OUR PRINCIPLES:
Achieving gender equality and the empowerment of women (GEEW) is integral to each of the 17 Sustainable Development Goals (SDGs). Gender equality and women’s empowerment is not only a specific SDG (SDG 5) but also considered a cross-cutting theme that affects the achievement of all other SDGs.

HOLDING US ACCOUNTABLE:
In line with the UNOV/UNODC Strategy for Gender Equality and the Empowerment of Women 2018-2021 and the UN-SWAP 2.0 framework, UNODC is explicitly committed and mandated to actively and visibly mainstream gender across all mandates and the three pillars of the Office work programme (normative work, research and analytical and technical assistance work).
Mainstreaming a gender perspective is the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women’s as well as girl’s, boy’s and men’s concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally, and inequality is not perpetuated. The ultimate goal is to achieve gender equality.

Economic and Social Council, agreed conclusions 1997/2.
**Intersectionality**

Gender equality will only be achieved when women and men, and boys and girls have the same opportunities, rights and responsibilities in all areas of life. However, the reality is that the experiences, needs, priorities and capacities of men and women, and girls and boys are not homogenous. Intersectional characteristics such as ethnicity, race, religion, age, sexual orientation, gender identity and class can shape the experience of one’s gender. Similar to gender, these identities are embedded in power structures which shape a person’s opportunities and conditions in life. When implementing an intersectional perspective, the convergence between gender and various identities is recognized, thus ensuring that all groups of people are included in an equal and equitable manner. Adopting an intersectional perspective will ensure that gender is effectively mainstreamed and that nobody is left behind.

The UNODC Programme Plan recognizes the importance of implementing an intersectional approach, stating that “UNODC will implement and advocate for measures that address the differentiated needs of women, men, boys and girls, particularly those who also experience disadvantages on the basis of age, race, income level, geographic location, migration status, disabilities, health status and other characteristics”. Not only does this ensure that the implementation of the UNODC mandate is inclusive and accessible, but it is also in line with the aims of international instruments and resolutions related to gender equality and the empowerment of women. The United Nations approach to leaving no one behind is also set out in the 2030 Agenda in Sustainable Development Goal 5 on achieving gender equality and women’s empowerment, and puts the imperative on Member States to combat inequalities and discrimination.

**THE PURPOSE OF THIS BRIEF**

This brief is for UNODC staff working on justice. Its aim is to assist in mainstreaming a gender perspective in the development of programmes and projects that support policymakers and professionals in designing and implementing evidence-based crime prevention and criminal justice programmes that target victims, offenders and criminal justice professionals, as well as topics such as violence against women, violence against children, prisons and maritime crime. It identifies some of the main issues related to gender in these areas to help in the situational analysis as well as provide some practical tips on how to mainstream gender in formulating project objectives, outcomes, outputs, indicators and activities.

Please bear in mind: (a) This brief is meant to be a short and simple overview of key issues. Selected resources are provided at the end if there is a want/need to dig deeper into this theme; (b) This brief should be seen as a starting point for discussion on this topic.

The structure of this brief follows that of the UNODC project/programme template and the UNODC gender mainstreaming checklist (annexed). The brief, additionally, complements the Guidance Note for UNODC Staff: Gender Mainstreaming in the Work of UNODC and the UNODC Results-based Management and the 2030 Agenda for Sustainable Development Handbook. See the other four gender briefs for interlinkages between specific projects and other thematic areas at www.unodc.org/gender.
1. SITUATION ANALYSIS

ENGENDERING THE SITUATIONAL ANALYSIS

Incorporating a gender perspective into the situational analysis is the most important stage to ensure that a gender perspective will be reflected in the planning, design, implementation, monitoring, evaluation and reporting of the results and lessons learned of the programme/project (results framework, activities and indicators). An engendered situation analysis requires sex-disaggregated data and ensures that development projects and programmes incorporate roles, needs and participation of women, men, girls and boys.

THE PROBLEM

General questions to keep in mind when formulating the project/programme:

- Is there someone with gender knowledge/expertise in the assessment/formulation team who can assist in ensuring that gender issues relevant to crime prevention and criminal justice have been systematically identified.
- Do the various assessments (needs assessment, situational analysis, stakeholder assessment or problem analysis) and methodologies include gender issues in the information gathering and analysis phase?
- Is a specific gender analysis needed to understand the implications of the project/programme for men and women, and individuals with variations in sex characteristics, diverse sexual orientation and/or diverse gender identities?
- What is the expected impact of the project on women and men members of the LGBTIQ+ community/individuals with variations in sex characteristics, diverse sexual orientation and/or diverse or plural gender identities?
- Has there been an analysis of the positive and/or unintentionally negative implications the programme activities could have on men and women, and individuals with variations in sex characteristics, diverse sexual orientation, and/or diverse or plural gender identities?
- What is the nature and extent of women’s and men’s and individuals with variations in sex characteristics, of diverse sexual orientation and/or diverse gender identities participation in the justice system? What barriers to participation are being experienced? Why do the barriers exist? How can the barriers be overcome?
- What are the multiple and overlapping barriers and deprivations related to justice that women, men, and individuals with variations in sex characteristics, of diverse sexual orientation and/or diverse gender identities experience (consider deprivations based on age, location, caste, class, wealth, etc.)?
- Is the project based on data and evidence gathered in a gender-sensitive manner, for example, sex-disaggregated data, focus groups with both men and women, separate women focus groups, etc.?
- What do gender-based power structures in the country/region being covered look like (e.g., access to resources, services and rights by women and men, as well as individuals...
with variations in sex characteristics, diverse sexual orientation and/or diverse gender identities)?

• What is the policy and legal framework on gender equality issues and what governmental institutions exist to implement gender equality policies in the country/region being covered?

• What are the key issues related to the empowerment of women and gender equality that are being addressed by the project/programme?

Specific thematic questions to keep in mind when formulating the project/programme:

• What are the gender differences in crime rates, patterns of offending and victimization? Why?

• How does gender influence people’s experiences and knowledge of, and involvement in, the criminal justice system, for example, for complainants/victims, witnesses and accused persons?

