insertion in the labour market where a real need emerges following the completion of the transition process. In December 2021, a collaboration agreement was signed between Programma Operativo Nazionale – PON – Inclusione, a program co-financed by the European Social Fund, and UNAR to prevent discrimination and stigmatisation of intersex people in health care and the labour market (InfoTrans, 2020; PON inclusione, LGBT).

Equal treatment in employment

In the area of protection in the workplace, there are several provisions prohibiting direct and indirect discrimination on the grounds of a person's sexual orientation (Presidenza del Consiglio dei Ministri, 2022). Nevertheless, the discrimination of LGBTIQ* people in the labour market is of concern. In a study conducted in 2020-2021, 26% of respondents said that their sexual orientation was a disadvantage in their working life in at least one of the three areas studied (career and professional growth, recognition and appreciation, income and pay); 40.3% reported that they avoided talking about their private life in order to hide their sexual orientation

(41.5% among women, 39.7% among men); about six out of ten people have experienced at least one microaggression (having received demeaning messages or heard demeaning expressions) (ISTAT, 2022).

Civil Society

The Italian civil society plays an important role in raising awareness and strengthening LGBTIQ* rights – especially in those areas where state infrastructures are lacking. For example, since 2020 the Italian feminist movement Non Una di Meno (NUDM), has been counting the killings of trans people and the suicides of cis women and trans women as a result of gender-based violence, providing important data on violence against trans people in Italy.

Intermediary conclusions on G7/G20 gender equality commitments

- According to the 2022 G7 Leaders Communiqué, the G7 committed to ensuring that everyone is protected against discrimination and violence. However, Italy is one of the few Western countries that does not have a **legislation safeguarding LGBTIQ*** people from hate and violence.
- In addition, the G7 committed to ensuring that everyone independent of their gender identity or expression or sexual orientation has the **same opportunities**. Yet, same-sex/-gender couples are not permitted to adopt a child.
- The G7 countries agreed to ensure the **full**, **equal**, **and meaningful participation of LGBTIQ*** persons in all spheres of society (G7 Leaders Communiqué, 2022). Yet, exclusion and discrimination against LGBTIQ* people have remained widespread in different areas of life including the workplace and access to healthcare.
- However, despite these shortcomings at the domestic level, Italy has contributed to the promotion and protection of LGBTIQ* rights at an **international level** through diplomatic exchange and awareness-raising activities in multilateral forums and bilateral relations. These activities are in line with the G7 Development Minister's commitment of "taking an active role in tackling all these multiple and intersecting forms of violence and discrimination against LGBTIQ* persons" (2022). However, further action would be needed to fully implement the ambitious goals in the area of development cooperation humanitarian action set out in the G7 Development Minister's Communiqué.

Policy Recommendations - Italy

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Women's economic empowerment

- Ensure that women in all their diversity have **equal access to funds and credit** as men, with credit facilities facilitated by public guarantees. Efforts to combat gender stereotypes should also address biases in funding and support women-owned businesses, regardless of their location.
- Make financial education easily accessible for girls and women in all their diversity, e.g., by including it
 in school curricula.¹⁷
- Guarantee accessible and affordable day care for all working parents.

Climate justice from a gender perspective

- Create an inter-ministerial task force focused on women in all their diversity and the climate crisis with
 the objective of recognising the distinct effects of the climate crisis on women, as well as the pivotal
 roles that women play in executing sustainable development policies.
- Collect data on the impacts of climate change to improve the understanding of differential effects of the climate crisis on different social groups and enable targeted policy-making.

¹⁷ The Bank of Italy provides a series of educational materials and campaigns available online where women are one of the main targets (see https://economiapertutti.bancaditalia.it/) and the Foundation for Financial and Savings Education created useful tools for children (see https://www.feduf.it/).

• Promote women's and marginalised groups' representation in decision-making fora on climate action.

LGBTIQ* inclusion

- Establish a **national law** combatting homophobia, biphobia, lesbophobia, transphobia and interphobia (homo-bi-lesbo-trans-inter-phobia). The law should be preventive and not only punitive.
- Ensure sexual and affective education is legally mandatory, as well as inclusive, positive, and antidiscriminatory.
- Include LGBTIQ* people in national databases by including data on sexual orientation and gender identity in the national census. Also cover same-gender families in national data collection to support policy-making and advocacy efforts, in accordance with Agenda 2030.
- Provide **training for administrative staff and law enforcement** to enhance awareness of language use and recognition of unconscious biases and microaggressions.

Brazil

Women's Economic Empowerment



Even though Brazilian women continue to be affected by structures of gender inequality, the Brazilian government's decision to prioritise women in receiving financial aid in public policies has profound impacts on Brazilian society.

Participation in the labour market and paid work

In Brazil, laws that protect women's rights and gaps that lead to severe disadvantages for women co-exists in various employment-related areas. Women's labour force participation rate is significantly lower than that of men, they earn less than their male counterparts, and are underrepresented in management positions. At the same time, Brazil's legal framework largely protects against gender-based discrimination in the labour market.

In Brazil, the Civil Code (Planalto, 2002) guarantees women **equal access to paid** work, the CLT (Planalto, 1943) prohibits **discrimination in employment** based on gender, and the Criminal Code (Planalto, 1940) **criminalises sexual harassment** in the workplace. Furthermore, women are legally allowed to take on all kinds of jobs (such as night shifts or dangerous work) and thus gender-related discrimination in job choice is criminalised. While there is legislation to prohibit unequal payment due to gender discrimination, the present legislation is insufficient to ensure pay equity (Presidência da República, 1943).

Women are less likely than men to participate in the **labour force and engage in paid work**. 73.6% of men, compared to only 53.8% of women, participate in the labour market (in 2022) with little change in comparison to past years (ILO, n.d.). Among those that engage in paid work, female workers are more likely to work partime (32.5%) than their male counterparts (19.1%) and more likely to work in informal jobs in agriculture (in 2022) (ILO, n.d.). Furthermore, women are more likely to be unemployed: the unemployment rate of those aged 15 or above amounts to 11.5% for women and 7.5% for men (in 2022). The gap is even larger when looking at the share of youth not in employment, education, or training (25.8% vs. 16.2% in 2022) (ILO, n.d.).

In this context, it is worth mentioning the **gendered impact of the Covid-19 pandemic on the Brazilian job market**. By the end of 2021, there were 1.1 million fewer women in formal employment than in 2019, with a majority of those dismissed being black women (925,000). At the onset of the pandemic, around 1.5 million domestic workers lost their jobs in private households, which constituted 58% of this workforce. By the end of the first semester of 2021, the number of women whose food security was threatened had increased to 2 million (Grupo de trabalho da Sociedade Civil para a Agenda 2030, 2022).

In addition to women's limited access to paid employment, women remain **under-represented in management positions**. They make up 38.8% in managerial positions and 37.2% in senior and middle management positions (in 2021) (ILO, n.d.). Furthermore, only around a third of employers (30.6%) and of businesses owners (35.3%) in Brazil were women (Inter-American Development Bank, 2022). Despite gender gaps in positions with decision-making authority, attitudinal data suggests that the majority of the population does not consider women to be less suited than men for doing business (World Values Survey, 2018). Moreover, **significant gender pay gaps** persist. In 2020, men earned 28.1% more than women and the white population earned 73.3% more than the black population (Biblioteca IBGE, 2021).

Unpaid care and domestic work

Women carry the bulk of unpaid care and domestic work in Brazil, and discriminatory attitudes reinforce the unequal distribution of care responsibilities. Women spend on average 2.3 times as much time on unpaid work compared to their male counterparts (The World Bank, n.d.); and more than half of the population (53.7%) agree or strongly agree with the statement that pre-school children suffer when their mother works for pay (World Values Survey, 2018).

To acknowledge unpaid work associated with childcare, the Brazilian Constitution and the Consolidated Labour Laws guarantee maternity (120 days) and paternity (5 days) leave (Planalto.gov.br, n.d.). In addition, the state has the duty to ensure the provision of early childhood education in Brazil, access to day care centres is marked by regional, socioeconomic, and racial inequalities (Vidigal, 2020).

Regarding **laws and policies to further encourage the redistribution** or reduction of unpaid work, the Lula government established an inter-ministerial working group through Decree n. 11.460 (planalto.gov.br, 2023), under the coordination of the Ministry of Women and the Ministry of Development and Social Assistance, Family, and Hunger Combat to develop a proposal for the National Care Policy and a proposal for the National Care Plan.

Access to and control over resources

Access to and control over resources lies mainly with the male population. This might be caused by the difficulties women face with accessing credit and their underrepresentation in entrepreneurship.

The Brazilian Civil Code (Planalto, 2002) guarantees equal ownership rights to immovable property, equal rights to sons and daughters to inherit assets from their parents, equal rights to female and male surviving spouses to inherit assets, equal administrative authority to spouses over assets during marriage and the provision for the valuation of nonmonetary contributions. The default marital property regime is partial community of property (The World Bank, n.d.)).

However, despite these laws, ownership in Brazil remains unequally distributed. For example, considering access to land as of 2017, 81.3% of the producers who manage rural properties were men while 18.7% were women, women owned only 8.5% of occupied rural territories in Brazil (IBGE, 2018).

Regarding financial services most women and men hold bank accounts (The World Bank, n.d.) and can borrow from a formal financial institution (The World Bank, 2021). However, the grant of loans was significantly higher for men than for women (Inter-American Development Bank, 2022). This gap might reflect easier access to credit for male and underrepresentation of women among entrepreneurs. The rise in credit accessibility for women in Brazil has taken place amidst a backdrop of daily struggles. One of the interviewees explained that Brazilian women have incurred debts, primarily through overdraft loans with exorbitant interest rates, in order to cover basic needs such as water, electricity, gas, housing, and food.

