

2002

Legislative Focus: Gains Act

Ossai Miazad

American University Washington College of Law

Follow this and additional works at: <https://digitalcommons.wcl.american.edu/hrbrief>



Part of the [Legislation Commons](#)

Recommended Citation

Miazad, Ossai. "Legislative Focus: Gains Act." Human Rights Brief 9, no. 3 (2002): 37.

This Column is brought to you for free and open access by the Washington College of Law Journals & Law Reviews at Digital Commons @ American University Washington College of Law. It has been accepted for inclusion in Human Rights Brief by an authorized editor of Digital Commons @ American University Washington College of Law. For more information, please contact kcley@wcl.american.edu.

LEGISLATIVE FOCUS

GAINS Act

by Ossai Miazad *

On October 24, 2000, Congresswoman Constance Morella (R-MD) introduced The Global Action and Investments for Success for Women and Girls (GAINS) Act to address the fact that “[e]conomic globalization is leaving the world’s poorest women, girls and communities behind.” The GAINS Act, which is aimed at increasing U.S. assistance to women and girls in developing countries, is currently being revised and expanded for tentative reintroduction in the House of Representatives in April 2002. Senator Olympia Snowe (R-ME) will introduce a version of the bill in the Senate.

The Act’s central rationale is that investment in women’s education, economic opportunities, political participation, and healthcare yields high returns for women, their families, and their communities. This rationale is coupled with the belief that gender equality is a core development issue that enhances U.S. global interests. Relying on the premise that investment must occur in multiple sectors to ensure that women and girls thrive economically and socially, the GAINS Act of 2000 focuses on five interrelated areas: (1) integrating women into the national economies of developing countries; (2) addressing the impact of trade agreements on women; (3) ensuring opportunities for women in developing countries; (4) promoting the health of women and girls in developing countries; and (5) protecting the human rights of women. According to Women’s Edge, a Washington, D.C.-based non-governmental organization that has launched an advocacy campaign entitled “GAINS for Women and Girls,” the revised 2002 Act will include new sections on violence against women; women’s leadership and political participation; women, agriculture and food security; women and the environment; women and conflict situations/refugee women; and a section on creating economic opportunities for women. In accordance with the original version of the Act, the revised version will call on the Senate to hold hearings on and ratify the Convention on the Elimination of All Forms of Discrimination against Women.

The GAINS Act identifies and provides solutions to deficiencies in current U.S. foreign policy and international assistance programs. Although Congress passed the Percy Amendment to the U.S. Foreign Assistance Act in 1973, which requires U.S. bilateral assistance to integrate women into the economies of developing countries, implementation of the Percy Amendment has been slow. The Percy Amendment led the way in 1974 for the creation of the Women in Development (WID) office within the U.S. Agency for International Development (USAID). In a 1993 evaluation of USAID’s progress in meeting Percy Amendment standards, however, the Government Accounting Office concluded that USAID has only recently begun to contemplate the role of women in its international development strategies, despite the fact that twenty years have passed since Congress directed that USAID assistance programs focus on the roles of women and their needs in development projects. In March of 1996, shortly after the United Nations’ Fourth World Conference on Women, held in Beijing, USAID announced a Gender Plan of Action (GPA) designed to

ensure that gender considerations were institutionalized throughout its agencies’ development programs and projects. In 2000, the Advisory Committee on Voluntary Foreign Assistance, a presidential commission created to link between non-governmental organizations and USAID, conducted an in-depth survey of the GPA, finding that over 90% of those interviewed within USAID and the Private Voluntary Organizations/Non-Governmental Organizations community said the GPA has not had any measurable impact on USAID operations.

The GAINS Act calls for full implementation of USAID’s Gender Plan of Action. Recognizing the gap between policy and implementation of gender integration into U.S. development programs, the Act proposes concrete and pragmatic changes. For example, the Act calls for up to thirty million dollars in funding for the WID office and proposes that the director of the WID office should become a deputy director administrator or the equivalent of USAID. The Act further recommends the establishment of a WID Management Group within USAID that would meet on a routine basis to monitor and assist with the ongoing implementation and compliance with USAID gender integration policies and programs.

The proposals set forth in the GAINS Act move the United States closer to implementation of the Percy Amendment mandate, and to its pledged commitment in Beijing to integrate gender concerns and perspectives in its foreign policy and international assistance programs. 🌐

* Ossai Miazad is a J.D. candidate at the Washington College of Law and a staff writer for the Human Rights Brief.

Subscribe to the *Human Rights Brief* listserve!

The *Human Rights Brief* listserve includes announcement about events in the Washington, D.C. area, including film series, speakers, and exhibits, as well as current action appeals and information about domestic and international fellowships, internships, and jobs.

To subscribe to the *Human Rights Brief* listserve, send an e-mail to hrbrief@wcl.american.edu.