• Do existing crime prevention policies and interventions take into account the different roles, needs and capacities of men, women and individuals with variation in sex characteristics, diverse sexual orientation and/or diverse gender identities? Are targeted crime prevention strategies needed to prevent types of crime/violence for which gender dimensions account for a different impact upon individuals, whether complainants/victims, witnesses or accused persons? Are women and girls aware of their right to legal aid and how to access services that, if they are eligible, would be provided to them free of charge?

• What do women, individuals with variation in sex characteristics, diverse sexual orientation and/or diverse gender identities need and want when they seek justice, and are the justice needs of these individuals being comprehensively addressed across their life cycle and in challenging circumstances such as during conflict and post-conflict?

• How does the treatment of prisoners differ on the basis of sex, gender, sex characteristics, diverse sexual orientation and/or diverse gender identities?

• Do women and men and individuals with variation in sex characteristics, diverse sexual orientation and/or diverse gender identities have the same opportunities to highlight their specific experiences of and concerns with the criminal justice system?

• What is the impact of legal frameworks and social norms that discriminate on the basis of sex, gender, sex characteristics, sexual orientation and/or gender identity across all the ages, and what are the implications for the delivery of crime prevention strategies and the delivery of justice?

• How does gender impact the operation of the criminal justice system, including with regard to the recruitment and deployment of criminal justice professionals?

• Are criminal laws, policies and justice strategies sensitive to the needs, roles and capacities of men and women, and individuals with diverse sex characteristics, diverse sexual orientation and gender identities, as victims, offenders and criminal justice professionals?

• Is gender-sensitive research and data on the criminal justice system collected?

• How can discriminatory social norms and gender bias be addressed in formal and informal justice systems?

• Is there understanding of the criminal justice system in the context of the international legal and policy frameworks for women’s rights and gender equality, as well as
the international normative framework that establishes rights relating to sexual orientation and gender identity?

- What are the interrelated issues – and issues pertaining to “intersectionality” that compound the multiple disadvantages experienced by women and individuals with variation in sex characteristics, diverse sexual orientation and/or diverse gender identities?

COUNTERPART CAPACITY

- Include a broad set of actors, including governments, civil society and women’s and human rights organizations, LGBTIQ+ organizations and youth organizations as well as other actors in the criminal justice system such as bar associations and associations of female lawyers and paralegals, when mapping and meeting with partners and stakeholders.

- Ensure understanding of the cultural context in which men and women, and individuals with variation in sex characteristics, diverse sexual orientation and/or diverse gender identities, can operate. For instance, are the premises where meetings with counterparts will be arranged accessible to both women and men? Does there need to be a separate meeting place for men and women? Do women need financial support to be able to travel to the meeting venue? Are women able to travel alone to the meeting venue? Are women able to meet at the suggested times or are they bound up by household tasks/ agricultural tasks/childcare, etc.? What measures can be taken to ensure equal access to and the active participation of men, women and individuals with variation in sex characteristics, diverse sexual orientation, and/or diverse gender identities at the meeting/event? What is the nature and extent of women’s and men’s, and individuals with variation in sex characteristics, diverse sexual orientation, and/or diverse gender identities participation in the programme? What barriers to participation are being experienced? Why do the barriers exist? How can the barriers be overcome?

STRATEGIC CONTEXT

- What is the legal and policy framework on gender equality and non-discrimination, and what governmental institutions exist to implement gender equality and non-discrimination policies in the country/region being covered?

- What do gender-based power structures in the country/region being covered look like (e.g., access to resources, services and rights by women and men, individuals with variation in sex characteristics, diverse sexual orientation, and/or diverse gender identities)?

- Are laws, policies, and strategies pertaining to crime prevention and justice reform sensitive to the needs, roles, and capacities of men and women, individuals with variation in sex characteristics, diverse sexual orientation, and/or diverse gender identities?

SYNERGIES WITH OTHER PROJECTS/PROGRAMMES AND ORGANIZATIONS

- Are lessons learned and best practices on gender equality and women’s empowerment from UNODC and other relevant organizations and United Nations entities incorporated?

- Have key findings and recommendations emanating from relevant research, other United Nations entities (such as OHCHR and UNHCR) and project/programme evaluations been incorporated?
TARGET GROUPS

- Has a comprehensive mapping of stakeholders to speak to been made during the situation analysis? Has the said list been disaggregated by sex in order to ensure that it is as gender-balanced as possible? Have women and individuals with variation in sex characteristics, diverse sexual orientation, and/or diverse gender identities been consulted equally with men during the formulation process, especially female beneficiaries? Are persons knowledgeable about gender issues in the country among the list of stakeholders?

- Have the formulation teams consulted men and women about their concerns, priorities, opinions and solutions to key issues, including gender experts, women’s organizations, government women policy agencies, that is, agencies dedicated to promoting gender equality and improving the status and conditions of women within the state bureaucracy?

- Does the project/programme ensure that both women and men, individuals with variation in sex characteristics, diverse sexual orientation, and/or diverse gender identities can access and participate in project/programme activities (target at least 30 per cent of whichever gender is underrepresented)?

- Have women’s organizations or justice professions, for example, women bar associations or public defender offices with specialized units on women offenders and victims; women judges societies; women police groups been consulted?

- Have external gender experts, such as academia and national/donor counterparts who work on the issue of gender and/or justice reform been consulted?

- Have other United Nations agencies, such as UN Women and UNICEF, been consulted?

GENDER ISSUES

- Is there a need to develop activities targeting individuals who may be underrepresented (on the grounds of gender, sex, sex characteristics, sexual orientation or gender identity), to ensure that they benefit equally from the project?

- How is the project/programme reaching out to engage underrepresented persons in its activities?

- Is the project/programme concept consistent with United Nations commitments on gender equality and women’s empowerment?

- How does the project contribute to the overall goal of gender equality in the country?

- Is there a possibility that existing inequalities will be made worse by the project/programme?

- Is gender-sensitive language used within resources, reports, promotions, etc., developed for the project/programme?