Intermediary conclusions on G7/G20 gender equality commitments

- The gender gap in **labour force participation** has remained high and further progress is needed to meet the G7/G20 gender equality commitment (first set in Brisbane 2014) of reducing the gender employment gap by 25% until 2025.
- In Brazil the share of **women in leadership positions** is still distinctly lower than the one of men, thus the G7/G20 gender equality commitment of improving women's access to decision making positions is not met.
- Despite the government's attempts to address the **gender wage gap** by implementing equal pay laws, significant disparities in pay still exist. The G7/G20 commitment to achieving equal pay for work of equal value has not been fully realised.
- Brazil has taken steps to recognise and reduce the burden of **unpaid care and domestic work** in line with the G7/G20 gender equality commitments. This includes supporting childcare facilities and offering maternity and paternity leave. However, women continue to bear the brunt of unpaid care and significant challenges remain in terms of access and affordability of institutional childcare and the redistribution of care responsibilities under existing maternity and paternity leave policies.
- With regards to access to resources, Brazil aims to support women's entrepreneurship by providing access to financial services, yet these efforts are limited in scope. Women still encounter numerous obstacles concerning business ownership, resulting in a stagnant gender gap in entrepreneurship over the past few years. To successfully realise the G7/G20 gender equality commitments, more comprehensive measures are needed to foster a conducive environment for women entrepreneurs in Brazil.

Climate Justice



Brazil's government stance toward climate change has changed considerably in the last 20 years with the changes of government from Luis Inácio Lula da Silva to Jair Bolsonaro and back. The current government accepts climate change as an important challenge but has not yet found a clear line to counter it effectively. While there are recent developments of including women more into decision-making processes on climate justice and diverse laws in place, the implementation of climate justice legislation is still fragmentary in Brazil. The effects concern mostly intersectionally discriminated women.

Legal and policy frameworks

Brazil has a **legal and policy framework on climate justice** that is both comprehensive and complex. As a signatory to the UNFCCC (United Nations Framework Convention on Climate Change, 2023) and the Paris Agreement (Paris Agreement, 2023), Brazil has committed to reducing its greenhouse gas emissions significantly by 2025 and 2030. The **Brazilian Forest Code** is a key piece of legislation that sets out rules for the use of land for agriculture and other purposes and requires landowners to preserve a percentage of their property as forest. This is particularly important in Brazil, which has the largest area of tropical forests in the world, including the Amazon rainforest. In addition, the country has established policies and programmes aimed at **promoting sustainable development and mitigating climate change**, such as the Amazon Fund (Amazon Fund, n.d.).

While Brazil's legal and policy framework on climate justice is ample, there are several shortcomings that limit its effectiveness. One major challenge is the **lack of effective enforcement of environmental laws and regulations**, which has contributed to the high rate of deforestation in the Amazon rainforest. Despite the existence of laws and regulations aimed at protecting the environment, illegal activities such as **deforestation and land grabbing** continue to occur, often with impunity (Aleixo & Junior, 2022) and marginalised groups continue to suffer most from these shortcomings.

There is also a lack of participation and representation of marginalised communities, particularly indigenous people and traditional communities, in the development and implementation of environmental policies and programmes. This has led to a situation where environmental policies and programmes often do not reflect the needs and perspectives of these communities and may even harm them (Aleixo & Junior, 2022).

Gendered climate impacts

The climate crisis exacerbates water scarcity and sanitation issues in Brazil, particularly affecting marginalised communities such as black populations, favela residents, indigenous people, and women. Women are disproportionately affected by water scarcity, poor sanitation, poverty, income inequality, and environmental risks, with indigenous women being particularly vulnerable to violence and exploitation. Effective public policies for disaster management and prevention including a gender approach to address these issues are still lacking.

The climate crisis is worsening water scarcity and sanitation issues in Brazil, particularly affecting marginalised communities such as black populations, favela residents, indigenous people, and women (Grupo de trabalho da Sociedade Civil para a Agenda 2030, 2023). Women are disproportionately affected by water scarcity and poor sanitation, as 15 million women in Brazil lack access to treated water, and one in four do not have access to sewage treatment systems (Observatório do Clima; Gênero e Clima, 2022). In rural areas, maintaining a livelihood for women is linked to land ownership and access to assistance. As they represent only about 19% of rural landowners in Brazil and have limited access to loans and machinery (Observatório do Clima, Gênero e Clima, 2022), their agency to react to water scarcity and sanitation issues is further restricted.

Poverty and income inequality also affect women disproportionately, as about 77.2 million black women in Brazil live with less than 70\$18 per month, and six out of ten households experiencing food insecurity are led by women (Grupo de trabalho da Sociedade Civil para a Agenda 2030, 2022). Moreover, climate and environmental risks such as floods, droughts, and natural disasters have harmed millions of people in Brazil, with over a million people affected by floods and nearly 43 million by droughts in 2018 alone (Observatório do Clima; Gênero e Clima, 2022). However, no data disaggregated by gender is available at this point.

¹⁸ At the time of publication, this corresponds to approximately 64 euro.

The lack of effective public policies for disaster management and prevention further exacerbates the situation, with Brazil lacking gender-sensitive policy for managing risks and disasters (Silva & Samora, 2023).

Indigenous communities are specifically affected by climate impacts because they're often neglected by the Brazilian government. The example of the Yanomami people shows that the particular vulnerability of women concerning climate impacts is also maintained in this context: During Bolsonaro's presidency, the Brazilian government's actions of dismantling indigenous healthcare and territory inspection structures have allowed illegal gold mining to expand in Yanomami territory. This has led to hunger and diseases like severe malnutrition and malaria among the Yanomami people. The Yanomami population comprises about 30 thousand people. Between 2019 and 2022, at least 570 Yanomami children, from 0 to 5 years old, died from preventable diseases because of shortages caused by the land grabbing activities. Additionally, Yanomami women and girls have been subjected to sexual abuse and exploitation by gold miners. As a result, the Brazilian Supreme Court has ordered an investigation into federal authorities of Bolsonaro's presidency for possible involvement in the crime of genocide. These mining activities are also contributing to climate change, further impacting the well-being of the Yanomami people and their environment (Souza, 2023).

Women in decision-making fora on climate action

The appointments of black and indigenous women in high-ranking positions for climate action show the Brazilian government's commitment to addressing the climate crisis, protecting the rights of indigenous and traditional populations, and recognising the leadership of Brazilian women. However, women still lack decision-making power in climate policy development.

Brazil's President Lula has appointed Marina Silva 2023 as the Minister of Environment, which has now been renamed to the "Ministry of Environment and Climate Change" (Silva M., n.d.). Silva, a black woman, is well-known for her fight for sustainable development and environmental protection, and previously led the creation of the Amazon Deforestation Combat Plan (Clima, Assessoria de Comunicação do Ministério do Meio Ambiente e Mudança do, 2023). Additionally, Lula created the "Ministry of Indigenous Peoples" and appointed Sonia Guajajara, an indigenous woman, as its minister (G1 Maranhão, 2022), and Joenia Wapichana as the president of FUNAI (National Foundation of Indigenous Peoples), making them the first indigenous women to lead indigenous policy in Brazil (Assessoria de Comunicação da FUNAI, n.d.).

These appointments reflect the current government's commitment to addressing the climate crisis and protecting the rights of indigenous and traditional populations, as well as **recognising the leadership of Brazilian women**, **especially indigenous and black women**. However, the report "Gender Equity in Climate Governance Spaces" shows that men still dominate decision-making positions in climate policy construction, with women mainly acting as guests without decision-making power (Galbiati & Campos, 2021).

Good practice to raise the voices of women in climate action: The appointment of Marina Silva as the Minister of Environment and Climate Change in Brazil is a shining example on how to raise the voices of women in this area. Marina Silva is a well-known environmental activist and advocate for sustainable development who has also previously served as the Minister of Environment (2003-2008) in Brazil. During her previous tenure as Minister, she was instrumental in developing the Amazon Deforestation Combat Plan, which helped reduce deforestation by 80%. Her appointment as the Minister of Environment and Climate Change under the current government signals a strong commitment to addressing the climate crisis, ensuring environmental protection, and taking the voices of women in this area seriously. The inclusion of "Climate Change" in the name of the ministry also highlights the government's recognition of the urgency of this issue. Overall, the appointment of a knowledgeable and experienced leader like Marina Silva to such a crucial role in the government is a good practice that can lead to positive outcomes in terms of environmental protection and sustainability.

Gender gaps in the green economy

Women in Brazil are underrepresented in green jobs despite renewable energy accounting for a significant portion of the country's energy supply. Investment in complementary areas to green energy is needed to address gender inequalities.

The green economy¹⁹ provides a substantial job market in Brazil. Renewable energy sources accounted for 83% of Brazil's total domestic energy supply in 2019, with 23% of the country's employment in renewable energies (Oliveira, Podcameni, Lustosa, & Letícia, 2021).

However, women in Brazil are **underrepresented in several green job categories**, including forest production and management, renewable energy generation and distribution, sanitation and waste management, product and material maintenance, and alternative collective transport. Female participation in formal employment related to environmental quality preservation and low carbon potential was 48.5%, and in clean activities with the potential to "green" other sectors, it was 60.8%. Women's participation in green jobs such as forest production and management, renewable energy generation and distribution or sanitation and waste management, decreases as average income increases, and male predominance exists in terms of both employment contracts and remuneration (Oliveira, Podcameni, Lustosa, & Letícia, 2021). The lack of sustainable and reliable energy access particularly affects women regarding domestic and care tasks (Oliveira, Podcameni, Lustosa, & Letícia, 2021).

Civil society

The Brazilian climate justice landscape of civil society organisations is vast, which is due to the fact that the Brazilian government has specific funding bodies for promotion.

There are several civil society organisations working for climate justice, for example the Climate Observatory (OC) (Observatório do Clima, n.d.); the National Articulation of Agroecology (ANA) (Articulação Nacional de Agroecologia, n.d.), and the Amazonian Work Group (GTA). The Brazilian government financially supports civil society organisations through public calls for proposals for the National Fund for the Environment (FNMA). The FNMA was created in 1989 and through its history 1.450 socio-environmental projects were supported, with resources totalling 5 million dollars²⁰ invested in initiatives for conservation and sustainable use of natural resources (Fundo Nacional do Meio Ambiente, n.d.).

Intermediary conclusions on G7/G20 gender equality commitments

While both groups - G7 and G20 - recognise the importance to jointly address the climate crisis and gender equality, the G7 places greater emphasis on climate justice and inclusivity. Although the level of detail varies, both groups highlight the importance of women's equal participation and decision-making in climate action and their engagement in critical sectors such as energy.