- Does the communication material promoting the project/programme portray women, men and individuals with variation in sex characteristics, diverse sexual orientation, and/or diverse gender identities in a way that does not reinforce gender stereotypes?

- Do the data and indicators used to develop the project/programme draw attention to different needs and interests based on sex, sexual orientation, sex characteristics and gender identity?

- Does the project/programme combat gender-based discrimination or gender stereotypes directly or indirectly?
HUMAN RIGHTS

• What is the policy framework for human rights and women’s rights in the area of intervention of the project/programme?

• Has a human rights risk assessment been conducted, including checking the human rights record of the counterparts that the project/programme aims to engage? Have measures been developed to mitigate potential human rights violations related to project implementation?

• Has the country that the project/programme concerns acceded to the Convention on the Elimination of All Forms of Discrimination against Women? Has it ratified any regional instruments in this area?

• Does the country that the project/programme concerns partake in the Commission on the Status of Women?

• Has the country that the project/programme concerns signed the Convention on the Rights of the Child and its Optional Protocols?

• What national and/or regional policies and strategies exist on child protection and measures to end violence against children and, more specifically, girls?

• What national and/or regional policies and strategies exist on gender equality and women’s empowerment?

• Do national and/or regional action plans exist for issues such as combating trafficking, women, peace and security, gender equality, women’s empowerment and gender parity?

• Has a human rights-based approach been taken while developing the project/programme? Has the project/programme design been guided by key human rights principles such as participation and inclusion, accountability and the rule of law, non-discrimination and equality?

• Have the human rights conventions and domestic laws that apply to the project/programme been identified?
2. PROJECT/PROGRAMME DESCRIPTION

Highlighting the link between countering justice reform, gender and the 2030 Agenda

Understanding how the SDGs are linked with improving justice and promoting gender equality makes for better policies and more effective action to attain sustainable development targets. Projects and programme documents could consider the following points to highlight the link between gender, development and justice (SDGs 5 and 16):

- Crime, including violence against women, fuels violence, corruption and income inequality. This inhibits legitimate social and economic activity, poses a serious threat to international peace and security, and undermines gender equality and women’s empowerment.
- Promoting gender equality to prevent violence against women and changing cultural and social norms that support violence are key strategies to effectively reduce all forms of violence (SDG 16.1). Strengthening the legal regime in a gender-sensitive manner targets SDGs 16 and 5. It promotes and strengthens a functional criminal justice system in accordance with the rule of law (SDG 16) and is aimed at mainstreaming gender perspectives, eliminating discrimination and strengthening respect for women’s rights and needs during the investigation, prosecution and adjudication of criminal cases, and in delivering assistance to victims (SDG 5).
- Increased gender equality contributes to more sustainable peace and, inversely, gender inequality is associated with increased instability, insecurity and conflict.
- Practical integration of a gender perspective into all aspects of crime prevention and criminal justice programming can only occur in the context of broader guarantees of human rights for women, in particular, addressing the causes of gender inequality.
- Evidence-based strategies aiming at preventing violence against women are an accelerator for many of the other SDGs.

LOCATION AND DURATION

- Are project/programme activities held in a place that is safe for women and individuals with variation in sex characteristics, diverse sexual orientation and/or diverse gender identities? Do security measures need to be taken to allow them to partake in project/programme activities?
- Does the project/programme hold activities at times when both women and men can attend per the region (before or after work hours, not at night, not during prayer times, etc.)?
- Will activities be held during a time of year that does not interfere with activities/events already being held in the region (after/before harvest, not during cultural/religious festivals, etc.)?
- Are activities held at a place that is suitable for children in case childcare is not affordable or cannot be found by participants? Is childcare provided in such cases?
LOGICAL FRAMEWORK: ENGENDERING THE RESULTS CHAIN

Try to make the issue of gender visible in the results chain. This is really important for UNODC as the Office often operates in contexts in which gendered norms are deeply embedded and/or with teams and partners that do not easily identify gender issues. In formulating project objectives, outcomes and outputs. Consider:

- Linking crime prevention and justice to improving gender equality and sustainable development or, vice versa, improving gender equality in a multipronged approach to prevent and respond to crimes.
- Do the project/programme outputs provide information as to how the project/programme will impact the situation with regard to women and to men, and where relevant, individuals of diverse sexual orientation and gender identities, independently?
- Do the project/programme objectives explain how the project/programme contributes to improving gender equality?
- Do the project/programme outcomes include relevant gender aspects?
- Are the project/programme indicators defined in a way that can measure success in terms of effective integration of a gender perspective?
- Have the project/programme activities been designed to ensure the involvement of both women and men? Is there a gender balance within the target groups?
- Are specific issues that affect mainly women addressed, according to the situation analysis and prioritization of issues?
- Where relevant, are issues that affect mainly or only individuals of diverse sexual orientation and gender identities addressed (e.g., in prisons, in access to justice and legal aid, and in responses to different types of crime and violence)?
- Having the main participants and/or leaders be women, or the underrepresented sex, in relevant outputs. Is it possible to have the main participants and/or leaders be women in relevant outputs, according to the situation analysis and prioritization.
<table>
<thead>
<tr>
<th>RESULTS CHAIN</th>
<th>PRACTICAL TIPS</th>
<th>GENDER-SENSITIVE EXAMPLES</th>
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<tbody>
<tr>
<td><strong>PROJECT OBJECTIVE</strong></td>
<td>Formulate project objectives to link crime prevention and criminal justice reform to improving gender equality and sustainable development.</td>
<td>Fair, effective, accessible and gender-responsive criminal justice systems in country X based on the rule of law, International conventions and gender equality and the empowerment of women. The different forms of violence that impact girls and boys are prevented and combated through effective implementation of United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children In support of SDG 5 and 16.</td>
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<td>Formulate project objectives to address one or more issues that affect mainly women.</td>
<td>Women and girls have improved access to gender-responsive criminal justice systems.</td>
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<td><strong>OUTCOMES</strong></td>
<td>Formulate outcomes that describe which gender dimension each outcome wanted to achieve.</td>
<td>Justice professionals apply criminal laws and procedures in a gender-responsive manner.</td>
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<td>Formulate outcomes to address one or more issues that affect mainly women.</td>
<td>Positive changes in awareness, skills, attitudes and motivations among police when dealing with gender-based violence against women. Improved capacity of justice actors to deliver gender-responsive justice and respond to the impunity for gender-based violence.</td>
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<td>Formulate outcomes in order to be able to provide information as to how the project will increase capacity of women leaders/participants.</td>
<td>Increased number of women and girls as critical stakeholders understanding and having knowl-edge of evidence-based crime prevention.</td>
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<td>Formulate outcomes where main participants are women and individuals of diverse sexual orientation and gender identities.</td>
<td>Civil society organizations, including women’s groups and LGBTIQ+ groups, participate actively and effectively in the development of drug prevention programmes in country X.</td>
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<td>Formulate outcomes where main beneficiaries are women and individuals of diverse sexual orientation and gender identities.</td>
<td>Women, particularly those facing multiple forms of discrimination, have enhanced capacity to access criminal justice.</td>
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<tr>
<td><strong>OUTPUTS</strong></td>
<td>Formulate outputs to provide information as to how the project will impact the situation for women and men and, individuals of diverse sexual orientation and gender identities independently.</td>
<td>Training module on gender dimensions of criminal justice responses developed. Increased knowledge of justice professionals on gender and restorative justice.</td>
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<td></td>
<td>Formulate outputs to provide information as to how the project will address one or more issues that affect mainly women or individuals of diverse sexual orientation and gender identities.</td>
<td>Strengthened knowledge, capacities and tools of prosecutors and judges to implement international commitments on gender equality and justice and their understanding of intersec-tionality of rights.</td>
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<td>Formulate the outputs to provide information as to how the project will increase capacity of women leaders/participants.</td>
<td>Increase participation of women’s police associations in the designing, implementing and monitoring of professional codes of conduct for law enforcement.</td>
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<td>Formulate outputs to provide information as to how the project will benefit women, and individuals of diverse sexual orientation and gender identities beneficiaries.</td>
<td>Civil society organizations and the State legal aid system have improved capacity and opportunities to influence criminal justice reform and to provide legal assistance to women, individuals of diverse sexual orientation, gender identities and victims of violence.</td>
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<tr>
<td>RESULTS CHAIN</td>
<td>PRACTICAL TIPS</td>
<td>GENDER-SENSITIVE EXAMPLES</td>
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<td>Design activities explicitly to mainstream gender.</td>
<td>Training courses with the aim of strengthening law enforcement and judicial officers’ capacity to build strong case files in support of successful prosecution while respecting human rights and being gender-responsive. Analysis and development of strategies to mainstream gender in justice professional educational institutes. Support the incorporation of GEEW and GBV components into qualification courses and exams for judges.</td>
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<td>Design activities to address one or more issues that affect mainly women.</td>
<td>Build and use evidence-based approaches to identify and effectively address the factors that lead to women and girls’ coming into conflict with the law to allow for the fact that women are criminalized for acts that would not be criminalized if performed by boys/men, or for acts that can only be performed by girls and women (abortion). Commission an action-oriented research study on the situation of women criminal justice professionals in Country X.</td>
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<tr>
<td>Design activities to address one or more issues that affect mainly girls and or boys.</td>
<td>Build and use evidence-based approaches to identify and effectively address the factors that lead to girls and boys coming into conflict with the law for the fact that girls and/or women are criminalized for acts that would not be criminalized if performed by boys and/or men (known as a status offence) [3] (e.g., existence of minimum age of consent, minimum age for marriage, beyond control, boys at greater risk of being prosecuted for breaches of the age of consent, if consensual sexual relations take place between those of relatively similar ages).</td>
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<td>Design activities to address one or more issues that affect mainly individuals of diverse sexual orientation and gender identities.</td>
<td>Build and use evidence-based approaches to identify and effectively address individuals of diverse sexual orientation and gender identities who are criminalized for acts that are not criminalized for cis-gender or heterosexual persons. Support legal reform, institutional reform and training to address victimization and secondary victimization of individuals of diverse sexual orientation and gender identities. Commission an action-oriented research study on the situation of individuals of diverse sexual orientation and gender identities criminal justice professionals in Country X.</td>
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LOGICAL FRAMEWORK: GUIDANCE FOR THE DEVELOPMENT OF GENDER-SENSITIVE INDICATORS

It can be challenging to ensure indicators are defined in such a way that can measure gender-related changes over time. Remember:

- Performance indicators should be formulated in such a manner that they are able to measure the changes for women and men as well as individuals of diverse sexual orientation and gender identities, and how successful the programme is in achieving transformative gender-related sustainable development results.

- All indicators should be disaggregated by sex wherever possible. But remember, sex ratios alone are insufficient indicators for gender equality. While equal participation and representation are supporting factors for achieving gender equality, alone they are insufficient.

- Measuring equal opportunities and equal access to resources for women and men is more qualitative in nature and more oriented towards outcomes of policies, processes and interventions. Qualitative methods are needed to actively identify impediments to justice (e.g., women and girls fear retribution from family and communities if they report).

- Adequate indicators for gender equality therefore focus on the substance and the quality of outcomes. This helps identify the gender-differentiated impact of interventions.

- Suggest using a combination of quantitative and qualitative indicators to cross-check results.