- Brazil's government has recently recognised the importance of **involving women and other** marginalised groups in shaping climate action, conforming with the G7/G20 commitment of **inclusive climate action**.
- While the **legal framework** for climate justice in Brazil is growing, the implementation of these laws is still lagging behind, enabling deforestation and land grabbing.
- Furthermore, marginalised communities such as black populations, favela residents, indigenous people, and women are particularly **affected by climate change impacts** including water scarcity. To realise climate justice, more efforts are needed to mitigate and adapt to differential impacts.
- Women in all their diversity have remained under-represented in **green jobs** including in the energy sector. Action is needed to comply with the G7/G20 commitments of promoting gender equality and diversity in the energy sector (2021).

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¹⁹ In Brazil the green economy sector entails activities related to the preservation of environmental quality and low carbon potential, clean activities with the potential to "green" other sectors of the economy and activities whose environmental impacts can be significant and depend on environmental management capacity in production. (Oliveira, Podcameni, Lustosa, & Letícia, Friedrich Ebert Stiftung, 2021)

²⁰ At the time of publication, this corresponds to approximately 4.6 million euros.

LGBTIQ* Inclusion



The discrepancy between Brazil's progressive legislation on the rights of the LGBTIQ* community to the lived reality of the community is striking. Although the legislation sets a clear path, both the executive branch and societal attitudes largely do not favour or support the LGBTIQ* community.

Legal and policy frameworks

There are no laws that criminalise the sexual orientation and gender identity of Brazilian citizens (ILGA World Database, n.d.). Conversely, Brazilian law criminalises homo-bi-lesbo-inter-trans-phobia and considers it a vile motive in homicide cases. Further, there are laws that consider violence against trans women in cases of gender-based violence.

Name changes and the use of social names and gender identity are recognized by Brazilian law. In 2018, the Brazilian Supreme Court granted transgender people the right to change their first name and gender on their civil registry without undergoing gender reassignment surgery or hormonal treatment (Supremo Tribunal Federal , 2018). This followed earlier government decrees, including one in 2016 that recognised the use of social names and gender identity for transgender people within federal public administration (Planalto, 2016). The National Council of Justice also published Provision 73 in 2018, allowing for the annotation of name and gender changes for transgender individuals in their birth and marriage records (Conselho Nacional de Justiça, 2018). Additionally, the Federal Council of Psychology had banned conversion therapies for sexual orientation since 1999 (Conselho Federal de Psicologia, 1999) and realignment therapies for transgender people since 2018 (Conselho Federal de Psicologia, 2018).

LGBTIQ*phobia is criminalised under Brazilian law. In 2019, the STF passed judgment on ADO 26 (Direct Action of Unconstitutionality by Omission) (Supremo Tribunal Federal, 2019) and MI 4733 (Writ of Injunction) (Supremo Tribunal Federal, 2019), which identified the National Congress' failure to classify discrimination based on sexual orientation and/or gender identity and requested that the Supreme Court establish a deadline for the Congress to enact a **law criminalising LGBTIQ*phobia**. As a result, the STF declared homophobia and transphobia illegal by equating them with the crime of racism (Planalto, 1989) until the National Congress creates a specific law on the matter. The verdict also determined that **LGBTIQ*phobia constitutes a vile motive in the event of deliberate homicide**, making it subject to a prison sentence of 12 to 30 years.

Specifically related to **LGBTIQ*** women, the Maria da Penha Law (Planalto, 2006) – created to combat **gender-based violence**, especially domestic violence – protects women from discrimination based on their sexual orientation and has been used to specifically protect transgender women, too.

Violence on the basis of SOGIESC

Available data suggests that Brazil is one of the countries worldwide where most LGBTIQ* people are affected by violence leading to homicide. The reports also highlight the intersectionality of violence, particularly against young black LGBTIQ* individuals, and the political violence faced by LGBTIQ* women in politics. The creation of a National Network of LGBTI Public Security Professionals and a manual for assisting the LGBTIQ*population by public security agents aims to address these issues.

Members of the **LGBTIQ*** community face an over proportional amount of violence because of their identity and do thus have a very low life expectancy in Brazil. According to studies on LGBTI+ deaths in Brazil there were 300-316 violent deaths of LGBTI+ people in 2021 (ANTRA, 2018). Although limited by the lack of a national database, these studies are extremely important: they show that **large numbers of LGBTIQ* people face death because of their identity or sexual preference** in Brazil. Among **LGBTIQ*** individuals, gay men, and trans women represent the majority of violent deaths. Regarding the ethnic-racial profile, 39% of the individuals were black and 28% were white. Additionally, 47% of the victims were between 20 and 39 years old. According to the National Association of Travestis and Transsexuals, the **life expectancy** of a trans person in Brazil is 35 years (IPEA, 2021).

In Brazil, violence is not only a problem for the LGBTIQ* population, but other social markers also lead to a higher probability of facing violence. It is estimated that between 2009 and 2019, more than 700.000 people were murdered in the country, mostly young black men (IPEA, 2021). Thus, it is important to note that when social

markers related to discrimination are **intersectionally** inscribed in the same body, patterns of severe violations can be observed. High profile cases, observed in public show that violations against the LGBTIQ* population do not only happen through the hands of the executive power but are often also not prosecuted: Dandara do Santos, a trasvesti²¹ beaten and finally shot by a group of men; Luana Barbosa dos Reis, a black masculine-appearing lesbian woman being beaten to death by three military police officers; and Marielle Franco, a black woman of the LGBTIQ* community and city councillor, who was assassinated in an car ambush (Franco, n.d.).

Gender-based political violence is a constant for all women who decide to run for political office in Brazil²², and it is even more pronounced for black and LGBTIQ* women. The election of these women does not give them security – in contrary they are more visible to the public and thus more prone to violence by the public (Manha, 2023).

A National Network of LGBTI Public Security Professionals (RENOSP-LGBTI) was created to connect stakeholders in this field and thus find synergies. However, the network is not yet supported and institutionalised by the Ministry of Justice as was planned. The network published a Manual for Assistance and Approach to the **LGBTIQ***population by public security agents (RENOSP – LGBTI, 2018).

Same-sex/-gender relationships and parenting

The Brazilian law recognises same-sex relationships and parenting. The first is also widely accepted in society while the latter receives less social recognition.

In 2011, the trial of ADI 4277 (Federal, Ação Direta de Inconstitucionalidade 4277, 2011) and ADPF 132 (Federal, Arguição de Descumprimento de Preceito Fundamental 132, 2011) (Claim of Non-compliance with a Fundamental Precept) by the Brazilian Supreme Court (STF) legally equated same-sex relationships to stable unions between men and women, ensuring that same-sex/-gender couples have access to the same family and succession rights, such as health plans, life insurance, alimony, division of assets in case of separation, inheritance, etc. To enforce this decision, in 2013, the National Council of Justice published Resolution 175 (Conselho Nacional de Justiça, 2013), which required all notaries in the country to perform, in addition to same-sex/-gender stable unions, the conversion of the union into marriage and the direct performance of civil marriage between same-sex/-gender individuals. Eight out of ten Brazilians (79%) believe that homosexuality should be accepted in society (Tavares, 2022). However, only around half (52%) think that homosexual parents are as good parents as other parents (Survey World Values, 2018). The possibility of adoption by same-sex couples is a consequence of the decision of the STF (ADI 4277 and ADPF 132) and the CNJ Resolution (175), same-sex/-gender couples also have the possibility to adopt children. As the Statute of the Child and Adolescent (ECA) (Lei n. 8.069, 1990) authorises joint adoption to married individuals or those who live in stable union, same-sex/-gender couples are not restricted to single-parent adoption.

Access to education

The legal framework in Brazil grants equal access to education, but curricula rarely include diverse sexuality education and other LGBTIQ* relevant information, and if they do, it is highly controversial. The right to education and health are guaranteed to all by the Brazilian Federal Constitution (1988) (Constituição da República Federativa do Brasil de 1988, 1988) and two high court decisions (Supremo Tribunal Federal, 2019). The Youth Statute (Law 12.852/2013) (Lei n. 12.852 de 5 de agosto de 2013) protects youth (aged 18 to 29) from discrimination based on "sexual orientation" including in education.

Nevertheless, the mere use of didactic material for the education of children and adolescents about sexual orientation and gender identity has resulted in accusations of being homosexual propaganda and have established persecutory environments for teachers who address the issue in the classroom, both in public and private schools. This environment is already an indication of the situation of violence and humiliation to which LGBTIQ* people are exposed in the educational system (Pinho, 2022).

According to the UN Summary of Stakeholder's Submissions (2017), there are reports on the mistreatment, fear, and physical and psychological bullying experienced by **LGBTIQ*** individuals, including young people and students

²¹ "Travesti" is a gender identity used in Latin America to refer to a person who identifies and/or expresses themselves in a way that does not conform to the gender they were assigned at birth. The term is associated to a historical context of social vulnerability and criminalisation. ²² Gender-based political violence is a concept used in North, Central, and South American countries to address the cases of violence suffered by women who are engaged in political activities such as congress women, deputies, ministers, or candidates (ParlAmericas, n.d.).

in educational settings, as well as the discrimination faced by same-sex/-gender families. It is also noted that Brazil had not met recommendations on gender equality due to the exclusion of gender and sexuality issues from education plans, which were removed under pressure from religious leaders. The report also addresses the exclusion of **LGBTIQ*** individuals in school and university environments.

Access to healthcare

Access to healthcare is legally granted, however reality shows that there are still hindering factors to access it. Regarding access to healthcare, the Unified Health System (SUS) in Brazil guarantees public, free and universal care (Lei n. 8.080 de 19 de setembro de 1990, 1990). Relatedly, SUS has been offering free gender reassignment surgeries since 2008 (Ministério da Saúde, 2008), and, in 2013, the National LGBT Integrated Health Policy was launched (Ministério da Saúde, 2011; Ministério da Saúde, 2013). However, stigmas, invisibility, the lack of continuous policies for training professionals capable of assisting LGBTIQ* people, and the limited availability of specialised care hinder the care of LGBTIQ* people (Monteiro, 2022).

Civil society

There are no laws or regulations that restrict freedom of expression, civic participation, or association related to SOGIESC, nor are there laws or regulations that restrict the work of national or international civil society organisations and activists working on LGBTIQ* inclusion in Brazil (ILGA World Database, n.d.).