- The advice of keeping indicators to a limited number so as not to overload the project still holds. However, care must be taken not to select only the easy ones that are less relevant to gender mainstreaming. When identifying gender indicators, pay attention to how to verify these.
**Performance Indicators**

<table>
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<tr>
<th>Quantitative Indicators</th>
<th>Guidance for Gender Mainstreaming</th>
<th>Examples of Gender Indicators</th>
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</table>
| Measures quantity, number, ratio or percentage. Such data can show changes in gender equality over time (e.g., number of women in senior positions in justice institution compared to men). Important to mention targets to go beyond the mere tracking of information – this provides more scope for transformative gender action. | **General tips**  
→ Rather than using gender-neutral terms, such as experts, society or citizen, explicitly state men and women and other individuals based on gender identity and expression where appropriate.  
**Tips on indicators for training/capacity-building**  
→ Numbers of trainers and trainees disaggregated by sex and other characteristics required for meaningful gender analysis (e.g., position in the organization).  
→ Consider including another indicator that measures whether the training and legal tools themselves mainstream a gender perspective.  
**Tips regarding surveys**  
→ Disaggregate all relevant questions in a survey by sex, such as including the sex by both respondents and public officials.  
→ Measure the incorporating of gender-sensitive questions into the survey.  
→ User satisfaction surveys should be able to measure satisfaction with conditions or situations that affect men and women differently, mindful of the fact that there may be impediments to women, girls and LGBTIQ+, providing full and frank responses without risk of retribution.  
**Tips regarding knowledge products**  
→ Include number or percentage of reports, publications and conference proceedings that mainstream gender.  
**Tips regarding beneficiaries**  
→ Achieving a higher participation of an under-represented or disadvantaged sex in a given activity is always desirable; however, the project is not necessarily gender-sensitive just because higher rates of women can take part in the programme. It does not necessarily mean that the programme is tailored to the needs of both men and women.  
→ Formulate indicators to measure changes in power relations between women and men over time, for example, increase in the number of female staff members in management positions.  
→ Clients should include representatives from various gender, age and ethnic groups. | The number of crime victims identified and assisted by government authorities and civil society organizations, breakdown by age and sex. Percentage of beneficiaries of crime prevention interventions, by sex. The proportion of female officers in law enforcement. The number and role of women/men in training. The number or percentage of case studies, training modules where gender has been explicitly mainstreamed. Percentage of law enforcement officials reporting increased knowledge of effective measures to prevent and respond to violence against women/homicides. Baseline: 0 national strategy to effectively prevent and respond to violence against women, target: 1 national strategy to effectively prevent and respond to violence against women. Baseline: 15 per cent police officers trained on gender-responsive crime prevention measures, target: 30 per cent police officers trained in […]. |

<table>
<thead>
<tr>
<th>Qualitative Indicators</th>
<th>General tips</th>
<th>Examples of Gender Indicators</th>
</tr>
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</table>
| Measure women and men’s experiences, opinions, perceptions, judgments. Such data are collected through participatory methodologies such as focus group discussions and social mapping tools or through surveys measuring perceptions and opinions. | **General tips**  
→ Formulate indicators to evaluate the increase in women’s levels of empowerment or in attitude changes about gender equality.  
→ Formulate indicators to measure changes in power relations between women and men over time, for example, shift in ideology employed by government in working with justice programmes.  
→ Formulate indicators to measure the outcomes of a particular policy, programme or activity for women and men or changes in status or situation of men and women, for example, levels of participation.  
**Tips on indicators for training/capacity-building**  
→ Measure the outcomes of training on how the institution responses to differentiated aspects faced by women and men and the promotion of gender equality.  
**Tips regarding beneficiaries**  
→ An indicator to evaluate whether certain activities have been designed to take into account needs of women, men and individuals of diverse sexual orientation and gender identities. | Women and men’s experiences as suspects in the criminal justice system. Identification of criminal laws and procedures that men and women have different exposure to. Women and men’s attitudes with regard to crime prevention efforts and gender. Indicators could be developed in the form of a scale of questions about crime prevention efforts which could include attitude questions that reflect harmful gender stereotyping as well as reflecting more gender-equitable views. For each indicator, three potential answers: I agree; I partially agree; I do not agree. This can assess changing attitudes among law enforcement or others about gender roles over time. |
3. PROJECT/PROGRAMME MANAGEMENT

STAFFING

- Does the assessment/formulation team include a member with gender knowledge/expertise?
- Has the formulation team informed itself substantively on the gender dimensions of the thematic area of work?
- Does the assessment/formulation team include women and men?
- Who participates in decision making on the assessment/formulation team? Are women and men given an equal voice?
- Are there equal opportunities for women and men in terms of management and implementation arrangements of the project/programme?
- Have gender focal points in the region been contacted and included within the assessment/formulation team?
- Do women comprise an integral part of the assessment/formulation team?

BUDGET

Including a gender perspective in the project/programme budget can mean that there is a separate budget line for the underrepresented sex, for example, if it is necessary to have special activities targeting women. However, it does not necessarily mean that the budget includes a separate women’s budget, but that the project/programme budgets include a gender equality perspective.

- What are the costs connected to separate consultations with women and men?
- Would the project/programme benefit from including a gender expert?
- Was gender equality kept in mind when developing the budget?
- Is there a budget allocation to implement women’s empowerment and gender-sensitive activities?
- During implementation, are funds being spent as planned with regard to gender mainstreaming? If not, reallocate.

MONITORING

It is important to monitor gender issues at both output and outcome levels of the log frame, not only in order to document results, but also to learn what has worked and what has not. There has been a tendency to merely document the results of activities and outputs, for example, “number of women trained”. To understand the impact of a project/programme, objectives also need to be monitored such as women’s access to justice; reduced violence against women; understanding and catering to women’s needs as well as men’s; and monitoring the assumptions for organizing training, that is, training that leads to enhanced empowerment; implementing policies of assumptions, such as the one that training leads to empowerment. This requires that the project includes gender-sensitive and gender-targeted indicators as well as collecting sex-disaggregated data.

For gender-sensitive evaluation, please use the UNODC Brief for Project/Programme Managers: Mainstreaming Gender in UNODC Evaluations. [4]
4. EXAMPLES OF GENDER ASPECTS IN JUSTICE PROJECTS/PROGRAMMES

Mainstreaming gender in the crime prevention and criminal justice project/programme portfolio can contribute to the delivery of technical assistance and support to Member States. There were traditionally few women involved in developing criminal justice systems who could have offered insight into the different needs of women. Similarly, much of the early research on this topic was blind to the differences between men and women, which led to developments in theory and practice that were geared towards men. However, recently scholars and practitioners have begun to take into account the different impact of crime on men and women, and the different roles men and women play as perpetrators, victims and as criminal justice professionals. [5] Even where women’s needs and rights are increasingly taken into account by justice systems, the needs and rights of persons of other gender identities and sexual orientations are still often disregarded or dismissed by justice systems. [6] Appreciating that gender norms and crime vary depending on the region and country, the points below are meant to help frame the issues that may need to be dug deeper into during the situation analysis.