Several civil society organisations that promote LGBTIQ* inclusion in Brazil are publicly known, for example, Articulação Nacional de Travestis e Transexuais (ANTRA, n.d.), Associação Brasileira de Lésbicas, Gays, Bissexuais, Travestis, Transsexuais e Intersexos (ABGLT, n.d.), Associação da Parada do Orgulho LGBT de São Paulo (APOLGBT-SP, n.d.), Grupo Gay da Bahia (GGB, n.d.) and Acontece - LGBTI+ Arte e Política (Acontece Arte e Política LGBTI+, n.d.).

At the same time, policy processes and political narratives show that conservative politicians are actively attempting to undermine LGBTIQ* rights. Since the start of 2023, 69 bills have been suggested that could potentially strip trans people – who are mostly targeted by these efforts – from their rights. Proposed bills are aimed at restricting the rights of transgender individuals. Some of these bills target inclusive language in schools and public spaces, medical assistance for transgender youth, and the ability of transgender individuals to participate in sports. Additional legislation is focused on preventing education about gender and punishing adults who support minors in their gender transition. (Avelar, 2023).

Intermediary conclusions on G7/G20 gender equality commitments

As **LGBTIQ*** inclusion is not anchored in the G20 gender equality commitments to date, this chapter provided an overview of the status quo along the G7 leaders' commitments to **LGBTIQ*** inclusion focused on equal opportunities, protection against discrimination and violence, fighting structural barriers and harmful gender norms as well as promoting equal and meaningful participation.

- Brazil has an extensive legal framework that protects the rights of LGBTIQ* persons against discrimination and violence including a law criminalising LGBTIQ*-phobia.
- Yet, the implementation of this legal framework is still fragmentary and widespread stigmata and resentments towards LGBTIQ* people foster discrimination and violence. Members of the LGBTIQ* community are specifically vulnerable to violence when they are subject to intersectional discrimination or take political offices.
- Despite Brazil's adoption of laws and policies that aim to ensure equal access to health, education, and employment, discriminatory practices and harmful social norms continue to hinder LGBTIQ*people access and full participation of LGBTIQ* individuals.

Policy Recommendations - Brazil

Women's economic empowerment

- Approve and implement the Law n. 1085/2023 (PL n. 1.085/2023) that ensures equal payment and remuneration between women and men by creating means for the inequality to be verified, punished, and remedied
- **Create a line of credit** with interest rates significantly lower than the average overdraft rates to face the growing indebtedness of women.

Climate justice from a gender perspective

- Create an **inter-ministerial task force** focused on women in all their diversity and the climate crisis with the objective of recognising the distinct effects of the climate crisis on women, as well as the pivotal roles that women play in executing sustainable development policies.
- **Invest** in areas prone to climate impacts affecting women disproportionately, including water and sanitation, food security and nutrition, health and care services, and renewable energies for universal access to clean, sustainable, safe, and affordable electricity.

LGBTIQ* inclusion

- Include LGBTIQ* people in national databases in Brazil by including data on sexual orientation and gender identity in the national census.
- Promote and fund national research depicturing the realities of the LGBTIQ* community.
- Institutionalise and strengthen the National Network of LGBTIQ* Public Security Professionals
 (RENOSP-LGBTIQ*) to enhance the performance of LGBTIQ* public security agents in preventing
 violence on the basis of SOGIESC and building protocols that respect the specificities of LGBTIQ*
 individuals.

South Africa

Women's Economic Empowerment



Gender equality is enshrined in the Constitution and the country's legal and policy framework. Yet, women are less likely to engage in paid work than their male counterparts, they carry the burden of unpaid care and domestic work, and lack access to and control over productive resources.

Participation in the labour market and paid work

In South Africa, labour laws protect against discrimination based on gender, sex or sexual orientation and employers are duty-bound to ensure the safety of employees at the workplace including freedom from sexual harassment and its effects. ²³ Yet, despite these provisions, gaps exist in favour of men in terms of labour force participation, employment levels, earnings, and leadership positions.

Labour force participation rates have stagnated in South Africa over the years and declined more recently due to the Covid-19 pandemic. The increasing precarity of work and the feminisation of poverty undermine women's participation in the economy, particularly black poor women. Whilst there has been a steady increase in women's share in the working-age population over the last five years, men continue to participate in the labour market at a higher rate than their female counterparts (QLFS, 2017; QLFS, 2022). While females exceeded males in the working-age population in 2022, their participation rates in the labour force remained lower at 50.7% compared to 63.2% of males (QLFS, 2017; QLFS, 2022). Contrary to the G7/G20 gender equality commitments, the labour market participation gap has not been substantially reduced over the past decade (ILO, n.d.).

Furthermore, women are more likely to be unemployed compared to their male counterparts. National **unemployment rates** have increased in recent years from 27.7% in 2017 to 34.5% in (QLFS, 2017; QLFS, 2022). In this period, female unemployment rates were continuously higher than both the national rates and the rates of male unemployment. The rate of unemployment among women (48.7%) was 8.1 percentage points higher than among their male counterparts in the second quarter of 2021 (QLFS, 2022).

Among those who are employed, large shares of women work in **informal jobs** with little job security. In 2022, 43.3% of employed women worked in the informal sector (ILO, n.d.). More specifically, three out of four females (76.7% in 2017 and 77.5% in 2022) who are running their own businesses were operating in the informal sector. In addition, working for households as domestic workers was a more common occupation among females than males (QLFS, 2017; QLFS, 2022).

In addition to gender gaps in paid employment, working women continue to earn lower wages than their male counterparts. Although the government aims to close the **gender wage gap** through equal pay legislation and reporting requirements for private companies, women continue to earn less than men in some sectors. Equal pay for equal work is required and protected in terms of the Employment Equity Act and the related Code of Good Practice on Equal Pay/Remuneration for Work of Equal Value (Gazette, 2015). Yet, women's median earnings were 77.8% of men's median earnings in 2020, and parity in earning was only reached with tertiary education (Stats SA, 2017; Stats SA, 2020b). Similarly, a study conducted in the business sector found that the gender pay gap across firms ranged from 9% to 35% (National Business Initiative, 2021).

Moreover, contrary to the G20 gender equality commitments, women have remained under-represented in **leadership positions** in the public and the private sector in South Africa. Although the country's Employment Equity Act promotes the equitable representation of women in various occupational categories and at senior management levels (set at 50%), substantial gender gaps persist in positions with decision-making authority. Despite an increase in younger women holding middle management positions, decision-making positions were

²³ Protection against sexual harassment in the workplace is set out in the Labour Relations Act, the Employment Equity Act, and in a set of guidelines issued by the Department of Labour called the Code of Good Practice on the Handling of Sexual Harassment Cases (Government Gazette, 2005).

still more likely to be held by men (DPSA, 2018-2021). In the **public sector**, males occupy most senior management positions, ranging from 58.4% in 2018 to 56.2% in 2021, compared with females, ranging from 41.6% in 2018 to 43.8% in 2021 (DPSA, 2018-2021). A similar trend was also noted among middle management positions. In the **private sector**, the majority of top management positions in 2017 and 2022 were occupied by males both in rural and urban areas. The gender parity ratio in urban areas widened during the period from 0.51 in 2017 to 0.48 in 2022 (QLFS, 2017; QLFS, 2022). Furthermore, looking at South Africa's 100 largest listed companies, the proportion of women on boards is 29%, a share that lies above the G20 average but still well below parity (Changole, 2021). Moreover, data on women's representation in management positions and more specifically, in senior and middle management show that the proportion of women in management positions has almost stagnated at around one third over the past decade (2012-2022) (ILO, n.d.).

In addition to vertical gender segregation in the labour market, with men dominating the managerial levels, **horizontal segregation** also persists in South Africa, as the nature of the studies and professions chosen suggests **gendered choices**. Approximately two-thirds of males who were employed with a tertiary education were physics, mathematics or engineering graduates, whereas employed individuals with qualifications in arts, education and hospitality were more likely to be females (QLFS, 2017; QLFS, 2022).

Unpaid care and domestic work

An important obstacle to women's economic empowerment is the unequal distribution of unpaid care and domestic work. Studies show that women are faced with many household responsibilities that hinder them from actively participating in the labour force such as childbearing, lack of affordable childcare, traditional gender roles and work family balance (ILO, 2017). Although the distribution of unpaid work is less pronounced in South Africa compared to other countries²⁴, women still spend around twice as much time on unpaid care and domestic work compared to their male counterparts (Bank, n.d. a; OECD, 2021).

To acknowledge and reduce the burden of unpaid care and domestic work, as stated in the G7/G20 gender equality commitments, the state has adopted several policies, including the promotion of **childcare facilities** and **parental and maternity leave**. With regard to childcare, early childhood development (ECD) facilities can apply for registration and receive a state subsidy calculated per child per day for children 0-4 years whose caregivers pass an income means test. However, these facilities have remained largely under-resourced and equitable access and affordability are poor (Draper, 2022). The majority of childcare facilities rely on fees paid by children's caregivers and the sector employs mostly black African women who carry the burden of the funding limitations by working for low salaries or stipends. Concerning parental and maternity leave, the Basic Conditions of Employment Act, grants employees' the right to parental and maternity leave for a born or adopted child (Truter, 2020; CCMA, 2022). This applies irrespective of gender and includes parents in same-sex relationships (Searle, n.d.). Pregnant workers are entitled to at least 4 consecutive months of maternity leave. An employee who is a parent of a child will be entitled to 10 consecutive days parental leave. Maternity benefits are claimed from the Unemployment Insurance Fund and will be 66% of earnings, subject to the maximum income threshold.

Access to and control over productive resources

Women still lack access to and control over productive resources. Yet, South Africa made progress in terms of women's financial inclusion and access to digital technologies.

Resource equity is key to economic empowerment. However, social grants, followed by remittances, are the main source of income in South Africa for most women, while men's main source of income is from their own business or salaries, wages or commission (Stats SA, 2021).