Examples of gender differences in crime rates, patterns of offending and victimization

- The connection between gender, offending and victimization is one of the most marked in criminology, and requires consideration of how gender, femininity, masculinity and intersections with other identities shape crime, victimization and consequently, social and legal responses to both. Taking into account intersectionality means to understand the multiple factors that intersect with gender to create a layered experience of equality and discrimination. These factors include: gender identity, gender expression, sexual characteristics, sexual orientation, ethnicity/race, indigenous or minority status, colour, socioeconomic status and/or caste, language, religion or belief, political opinion, national origin, marital and/or paternal status, age, urban/rural location, health status, disability, property ownership, illiteracy, trafficking of people, armed conflict, seeking asylum, being a refugee, internal displacement, statelessness, migration, heading households, widowhood, living with HIV/AIDS, deprivation of liberty, being in prostitution, geographical remoteness and stigmatization of people fighting for their rights, including human rights defenders.

- Studies indicate a faster increase in the rate of women’s imprisonment in some countries in comparison to men. [7]

- Women are more likely than men to be victims of certain types of crime, for example, intimate partner violence and sexual violence. [8]

- Men have traditionally been more likely to perpetrate and be victims of violent crime, such as homicide, and in the public sphere.

- While there is need for further research on the prevalence and nature of female/male victimization, studies generally find that males are more often the victims of homicides and assaults. Women, however, are the majority of victims of sexual assault, intimate partner violence and intimate partner homicide.
Men, in particular young men, mostly experience violence in the public sphere, whereas women are more likely to experience violence and abuse inside the private domestic sphere, often perpetrated by someone they know, such as their own partner.

Society’s perception of, as well as criminal justice responses to, different types of victims can be gendered. For example, many societies blame victims of gender-based crime. In addition, individuals or groups whose gender identity or sexual orientation differs from the majority of the surrounding society, for example, lesbian, gay, bisexual, transgender, queer or questioning, intersex, and asexual or allied are highly vulnerable to victimization by society and secondary victimization at the hands of the justice system.

Female criminal behaviour has been commonly perceived as a less serious problem than male criminal behaviour. Historically, women have been more likely to commit minor offences and have made up only a small proportion of the offender population. Because of the relatively small number of female offenders, differences in the experience of women in the criminal justice system may be masked by trends that reflect the larger male offender population.

The role that gender differences play with respect to delinquency has been raised by some studies. However, there have been more extensive studies focused on male delinquency, and the extent to which these factors explain and predict delinquency for females remains unclear. Studies indicate that rates of prior victimization such as sexual and physical abuse, are higher among women prison populations than among women in the general population. Furthermore, rates of substance abuse, and the rates and severity of mental health problems are higher among women prison populations than among women in the community.

A study on children involved with crime found that, while overall, girls’ criminal acts are typically less prevalent and often less serious than those of boys, minor offences may mask serious problems that girls experience, such as fleeing from serious problems and victimization. [9] These underlying problems may themselves signal the need for a protective response for the child and, in some cases, a criminal justice response to investigate and sanction adult behaviour, for example, in cases of child abuse, the recruitment of children or trafficking of children. Additional measures should be taken to mitigate the factors that make children vulnerable to secondary victimization, and to safeguard children from criminal justice involvement in cases where they are exploited by adults by adopting child- and gender-sensitive approaches, for example, safeguarding children from being charged with prostitution in cases of child sexual exploitation, usage of child-friendly courts and special procedures such as giving evidence via witness statement or video link, behind a curtain/without the presence of the defendant.

The majority of women and girls who are caught up in the justice system enter as a result of circumstances distinct from those of men or boys. Further research is needed to examine the intersection of victimization and criminality and how understanding this link can inform a comprehensive response through public policy and criminal justice reform. The negative impact caused by the justice system on children’s physical and mental development should be documented.

The challenges in implementing the right to legal aid in a comprehensive and effective manner include a lack of or inadequate legislation and policies, limited financial resources and insufficient numbers of legal aid providers who frequently lack training on how to effectively deliver services, especially when it comes to the needs of groups within society that require special approaches and measures, such as women and girls. Yet, the UNDP/UNODC Global Study on Legal Aid found that there was limited availability of specialized and targeted legal aid provision for women, and access
to justice is often limited to female victims and survivors of violence, due to a lack of opportunities for suspects and accused women to benefit from free legal aid or court support. The availability of female legal aid lawyers and paralegals is an important initial step towards increasing women’s access to legal aid, as women often shy away from discussing essential personal information with male lawyers due to a fear of stigmatization. Women also often lack the financial resources to afford legal advice or post bail after arrest, or do not have access to available family resources. They are also at a higher risk of discrimination by criminal justice officials and abandonment by their families because of harmful gender stereotypes.

Examples of gender and crime prevention

- Risk factors or factors correlative to crime and victimization include inequality, poverty, discrimination, mental health problems, use of harmful substances and positive valuation of violence, all of which are gendered. To be effective, crime prevention measures need to be adapted to the distinct risk factors faced by men, women and individuals of diverse sexual orientation or gender identity.

- Past crime prevention literature tended to be gender blind and focused largely on crimes committed in public areas, of which men tend to be the main victims and perpetrators. However, there has been increasing research on and use of prevention strategies to reduce crimes and violence that affect mainly women and girls, for example, violence against women in the home, sexual harassment and assault in public spaces, and sexual abuse.

- Crime prevention approaches, such as situational, social-developmental and criminal justice, need to take into account the different needs of men and women and consider the implications they may have. For example, situational crime prevention approaches targeting women’s safety in public that consist of providing safety tips for women are criticized for placing responsibility on women and for being another variation of victim blaming. However, other situational crime prevention has been effective in reducing crimes against women such as providing or improving street lighting.