There is also a gender gap in **business ownership**. The difference between male- and female-run businesses operating in the formal sector was 10.9 percentage points in 2017. Yet, gender differences improved from a parity of 0.67 in 2017 to 0.76 in 2022, pointing toward a narrowing gap (QLFS, 2017; QLFS, 2022). Yet, female entrepreneurs continue to face a variety of barriers, including limited access to business-oriented networks and lack of capital and assets (SME South Africa, 2020). To promote women-owned businesses, South Africa provides targeted funding (Business Day, 2022). These funding programmes for women-owned businesses include, inter

²⁴ According to the OECD Development Centre's Social Institutions and Gender Index (SIGI), women in Africa spend on average four times more time on unpaid care and domestic work than men, while the global average stands at three times as much as men.

alia, the Industrial Development Corporation's Women Entrepreneurial Fund, the Business Partners Women in Business Fund, and the NEF Women Empowerment Fund (WEF) (Women Empowerment Fund, n.d.; SME South Africa, 2020).

Furthermore, men in South Africa are substantially more likely to own **land or real estate**. In 2021, 53.5% of male household heads owned their dwellings, compared to 46.5% of female household heads (Stats SA, 2021). In addition, data shows that individual males own 72%, and females 13%, of the total farms and agricultural holdings in the hands of individual owners (DRDLR, 2017). South Africa has yet to secure land tenure for 17–18 million women and men who live in the former apartheid Bantustans ('homelands'). Related to this, customary land access, use, and ownership for women are still largely determined by traditional, highly patriarchal authorities (Zamchiya & Lebepe, 2023).

Despite these gaps, South Africa made progress in terms of women's access to financial services. For example, while 51% of women compared to 56.4% of men had a bank account at a financial institution or with a mobile-money service provider in 2011, ten years later, 86.2% of women and 84.6% of men owned a bank account (in 2021) (World Bank).

Intermediary conclusions on G7/G20 gender equality commitments

- The gender gap in **labour force participation** hardly declined over the past decade, hence South Africa is unlikely to meet the G7/G20 gender equality commitment (first set in Brisbane 2014) of reducing the gender employment gap by 25% until 2025 without further progress.
- Contrary to the G7/G20 gender equality commitments, the share of women in **management**positions has hardly increased over the past years in South Africa.
- Although the government took efforts to close the **gender wage gap** through equal pay legislation and reporting requirements for private companies, the G7/G20 gender equality commitment of reducing the gender pay gap and ensuring equal work is not yet fulfilled.
- To acknowledge and reduce the burden of **unpaid care and domestic work**, as required by the G7/G20 gender equality commitments, South Africa provides (limited) support to childcare facilities and grants maternity and parental leave. However, access and affordability to institutional childcare remains poor and the maternity/parental leave policies provide little incentive to redistribute the burden of unpaid work.
- In line with the G7/G20 gender equality commitments, South Africa supports women's entrepreneurship, specifically through access to financial services. Although women still face various obstacles with regard to business ownership, the gender gap in entrepreneurship has been declining.

Climate Justice



South Africa recognises that women are particularly vulnerable to climate change and has committed to addressing the climate crisis and its differential impacts by adopting relevant legislation and policies. However, poor implementation has led women to still bear the brunt of the harmful effects of the climate crisis.

Legal and policy frameworks

South Africa has signed on to key treaties and declarations to address climate change and gender equality, including the Paris Agreement on Climate Change and the Sustainable Development Goals (SDGs). In addition, the country passed extensive environmental legislation and adopted a Just Transition Framework, which recognises that women are the most disproportionately affected by climate change and places those most impacted at the centre of decision making (PCC, 2022). Similarly, the National Climate Change Adaptation Strategy (2019) has gender-responsiveness as a guiding principle which promotes women's participation, takes

gendered vulnerabilities to climate change into account, and seeks to address needs and priorities such that gender inequalities are not exacerbated (DEA, 2019). Also, the Climate Change Bill (2021), which has yet to be passed into law, stipulates as a principle that decision-making must consider those most vulnerable to the adverse effects of climate change, including women (DFFE, Climate Change Bill, 2021; Rapson & Molefi, 2022).

In addition to these laws and policy frameworks, ministries have adopted strategies to promote gender equality in the energy and climate-related sectors. The Department of Environmental Affairs implemented a Strategy Towards Gender Mainstreaming in the Environment Sector (2016-2021) aimed at promoting gender equality and mainstreaming within various environmental programmes to ensure equal access and participation for all (DEA, 2016). Similarly, the Department of Energy developed a Women's Empowerment and Gender Equality Strategy for the Energy Sector (2021-2025) that stipulates the mechanisms and interventions for the creation of an enabling environment, equality of opportunities and mainstreaming of gender equality towards a transformed energy sector (DoE, n.d.).

However, non-compliance and poor implementation of legal requirements cause the harmful effects of pollution and climate change on the environment and human well-being to be a reality in large parts of the country, with women bearing the brunt (Smout, 2020).

Gendered climate impacts

Although data on the local-level effects of climate change are limited, existing analyses show that women are at a higher risk of suffering adverse effects due to structural and historical inequalities. Women are disproportionately represented among the poor and rely more heavily on natural resources endangered by climate change (Government, 2019; Babugura, n.d.). In South Africa, large shares of the population live in poverty, residing in informal settlements situated in areas prone to extreme weather events. A study conducted following deadly floods in Durban in 2019 shows how black women are affected by floods, and that women and girls living in poverty face many forms of discrimination during such disasters (Udo & Naidu, 2022). Furthermore, the erosion of natural resources impacts women in contexts where mines have polluted the land, air, and water which in turn has negative effects on food security and livelihoods (CER, 2021a). In rural areas, mining projects pose a great risk to the availability and quality of agricultural land that women need to feed families and produce surplus for local markets. Moreover, climate change is expected to undermine gender equality gains, especially in the area of food security, as rising temperatures and extreme weather conditions will have multiple impacts on crop and livestock production (King, 2021).

Good practice to increase the adaptive capacity of women to climate change impacts: Gender CC Women for Climate Justice has launched the Gender and Climate Resilient Communities Initiative (GCRCI) with the objective of enhancing the capacity of women smallholder farmer's enterprises to take part in the local economy and community decision-making. Given that agriculture is an important economic driver in South Africa, Gender CC SA has partnered with farming cooperatives in different regions to reduce poverty through increased climate resilience and reduced climate vulnerability of grassroots communities. For more details consult: https://gendercc.org.za/wp-content/uploads/2022/02/GENDER-AND-CLIMATE-RESILIENT-COMMUNITIES-INITIATIVE-GCRCI.docx.pdf

Women in decision-making fora on climate action

While women are disproportionately affected by climate change impacts, they have remained under-represented in decision-making fora on climate solutions across the globe. South Africa, however, fares relatively well in terms of female representation in climate action. According to the Centre for Environmental Justice, a leading environmental justice organisation, a number of women hold decision-making roles in the area of climate action and environmental justice (CER, 2022a). To exemplify this, women are well represented amongst the Presidential Climate Commission (PCC), a multi-stakeholder body established by the President to advise on the country's climate change response and to support a just transition to a low-carbon climate-resilient economy and society. Out of 34 commissioners, 14 are women (PCC, n.d.).

Good practice to raise the voices of women in climate action: The Life After Coal campaign is intended to reduce polluting emissions from existing coal infrastructure and to encourage a coal phase-out. An essential part of this campaign is to draw attention to how pollution from coal and other industries is affecting the health of ordinary people, particularly women residing in Mpumalanga and Gauteng (Life After Coal, n.d.). As part of this initiative a landmark constitutional challenge, known as the #DeadlyAir case, was brought by two environmental activist organisations — GroundWork and Vukani Environmental Justice Movement in Action (VEJMA) — represented by the Centre for Environmental Rights. In the litigation and campaign activities, the voices of women are amplified (CER, 2021b; CER, 2022b).

Gender gaps in the green economy

Despite the growing green economy²⁵, there is still a **lack of gender-mainstreamed green industry policy** to strengthen gender equality and empower women in this context. Various barriers to women's participation in the green industry exist, including limited access for women to technical skills development specific to the field, a lack of awareness about policies and programmes designed to benefit women and/or encourage their participation, limited access to technology necessary to start or expand green businesses, and the perception that the industry requires strong STEM skills (UNIDO, 2021). This is particularly evident in South Africa's renewable energy sector, where women only make up 14% of the workforce (Lebrun & Nagel, 2022). According to the Green Economy Policy Review of South Africa's Industrial Policy Framework, green industrial policy should explicitly promote sectors that offer employment for women and prioritise gender-responsive policies (DFFE, DTI&C, & DSI, 2020). The South African Renewable Energy Masterplan (March 2022) recognises the imperative to bring emerging suppliers into the value chain, with a particular emphasis on active participation in ownership and management by women and focusing on gender-inclusive industry transformation.

Good practice to increase women's opportunities in the just transition: In 2021, as part of wider efforts to ensure that grassroots communities know and understand the issue of climate change, Earthlife Africa and Gender CC held numerous women-focused dialogues and seminars to unpack the role of gender (specifically, women) in the #JustTransition.

For more information, visit https://earthlife.org.za/renewable-energy-is-peoples-power-and-women-want-a-seat-at-the-decision-making-table/ and https://earthlife.org.za/there-can-be-no-climatejustice-without-genderjustice/.

Civil society

There are several **publicly known civil society organisations (CSOs)** in South Africa working for **climate justice** (including from a gender perspective). For instance, the Mining and Environmental Justice Community Network of South Africa (MEJCON-SA) collaborates with environmental activists to combat gender-based violence (MEJCON-SA, 2022). Additionally, the Centre for Environmental Rights is committed to preventing gender-based violence and promoting women's leadership in the sector (CER, 2021c; CER, 2022a; CER, 2023a).

CSOs working on environmental and climate justice are a growing sector in South Africa, but they are **mostly funded by non-state entities** due to their engagement in litigation and direct advocacy against the state. Examples of such organisations include the newly established Environmental Justice Fund, an activist-driven, feminist non-governmental organisation (NGO) which supports environmental and climate justice organisations in South Africa (Environmental Justice Fund, n.d.). Other CSOs include FEMNET, which works to unite and amplify the voices of women and marginalised groups including youth and indigenous communities (FEMNET, n.d.); and the Climate Justice Coalition, which takes a transformative approach to climate that advances environmental, energy, gender, racial, immigrant, climate, and economic justice together (Climate Justice Coalition, n.d.).

²⁵ The green economy refers to sectors and industries that are producing goods and services that are resource-efficient, mitigate ecological damage, and are renewable. Further information can be accessed under https://www.greeneconomycoalition.org/national-hubs/south-africa.

Intermediary conclusions on G7/G20 gender equality commitments

While both groups - G7 and G20 - recognise the importance to jointly address the climate crisis and gender equality, the G7 places greater emphasis on climate justice and inclusivity. Although the level of detail varies, both groups highlight the importance of women's equal participation and decision-making in climate action and their engagement in critical sectors such as energy.

- In line with the G7/G20 gender equality commitments, South Africa acknowledges the disproportionate impacts of the climate crisis on women and emphasises the importance to place marginalised groups at the forefront of climate action: The country adopted a Just Transition Framework and National Climate Adaptation Strategy (2019) which take a gender-responsive approach and promote the participation of those most impacted.
- South Africa adopted strategies to mainstream gender equality in the energy sector and environmental programmes (as for instance requested by the G7 2022 Climate, Energy and Environment Ministers Communiqué).
- Aligned with the G7/G20 gender equality commitment to ensure women's equal participation in climate action, women are involved in decision-making on climate solutions and are well represented amongst the Presidential Climate Commission (PCC), which advises on the country's climate change response and just transition.
- Despite the G7/G20's commitment to promoting gender equity in crucial sectors, women continue to encounter obstacles to **participating in the green economy** and remain particularly underrepresented in the energy sector.

LGBTIQ* Inclusion



South Africa has a progressive legal framework that protects the rights of LGBTIQ* persons including equal rights in marriage, parenting and the constitutional right to non-discrimination. However, discrimination and violence against LGBTIQ* persons still occur and are reinforced by discriminatory attitudes and stigmatisation.

Legal and policy frameworks

There are **no laws** in South Africa that **discriminate or criminalise on the basis of** sexual orientation, gender identity and expression, and sex characteristics (**SOGIESC**). The rights of LGBTIQ* persons to equality and non-discrimination are constitutionally protected. The Constitution stipulates that the state is obliged to "respect, protect, promote and fulfil" the rights enshrined in the Bill of Rights (Constitution of South Africa, 1996). The Equality Clause in Section 9 of the Bill of Rights mandates that nobody may be discriminated against based on, among other grounds, their sex, gender, or sexual orientation. The constitutional framework places a positive obligation on the state and the citizenry to not discriminate.

Key national institutions with constitutional mandates to protect against discrimination include the South African Human Rights Commission (SAHRC) and the Commission for Gender Equality (CGE) (SAHRC, n.d.). Both institutions have documented human rights violations against LGBTIQ* persons and taken up legal cases to challenge SOGIESC-related violence and discrimination.

Furthermore, the Alteration of Sex Description and Sex Status Act (2003) allows a person to, under certain conditions, change their sex designation in the population registry. Some activists are calling for law reform on legal gender recognition that does not oblige trans people to undergo any medical interventions in order to change their sex and gender markers.

Violence on the basis of SOGIESC

South Africa's **legal framework protects against violence** against women and LGBTIQ* persons. The Bill of Rights includes the right to life and the right to security of the person; the Promotion of Equality and Prevention of Unfair Discrimination Act 4 (2000) ("the Equality Act") aims to prevent hate speech, unfair discrimination and harassment, including on the grounds of SOGIESC; and the Prevention and Combating of Hate Crimes and Hate Speech Bill, passed in 2023, addresses hate crimes related to SOGIESC (Minister of Justice and Correctional Services, 2018). Furthermore, the National Integrated Crime Prevention Strategy recognises LGBTIQ* persons' vulnerability to discrimination, persecution and violence and the need for a human rights approach towards marginalised groups by the criminal justice system (Government Gazette, 2021). Also, the country adopted a National Strategic Plan on Gender-based Violence and Femicide providing a multi-sectoral policy framework to address violence against women and LGBTIQ* people (DWYPD, 2019/20).

Despite these legal provisions and strategic documents, **violence against women** (especially intimate partner violence) **and LGBTIQ* persons have remained widespread**. About one in five women in South Africa (21%) report to have experienced physical violence by a partner in their lifetime (Stats SA, 2020). Between July and September 2022, over 10,000 rapes were reported to the police, most of which (62%) took place in the victim's or perpetrator's home (SAPS, 2022). In respect of femicide, data reveals that three women were murdered per day by an intimate partner (in 2017) (SAMCR, 2022). While sexual orientation or gender identity are not specified in this data, documented evidence suggests high prevalence rates of violence against LGBTIQ* persons (Nel & Judge, 2008; Mitchell & Nel, 2017; HCWG, 2021; LNH, 2016). A representative study shows that LGBTIQ* people are more likely to experience verbal harassment, physical and sexual violence than the general population. In fact, almost three quarters (73%) of survey participants had experienced verbal harassment due to their sexual orientation and/or gender identity or expression in their life; and 48% were survivors of sexual violence (Müller & Daskilewicz, 2019). Another study found that around 44% of survey respondents had experienced discrimination in their everyday life, due to their sexual preferences, over the past 2 years (LNH, 2016).

Notwithstanding the prevalence of sexual violence against LGBTIQ* people, there is a **lack of awareness in the criminal justice system** of cases involving LGBTIQ* survivors of sexual violence. Research identifies two main reasons for this: first, many of these cases never reach the criminal justice system, and second, they might not be recognised as LGBTIQ*-related or bias-motivated (Müller & Meer, 2018). It was found that the absence of a focus on LGBTIQ* survivors of sexual violence in the criminal justice system is rooted in prejudice, homophobia and transphobia, and a lack of skills and knowledge. Additionally, the findings show that there is a critical lack of knowledge within the criminal justice system on how to establish, investigate and prosecute SOGI-related bias motivation.

•Q·Good practices to reduce violence on the basis of SOGIESC:

- In March 2011, the Minister of Justice and Constitutional Development mandated the establishment of a National Task Team (NTT) on Gender and Sexual Orientation-Based Violence (LGBTI NTT) in response to growing concerns about violence against LGBTIQ* persons, particularly the 'corrective rape' of lesbians. The NTT is constituted by Government Departments, chapter nine institutions and Civil Society Organisations that specialise in issues related to LGBTIQ* persons and communities. The NTT developed a National Intervention Strategy to address genderand sexual orientation-based violence against LGBTIQ* persons and established a rapid response mechanism to identify and track cases involving crimes committed against LGBTIQ* persons.
- The <u>Love Not Hate</u> Campaign supported by "OUT LGBT Well-being" and <u>MambaOnline</u> provide
 a monthly overview of reported LGBTIQ* rights violations, including hate speech. They also track
 the status of cases making their way through the criminal justice system and provide a helpline
 for reporting and support.

Same-sex/-gender relationships and parenting

South Africa legally recognises same-sex/-gender marriages and civil partnerships and same-sex/-gender parenting. In 2006, Section 6 of the Civil Union Act (2006) was repealed, which had allowed civil marriage officers to opt out of solemnising same-sex marriages on the grounds of conscience, religion, or belief. In 2002, the

Constitutional Court granted same-sex partners the same adoption rights as married couples (Constitutional Court, 2002). One year later, the court ruled that both parties in a same-sex partnership are allowed to be registered as the parents of a child born to one of the parties by way of in vitro fertilisation (Constitutional Court, 2003).

While laws and court rulings protect the rights of LGBTIQ* persons, discriminatory attitudes towards same-sex couples with the South African society persist. Data from a global attitudes survey show that half of the population in South Africa (54%) believe that homosexuality should be accepted by society (in 2019), compared to a third (32%) six years before (in 2013) (Pew, 2019). Another social attitudes study found that around half of South Africans (51%) believe that gay people should have the same rights as other citizens. Slightly more than half (55%) say that they will accept a gay family member, and about a quarter (27%) report having a friend or family member who they know is homosexual (The Other Foundation, 2016). Furthermore, data shows that 12.7% of South Africans would 'strongly like' having 'homosexuals' as neighbours, while 18.8% report that they would 'strongly dislike' this situation (Afrobarometer, 2021).

Access to education

South Africa has legal provisions that **prohibit discrimination in education** based on SOGIESC. The preamble to the South African Schools Act (1996) recognises the need to redress past injustices in educational provision and combat unfair discrimination and intolerance. Public schools must admit learners and serve their educational requirements without unfair discrimination. Additionally, the Department of Basic Education has published Guidelines for a Code of Conduct for Learners that highlights their rights to equality, dignity, and privacy (Government Gazette, 1998).

Yet, LGBTIQ* people continue to face discrimination in educational institutions. In one study, 56% of research participants aged 16-24 indicated that they had experienced discrimination based on their LGBTIQ* status when at school, with verbal insults being the 55% of those under 25 years having endured verbal insults at school. Threats of violence were the second most common form (35%) (LNH, 2016). Furthermore, a UNESCO report indicates that lesbians and gay men report experiencing high levels of verbal, sexual and physical abuse in school, mainly from other learners, but also from teachers and school principals (UNESCO, 2012).

Good practice on how state authorities address the needs of LGBTIQ* people in education: The Social Inclusion in Education Working Group (SIiEWG) of the national Department of Basic Education (DBE), which comprises representatives of DBE, LGBTIQ* organisations and allies, has developed draft Guidelines for the socio-educational inclusion of SOGIESC in schools (De Barros, 2022). These guidelines aim to foster a socially welcoming and inclusive environment for all learners and addresses pertinent questions, including the inclusion of sexually and gender diverse children in terms of school admissions, curriculum, extracurricular programmes, uniforms, and sanitation (DBE, n.d.). The guidelines are currently in the consultation phase and are expected to be published in 2023.