- When mobilizing communities for crime prevention, it is important to engage both women and men as well as girls and boys, identifying and using their respective potential as agents of change, for example, community workshops that aim to promote gender-equal attitudes as a protective factor against crime/violence. Crime prevention measures can ultimately contribute to redressing gender inequalities and empowering women and girls.

Examples of gender and the criminal justice system

- Criminal laws: While often framed as gender-neutral, the criminal legal framework has been developed by those in power in society and informed by the social construction of femininity and masculinity. Therefore, the law can unintentionally hide underlying structural gender inequalities. Laws and policies should be reviewed as to whether they are based on gender stereotypes, reinforce possible pre-existing gender-biased norms, or indirectly impede de facto equality.

- Access to justice: Men and women, as well as boys and girls, have different experiences and capabilities when accessing justice. Gender shapes how crime is reported and made visible, and contributes to how victims and witnesses experience the criminal justice system. For example, research finds low reporting rates and high attrition rates in cases of gender-based violence against women and girls. In some cases, women, girls and LGBTIQ+ individuals face direct discrimination, threats of violence or direct acts of violence as a result of their efforts to seek justice. These acts of discrimination and violence may be perpetrated by members of the
individual’s family or community, by criminal justice actors, or by other individuals or groups involved in the criminal justice system, for example, in police holding cells and prisons.

- **Gender-related barriers in accessing justice**: Women and men as well as boys and girls experience different barriers in different ways. It is important to examine the gender differential regarding the extent of illiteracy, lack of knowledge of legal rights, mobility restrictions, heavier workload at home, thus less time, less access to financial resources and bias by criminal justice officials.

- **Criminal justice professionals**: Women remain severely underrepresented in most criminal justice professions in many countries, especially at the managerial or decision-making level. It is important not to assume that the presence of women within the law enforcement and justice sector will necessarily result in institutions and structural reforms that are more gender-responsive. Justice sector practitioners, men and women alike, need to become more gender-sensitive. However, studies have shown that increasing the proportion of women in law enforcement agencies changes the climate and culture of the organization and reduces the prevalence of discrimination against female police officers, as well as their underutilization.

### Examples of gender and prisons/detention facilities

- It is well recognized that the situation of women in prison systems is very different from that of male prisoners. Prisons have generally been designed by men for men. Women remain a relatively small number, typically less than 10 per cent of the overall prisoner population.

- Women have special/unique needs which are sex-based, for example, health needs related to menstruation, pregnancy or vulnerability to HIV, yet the needs of women have been marginalized. Other needs are gender-based, such as being imprisoned far from their families as a result of the few female prisons in the country and the impact of incarceration on the children of women offenders. This does not mean women are vulnerable per se but that vulnerabilities are created when a system is designed for and caters to a different target audience, and that differentiated treatment is necessary to avoid perpetuating discrimination. The Bangkok Rules [11] note that the principle of non-discrimination requires States to address the unique challenges that women prisoners face and to take into account their gender-specific needs.

- Detention facilities for children may also overlook their needs as a group as well as gender considerations that apply to girls in conflict with the law. The Beijing Rules underline that girls and young female offenders placed in an institution deserve special attention as to their personal needs and problems, and to ensure their fair treatment. [12]

- In developing gender-sensitive prison management, information is needed on the reasons for women’s imprisonment, the types of crimes they commit, their treatment in the criminal justice system, and their social backgrounds, education, job skills and prospects of return to their families on release. Research indicates female offenders often suffer disproportionately from victimization and from sexual or physical abuse, in comparison to male offenders, therefore, this should be prevented and reflected in treatment programmes. UNODC has developed a programming manual for working with female prisoners that provides guidance to stakeholders in the penitentiary sector on how to address gender concerns.

- In developing appropriate alternative measures and social reintegration programmes, it is essential to acknowledge and understand the importance of gender differences, including LGBTIQ+, as well as the gender-related dynamics inherent in any society.
<table>
<thead>
<tr>
<th>GENDER-RELATED PUBLICATIONS, TOOLS AND INTERNATIONAL INSTRUMENTS ON CRIME AND CRIMINAL JUSTICE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CRIME PREVENTION, INCLUDING A GENDER PERSPECTIVE</strong></td>
</tr>
<tr>
<td>• Handbook on the Crime Prevention Guidelines: making them work</td>
</tr>
<tr>
<td>• Global status report on violence prevention</td>
</tr>
<tr>
<td>• Introductory Handbook on the Prevention of Recidivism and the Social Reintegration of Offenders</td>
</tr>
<tr>
<td><strong>CRIMINAL JUSTICE AND GENDER-BASED VIOLENCE AGAINST WOMAN AND GIRLS</strong></td>
</tr>
<tr>
<td>• Strengthening Crime Prevention and Criminal Justice Responses to Violence against Women</td>
</tr>
<tr>
<td>• Handbook on Effective Police Responses to Violence against Women</td>
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<tr>
<td>• Training Curriculum on Effective Police Responses to Violence against Women</td>
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<tr>
<td>• Handbook on Effective Prosecution Responses to Violence against Women and Girls</td>
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<tr>
<td>• Resource Book for Trainers on Effective Prosecution Responses to Violence against Women and Girls</td>
</tr>
<tr>
<td>• Handbook for criminal justice professionals on Effective Responses by the Judiciary to Gender-based Violence against Women and Girls (forthcoming)</td>
</tr>
<tr>
<td>• Toolkit on Strengthening the Medico-Legal Response to Sexual Violence</td>
</tr>
<tr>
<td>• Gender-related Killing of Women and Girls Brochure</td>
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<tr>
<td>• Essential services package for women and girls subject to violence</td>
</tr>
<tr>
<td>• Global Study on Homicide: Gender-related killing of women and girls</td>
</tr>
<tr>
<td><strong>WOMEN IN CONFLICT WITH THE LAW</strong></td>
</tr>
<tr>
<td>• The Bangkok Rules – United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders with their Commentary</td>
</tr>
<tr>
<td>• Handbook on Women and Imprisonment, 2nd Ed</td>
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<tr>
<td>• Training curriculum on Women and Imprisonment Version 1.0</td>
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<tr>
<td>• Information note for criminal justice practitioners on non-custodial measures for women offenders</td>
</tr>
<tr>
<td>• Handbook for criminal justice professionals on gender-sensitive non-custodial measures (forthcoming)</td>
</tr>
<tr>
<td>• E-learning course on Alternatives to Imprisonment for Women Offenders</td>
</tr>
<tr>
<td>• Afghanistan: Female Prisoners and their social reintegration</td>
</tr>
<tr>
<td><strong>INTERNATIONAL LEGAL INSTRUMENTS AND OTHER TOOLS</strong></td>
</tr>
<tr>
<td>• United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice (General Assembly resolution 69/194, annex, of 18 December 2014), which promotes child and gender-sensitive approaches and provides [United Nations Model Strategies on VAC] a number of practical measures specifically related to girls, taking into account the distinctive needs of girls and their vulnerability to SGBV in places of detention</td>
</tr>
<tr>
<td>• Criminal justice assessment toolkit – Gender in the criminal justice system Assessment Tool</td>
</tr>
<tr>
<td>• Practitioner’s Toolkit on Women’s Access to Justice Programming</td>
</tr>
<tr>
<td>• ICCS Briefing Note: Measuring Violence against women and other gender issues through ICCS lenses</td>
</tr>
<tr>
<td>• United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) (General Assembly resolution 40/33, annex, of 29 November 1985)</td>
</tr>
</tbody>
</table>