Access to healthcare

The **right to health** is protected under the South African Constitution which provides that everyone has the "right to access health care, including sexual and reproductive health care" (Constitution of South Africa, 1996). Article 27 requires the state to take reasonable legislative and other measures within its available resources to achieve the progressive realisation of this right. The National Integrated Sexual and Reproductive Health and Rights Policy (2019) and the draft National Strategic Plan for HIV/TB and STIs (2023-2028) are also inclusive of rights, protections and targeted interventions and services for LGBTIQ* people (DoH, 2019; SANAC, 2023). Furthermore, LGBTIQ* people are recognised as a key and vulnerable population in national health plans and strategies and there is a dedicated South African National LGBTI HIV Plan (2017-2022) (Minister of Health, 2017). Also, in 2021, the Southern African HIV Clinicians Society's Gender-Affirming Health Care Guidelines were released (Tomson, McLachlan, Wattrus, & et al., 2021). These guidelines provide evidence-informed best practice recommendations for South African healthcare providers to offer quality affirming services to trans and gender diverse clients.

Although the legislative and policy frameworks affirm the reproductive and sexual health and rights of LGBTIQ* people, they continue to experience **stigma and exclusion in the health sector**. Research shows that nearly half

of the health sector workers endorse homo- and transphobic statements such as "it is disgusting when men dress like women and women dress like men" (48%) and "gay men [and lesbians] are disgusting" (42%) (Nyeck & Shepherd, 2019). Such stigma undermines transgender people's access to HIV prevention services (GenderDynamix, 2013). Moreover, accessing hormone replacement therapy and gender-affirming surgery has remained a challenge in South Africa (GenderDynamix, 2013), with the latter being carried out mainly at two public hospitals.²⁶

Equal treatment in employment

LGBTIQ* workers' rights in South Africa are **protected by laws and codes of practice**, including the Employment Equity Act (1998) and the Labour Relations Act (1995), which prohibit discrimination and dismissal based on sexual orientation, respectively. In addition, the Employment Equity Act requires municipalities and provincial administrations to put in place diversity plans that are inclusive of LGBTIQ* persons. Furthermore, there are LGBTIQ* business networks such as The PLUS LGBTI+ Business Network that supports and empowers LGBTIQ* business owners and entrepreneurs.

However, despite these laws, **SOGIESC-based discrimination based in the workplace** is prevalent. Although there is a lack of comprehensive data on the employment, productivity, and financial status of LGBTIQ* individuals in South Africa, there is well-documented evidence of workplace discrimination and challenges in securing employment for this group. One study that extrapolates from existing data found that lesbian, gay or bisexual (LGB) individuals were less likely to be employed than gender conforming heterosexual individuals, and gender nonconforming LGB individuals were the least likely to be participating within the paid labour force (Nyeck & Shepherd, 2019). Moreover, the monthly earnings of gender nonconforming heterosexuals and gay and bisexual men are, on average, 30% lower than that of gender conforming heterosexual men, accounting for sociodemographic characteristics and job type. One study found that, due to widespread discrimination based on sexual orientation and gender identity in South African workplaces, few LGBTIQ* persons choose to come out to their colleagues (ILO, 2016). This study also noted that transgender people faced specific challenges in the work environment and that intersections between gender, age, sexual orientation and gender identity and race put young, black LGBT women at particular risk of discrimination.

Civil society

South Africa has no laws that restrict freedom of expression, civic participation, or association related to SOGIESC and there is a diverse and vibrant **civil society sector working on LGBTIQ* inclusion**. This includes organisations operating at national and local levels whose missions are LGBTIQ*-focused. In addition, many mainstream human rights and gender rights organisations run LGBTIQ*-focused programmes and/or interventions. Government funding is made available to LGBTIQ* organisations, programmes, interventions, and campaigns.

Intermediary conclusions on G7/G20 gender equality commitments

As LGBTIQ* inclusion is not anchored in the G20 gender equality commitments to date, this chapter provided an overview of the status quo along the G7 leaders' commitments to LGBTIQ* inclusion focused on equal opportunities, protection against discrimination and violence, fighting structural barriers and harmful gender norms as well as promoting equal and meaningful participation.

- South Africa has a progressive legal framework that **protects the rights of LGBTIQ* persons** against discrimination and there are no laws that criminalise on the basis of SOGIESC.
- South Africa adopted laws and policies promoting equal access to health, education, and the labour market. Yet, discriminatory practices and harmful social norms undermine LGBTIQ* person's access and participation.
- More work is needed to translate existing laws into practice. **Discrimination and violence** against LGBTIQ* are still widespread and are reinforced by discriminatory attitudes and stigmatisation.

²⁶Groote Schuur Hospital in Cape Town and the Steve Biko Academic Hospital in Pretoria.

Policy Recommendations - South Africa

Women's economic empowerment

- Put in place regulatory mechanisms in key sectors to address persistent gender pay gaps.
- Expand targeted funding for small and medium-sized enterprises owned by women, subsidise business
 training for women in the informal sector and incentives to the private sector to diversify company
 boards and to advance gender parity in labour force participation and resource ownership.
- Address the insecurity of tenure faced by rural women through legal and policy reform and facilitate their independent access, use, and ownership of land.

Climate justice from a gender perspective

- Promulgate climate change legislation that safeguards a long-term just transition, addresses the
 disproportionate impacts of adverse climate conditions on women, recognises women's central role in
 decisions on mitigation and response at all levels, ensures analyses of the gendered dimensions of
 climate impact and response, and obliges gender-responsive climate change responses. This should also
 ensure accountability to the Cabinet-approved Just Transition Framework which recognises women's
 vulnerability to climate change and their centrality in decision-making.
- Increase women's representation and meaningful participation in decision-making fora on climate impacts and solutions within state structures, the private sector, and civil society organisations working on environmental rights.
- Strengthen the **regulation of the green economy**, including the integration of gender equality and women's economic inclusion into green industry policy.

LGBTIQ* inclusion:

- Ensure the implementation and enforcement of laws and policies that address SOGIESC-related discrimination and violence through, amongst others, the adequate allocation of resources, the training of key state sectors, and the monitoring of compliance. Particular attention should be paid to giving effect to the operationalisation of the National Strategic Plan on Gender-Based Violence and Femicide.
- Put in place national guidelines on SOGIESC inclusion in schools that are aligned with constitutional rights to dignity, equality, non-discrimination, and access to education for all, including LGBTIQ* persons.
- Ensure that LGBTIQ* demographics are captured in the next national census to provide accurate and inclusive data on sexual and gender diversity in South Africa.
- Pass hate crime legislation that is in line with existing equality legislation and that would strengthen legal response to SOGIESC-related crimes.

Conclusion

While the studied states took notable efforts to implement the G7/G20 gender equality commitments and have made progress in various dimensions of gender equality, substantial challenges persist to fully implement goals related to women's economic empowerment, climate justice and LGBTIQ* inclusion.

The performance on commitments on women's economic empowerment is overall highest, but more work remains to be done to achieve gender parity in the economic sphere. The study illustrated that the case study countries have taken concrete efforts to close gender gaps in access to paid employment. Notwithstanding this, notable gender disparities persist concerning labour market participation, payment, and representation in leadership positions. In fact, none of the three case study countries are expected to meet the G7/G20 Brisbane commitment (2014) of reducing the gender employment gap by 25% by 2025; large gender wage gaps persist in Brazil and South Africa; and little progress has been made regarding women's representation in decision-making positions in all three countries (contrary to the G7/G20 gender equality commitments). Furthermore, unpaid care and domestic work disproportionately rests on women's shoulders despite existing family policies to reduce and/or redistribute unpaid work in all three countries. Finally, all three countries have made efforts to promote women's entrepreneurship as agreed in the G7/G20 gender equality commitments.

In terms of climate justice commitments, the study also highlights that more efforts are needed to realise the G7/G20 gender equality commitments. The three analysed countries have recognised and addressed disproportionate impacts of climate change on marginalised groups to a different extent: South Africa has adopted policy frameworks which acknowledge differential effects of the climate crisis and place those most affected at the forefront of climate action to enable inclusive climate change response as required by the G7/G20 commitments. Additionally, the country adopted strategies to mainstream gender equality in the energy sector and environmental programmes. Italy, in contrast, only mentions exacerbated risks for gender equality setbacks from climate change in its national adaptation strategy but does not provide a deeper analysis or measures to address them. In Brazil, attention to the climate crisis has increased with the new president Lula da Silva (in 2023) who appointed black and indigenous women in high-ranking positions for climate action. However, despite varying commitments to promote climate justice, women have remained under-represented in the green economy in all three countries.

Regarding LGBTIQ* inclusion, the study illustrated that G7 and G20 states need to undertake more steps to eliminate discrimination and violence based on SOGIESC. For instance, while Brazil and South Africa have progressive legal frameworks protecting the rights of LGBTIQ* persons, Italy has yet to pass legislation to prevent hate and violence towards LGBTIQ* persons. However, regardless of existing legal frameworks, stigma and resentment towards members of the LGBTIQ* community are widespread in all three countries. These undermine LGBTIQ* people's access to different areas of life, including family creation, education, healthcare, and the employment market, and thus hinder them from fully participating in all spheres of society (as requested by the G7 2022 commitments).

Based on these analyses, policy recommendations to fully implement the G7/G20 gender equality commitments were developed. To fully implement the G7 and G20 commitments on women's economic empowerment, G7 and G20 states should make sure that laws and regulatory mechanisms are adopted to address persistent gender pay gaps, ensure that women in all their diversity have access to funds and credit, guarantee accessible and affordable day care, and design parental leave policies encouraging the redistribution of unpaid work. To realise climate justice, states should enact climate legislation and policies promoting a fair transition and addressing differential effects of the climate crisis, invest in data and analysis concerning the impacts of climate change on different social groups and take efforts to increase the representation of women and marginalised groups in decision-making on climate impacts and solutions. Finally, to advance on LGBTIQ*

inclusion, countries should ensure that hate crime legislation is put in place and effectively implemented, LGBTIQ* demographics are included in the national census, and comprehensive sexuality education is provided in schools.

Annex

Annex A

This study was developed in co-creation with three experts based in the case study countries who conducted research and selected interviews with key informants. Guidance for the data collection was provided by an analytical grid outlining relevant indicators aligned with the G7 and G20 gender equality commitments. The three consultants were:

<u>Italy:</u> Eleonora del Vecchio, Gender Equality Expert and Independent Consultant

<u>Brazil:</u> **Dr. Laura Gonçalves de Lima**, Sociologist and Independent Consultant

South Africa: Prof. Melanie Judge, Adjunct Associate Professor in Public Law at the University of Cape Town

and Independent Consultant

Key Informant Interview Partners

Country	Name	Position/Organisation
Italy	Isabella Borrelli	PR and Strategist Freelance and Transfeminist and LGBTQIA+ Activist; Responsible Speaker and PR at TEDx Salerno
	Marcella Corsi	Full Professor of Economics, Department of Statistics, Sapienza University of Rome
	Chiara Saccani	Communication Expert, Ecco Think Tank
Brazil	Adenilza Mesquita Vieira	Member, Climate Observatory Gender Working Group
	Graciela Rodriguez	Sociologist and Coordinator at the Institute Equit and Member/Coordinator of the Brazilian Network for the Integration of Peoples (REBRIP)
South Africa	Keren Ben-Zeev	Sustainable Development Programme Manager, Heinrich Boell Foundation
	Melissa Fourie	Director of the Centre for Environmental Justice and Commissioner of the Presidential Climate Commission
	Keval Harie	Executive Director, GALA Queer Archive
	Penny Paranzee	Senior Programme Manager, Nelson Mandela School of Public Governance, University of Cape Town

Annex B

Analytical grid with sub-themes and key questions

The three experts based in partner countries used a detailed analysis grid to compile data on the three thematic areas. The prioritisation of sub-topics and scope of analyses varied depending on the specific country context.

Women's economic empowerment

Unpaid care and domestic work

- Does the state provide childcare facilities? Is it high-quality, accessible and affordable?
- Does the state offer parental leave [to mothers/fathers]? [number of months and share of income]
- Are there other important laws/policies to encourage the redistribution of unpaid work? Are there further laws/policies to reduce the burden of unpaid work?
- Gender gap in unpaid care and domestic work (On average, how much time do men vs. women spend on unpaid care and domestic work?)
- Is unpaid care and domestic work perceived to be a woman's job?

Employment and paid work

- Are there any laws that undermine women's equal access to paid work?
- Does the law require equal pay for equal work?
- Are there any legal provisions to prevent and criminalise sexual harassment in the workplace?
- How large is the gender gap in labour market participation/(un)employment?
- What is the share of women in all their diversity in the informal sector? Is there a gender gap?
- What is the share of women (in all their diversity) in leadership/management positions (compared to men's)?
- What is the gender gap in entrepreneurship?
- How large is the gender pay gap?
- Are men/boys perceived to be better leaders/managers than women (in all their diversity)?

Access to and control over resources

- Are there any laws that deny women (in all their diversity) equal access to resources (e.g., property) and financial services?
- Are there gender gaps in bank account ownership [alone or with a partner]?
- Is there a gender gap in access to credit?
- Is there a gender gap in house/land ownership [alone or with a partner]?
- Who makes the decisions on large purchases/spending/investments in the household?
- Is there a gender gap in access to digital technologies (i.e., digital divide)?
- Are men/boys perceived to be better suited to manage household finances than women/girls (in all their diversity)?

Climate justice

Climate impact

- Does the current government acknowledge the differential impact of the climate crisis on women in all their diversity vs. men? Are there any binding commitments?
- Are women in all their diversity particularly affected by climate-related impacts? Do they face a higher risk of being affected than men?
- Are there gender gaps in the mortality rate related to climate disasters? What were the reasons identified?
- Gender gap in the agricultural sector (To what extent are women over-/under-represented in agriculture?)
- Is there gender-based discrimination in post-disaster recovery and reconstruction efforts?
- Have municipalities carried out vulnerability and capacity mappings in their communities?

Women's role in decision-making for a on climate impacts and solutions

• Does the government acknowledge the important role of women in all their diversity in decision making fora and in developing solutions for climate mitigation and adaptation?

- Are women under-represented in decision-making fora on climate impacts and solutions?
- Good practice to increase women's representation in decision making fora on climate impacts and solutions.

Mitigation

- Are there gender gaps in the green economy/green jobs (e.g., renewable energy sector, energy-efficient buildings, de-carbonised transport, decarbonised industry)?
- Good practice to increase women's representation and opportunities in the green economy
- Are there gendered impacts of the energy transition?
- Are there gendered impacts of the establishment of zero carbon infrastructure?

Adaptive capacity

- Are there any laws restricting the mobility of women in all their diversity (compared to men's)
- Does society believe that women (in all their diversity) should be restricted in their mobility? Does society believe that women (in all their diversity) should require the approval of a male guardian/husband/male family member to travel?
- Good practice to increase the adaptive capacity of women (in all their diversity) (e.g., survival training, training on producing resilient crops)

Civil society

- Are there publicly-known civil society organisations working for climate justice (especially from a gender perspective)?
- Does the government financially support civil society organisations working for climate justice (from a gender perspective)? What about feminist and youth organisations?

LGBTIQ* inclusion

Criminalisation based on SOGIESC

Is there a law that criminalises based on sexual orientation, gender identity and expression and sex characteristics (SOGIESC)?

Recognition of gender

Is there a law making legal gender recognition (i.e., gender marker change) possible?

Same-sex/-gender relationships and parenting

- Are same-sex/-gender civil unions/marriages/civil partnership arrangements legally recognised?
- Perception of same-sex/-gender relationships
- Are there legal barriers to same-sex/-gender parenting?
- Perception of same-sex/-gender parenting

Violence on the basis of SOGIESC

- Are there legal provisions protecting from violence based on SOGIESC?
- Share of the population [LGBTIQ* persons] who experienced violence based on their SOGIESC.
- Are there cases where individuals have experienced harassment, extortion, arbitrary arrest, and violence by the police based on their SOGIESC?
- Level of violence against women (in particular intimate partner violence)
- Good practice to reduce violence on the basis of SOGIESC

State's recognition of the needs of LGBTIQ* persons

- Does the current government address LGBTIQ* inclusion in government programmes or strategies? Is there a structure in place focused on anti-discrimination?
- Does the current government address LGBTIQ* inclusion in its foreign policy/international development cooperation?
- Are SOGIESC disaggregated data being collected/analysed?

- Do state authorities prosecute cases of discrimination based on SOGIESC?
- Are there training programs for judicial, law-enforcement, and correctional officials on human rights and protection from violence concerning SOGIESC?
- Good practice of how state authorities address the needs of LGBTIQ* people

Access to education and health

- Are there legal provisions that prohibit discrimination based on SOGIESC in education?
 Are there policies promoting equal participation of LGBTIQ* people?
- Do LGBTIQ* people face discrimination in educational institutions?
- Are there laws ensuring that LGBTIQ* people have equal access to health care? Are there policies that provide for equal access to health care?
- Do LGBTIQ* people have access to sexual and reproductive health and rights? If not, which barriers do they face?

Employment

- Are there legal provisions that prohibit discrimination based on SOGIESC in the workplace? Are there policies promoting equal treatment in employment?
- Do LGBTIQ* people have access to formal jobs, productive resources, and financial services?

Civil society

- Are there any laws that restrict freedom of expression, civic participation, or association related to SOGIESC?
- Are there any laws that restrict the work of national/international civil society organisations/activists working on LGBTIQ* inclusion in the country?
- Are there publicly known civil society organisations promoting LGBTIQ* inclusion?
- Does the government financially support civil society organisations working for LGBTIQ* inclusion?

Annex C

Overview of G7 and G20 gender equality commitments on selected topics (2018-2022)

The table below provides an overview of the core commitments of the G7 and G20 commitments regarding the three selected topics drawing on a purposeful sample of leaders' declarations and ministers' communiqués between 2018 and 2022. The G7 G20 documents are accessible via the G7 G20 documents database.

Women's economic empowerment

- Promote female employment (see for instance G7: 2018, 2019; G20: 2018, 2019, 2020, 2021)
- Reduce the **employment gap** between men and women in the G20 countries by 25% by 2025 (see for instance G20: 2018, 2019, 2020)
- Promote equal pay (see for instance G7: 2018; G20: 2019, 2020, 2021, 2022)
- Promote women's access to decision-making/leadership/management positions (see for instance G7: 2018, 2019, 2021; G20: 2018, 2019, 2020, 2021, 2022)
- Recognise/reduce/redistribute women's disproportionate share of unpaid care and domestic work (see for instance G7: 2018, 2021, 2022; G20: 2019, 2020, 2021, 2022); (e.g., through affordable and quality childcare infrastructure (see for instance G7: 2018, 2019, 2022) and maternity/paternity/parental leave (see for instance G7: 2018))
- Promote women's entrepreneurs (see for instance G7: 2018, 2019; G20: 2018, 2019, 2020, 2021, 2022)
- Eliminate barriers to access to resources and financial services (see for instance G7: 2019; G20: 2022)

Climate Justice Recognise the vulnerability of women and girls to climate change (see G7: 2019, 2022) • Recognise the **role of women** (in all their diversity) in agriculture and food systems (see G7, 2022; G20, 2021) • Acknowledge the intrinsic value of gender and LGBTIQ* equality, the empowerment of women and girls, disability inclusion, inter-generational justice, and diversity in the context of the just transition (G7, 2022) Integrate considerations of gender equality and inclusion into climate action (see G7: 2018, 2019, 2022; G20: 2021) (and more specifically develop climate, energy and nature policies/plans/finance/actions that advance gender equality and social inclusion (G7: 2022) • Promote the participation and representation of women and other marginalised groups in decision-making on climate action (see for instance G7: 2021, 2022; G20: Promote gender equity in the climate and environment sectors / women's participation in the green economy (see G7: 2021) • Promote **gender equality and diversity in the energy sector** (see for instance G7: 2022; G20: 2021) • Support local/community-driven solutions (G7: 2019, 2022) LGBTIQ* inclusion • Tackle discrimination and violence against LGBTIQ* (G7: 2021, 2022) • Ensure that everyone (independent of their gender identity or expression or sexual orientation) enjoys equal opportunities (G7: 2022) Overcome structural barriers, address harmful gender norms and practices (G7: 2022) • Ensure full, equal and meaningful participation of LGBTIQ+ persons in all spheres of society (G7: 2022) Achieve comprehensive sexual and reproductive health and rights (SRHR) for all (G7: • Ensure that **external actions** (development cooperation and humanitarian action) target all genders and sexual identities (e.g., through increased work with LGBTIQ* civil society, promotion of SRHR in humanitarian crises and contribution to inclusive,

gender-transformative education system) (G7: 2022)

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