**EXAMPLES OF GENDER ASPECTS IN JUSTICE PROJECTS/PROGRAMMES**
<table>
<thead>
<tr>
<th>Project/programme component</th>
<th>Question</th>
<th>Yes</th>
<th>No*</th>
<th>Partially*</th>
<th>Comments*</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Situation analysis</td>
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<tr>
<td>The problem</td>
<td>Does the background/context analysis of the project/programme examine:</td>
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<td></td>
<td>(a) the different situations of women and men, boys and girls.</td>
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<td></td>
<td>If yes, what strategies will be implemented to address gender-related</td>
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<td></td>
<td>constraints to tailor the deliverables to meet the needs of both sexes.</td>
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<td></td>
<td>(b) the expected impacts the project/programme will have on the different</td>
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<td></td>
<td>groups.</td>
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<tr>
<td>Counterpart capacity</td>
<td>Are women/gender-focused groups, associations or gender units in partner</td>
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<td></td>
<td>organizations consulted in the project/programme development?</td>
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<td>Strategic context</td>
<td>Is the different impact of policies, regional and national strategies on</td>
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<td></td>
<td>women and men, boys and girls considered?</td>
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<tr>
<td>Synergies with other</td>
<td>Are lessons learnt and best practices on gender equality and women’s</td>
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<td>projects/programmes</td>
<td>empowerment incorporated? Have key findings and recommendations emanating</td>
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<td></td>
<td>from relevant research, other United Nations entities and project/programme</td>
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<td>evaluations been incorporated?</td>
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<td>Target groups</td>
<td>Does the project/programme include strategies to reach out/identify the</td>
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<td>underrepresented sex that would benefit from the project/programme?</td>
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<tr>
<td>Gender equality and women’s</td>
<td>Does the project/programme include targeted actions for gender equality</td>
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<tr>
<td>women’s empowerment</td>
<td>and women’s empowerment? Are gender aspects included in non-targeted</td>
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<td></td>
<td>actions?</td>
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<tr>
<td>Human rights</td>
<td>Have national and/or international policies on women’s rights been</td>
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<tr>
<td></td>
<td>consulted?</td>
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</tr>
</tbody>
</table>
### 2. Project/programme description

<table>
<thead>
<tr>
<th>Location and duration</th>
<th>Does the project/programme ensure that both women and men can access and participate in project/programme activities (target at least 30 per cent of whichever gender is underrepresented)?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Logical framework:</td>
<td>Are outcomes, outputs and activities designed to meet the different needs and priorities of women and men, boys and girls?</td>
</tr>
<tr>
<td>Engendering the results chain</td>
<td></td>
</tr>
<tr>
<td>Logical framework:</td>
<td>Does the results framework include gender-responsive indicators, targets and a baseline to monitor gender equality and women's empowerment results?</td>
</tr>
<tr>
<td>Guidance for the development of gender-sensitive indicators</td>
<td></td>
</tr>
</tbody>
</table>

### 3. Project/programme management

<table>
<thead>
<tr>
<th>Staffing</th>
<th>Is there gender-balanced recruitment of project/programme personnel and gender-balanced representation in project/programme review committees?</th>
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</thead>
<tbody>
<tr>
<td>Budget</td>
<td>Have adequate financial resources been allocated for the proposed gender activities?</td>
</tr>
<tr>
<td>Monitoring and evaluation</td>
<td>Will the project/programme collect and use sex-disaggregated data and qualitative information to analyse, monitor and evaluate its implementation in a gender-sensitive manner?</td>
</tr>
</tbody>
</table>

*Comments are mandatory for each question answered “No” or “Partially”.

1. In accordance with article 1 of the Convention on the Rights of the Child which defines a child as “every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier”. United Nations, Treaty Series, vol. 1557, No. 27531.


3. The term “status offence” is used to describe acts, conduct and omissions that are not considered criminal offences if committed by an adult, but are criminal offences when committed by a child. The United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) require that “legislation should be enacted to ensure that any conduct not considered an offence or not penalized if committed by an adult, is not considered an offence and not penalized if committed by a young person” (General Assembly Resolution 45/112).


5. See for instance: Guide for the thematic discussion on the responsibility of effective, fair, humane and accountable criminal justice systems in preventing and countering crime motivated by intolerance or discrimination of any kind. https://undocs.org/E/CN.15/2019/6


FURTHER READING


OHCHR (2016) Living Free and Equal: What States are Doing to Tackle Violence and Discrimination Against Lesbian, gay, bisexual, transgender (LGBT) and intersex people.


