

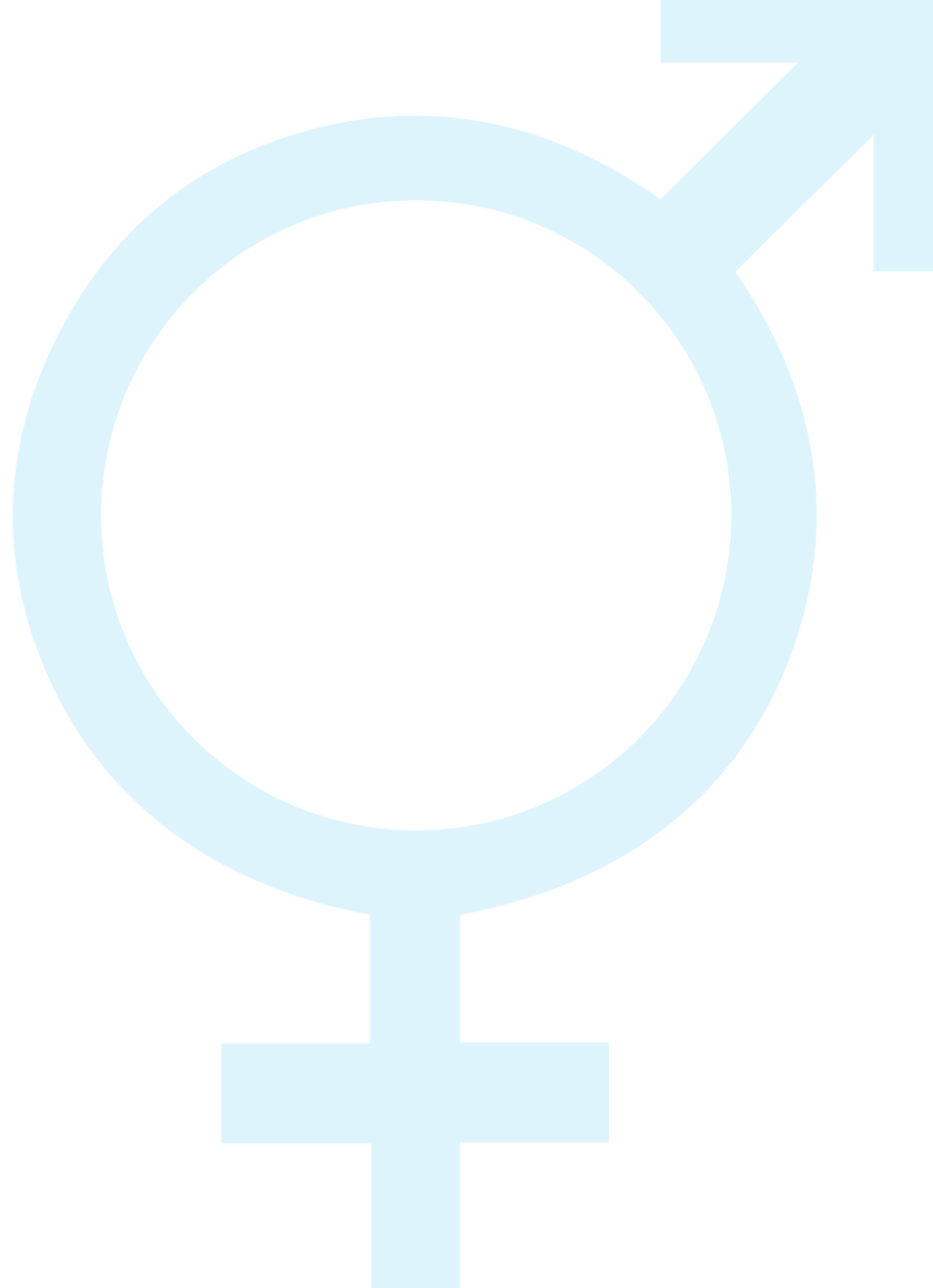


# Gender Equality, Infrastructure and PPPs

A PRIMER







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# Table of Contents

Acronyms.....	vi
A Note to the Reader on the Primer .....	vii
Foreword .....	ix
Introduction .....	1
A. Overview.....	1
B. Structure of the Primer.....	2
C. Audience for the Primer .....	3
D. Methodology Used to Develop the Primer.....	3
E. How to Read the Primer.....	3
Section One: Gender Equality & Infrastructure: Framing the Relationship.....	5
A. The Conceptual Framework.....	6
B. Infrastructure’s Role in Helping Close Identified Gender Gaps.....	7
C. Section One References for Further Reading.....	10
Section Two: Best Practices for Incorporating Gender Equality in Infrastructure.....	11
A. Learning from the Infrastructure Experience with Gender.....	12
B. Robust Results Frameworks to Achieve Gender Equality Goals.....	12
C. Managing Project Risks That Are Potentially Harmful to Gender Outcomes .....	21
D. Section Two References for Further Reading.....	24
Section 3: Gender Equality Integration in PPPs.....	25
A. Introduction.....	26
B. Integration of Gender into PPP Projects.....	28
C. Integration of Gender Equality in the PPP Framework .....	45
D. Section Three References for Further Reading .....	50
Section 4: Gender Equality Questions for the PPP Project Developer .....	51
A. Introduction.....	52
B. Tips to Keep in Mind When Using the Tool.....	53
C. The Tool.....	54
Annex 1: Infrastructure and Human Endowments .....	57
Annex 2: Infrastructure Development & Equal Access to Jobs .....	60
Annex 3: Infrastructure Development & Women’s Ownership and Control of Assets.....	62
Annex 4: Infrastructure Development & Women’s Voice and Agency.....	63
Annex 5: Examples of Gender-Sensitive Indicators—Infrastructure Project Cycle.....	65
Annex 6: Sample Codes of Conduct.....	67
Company Code of Conduct.....	67
Manager’s Code of Conduct.....	71
Individual Code of Conduct.....	75

# Table of Figures

Figure 1: Conceptual Framework for Viewing Gender Equality and Development.....	7
Figure 2: Typical PPP Process with Gender Entry Points Outlined.....	29
Figure 3: Summary of Key Questions for how to Frame Promotion of Gender Equality Aims throughout the Project Development Cycle .....	44

# Table of Tables

Table 1: Infrastructure’s Role in Closing the Gender Gaps.....	9
Table 2: Potential Ways Unique Features of PPP Could Contribute to Gender Equality.....	27
Table 3: Tools, Including Women-Owned Businesses Across the Supply Chain.....	38
Table 4: External Tools and Guides with Sample Indicators.....	42

# Table of Boxes

Box 1: Definitions of Markets, Formal Institutions, and Informal Social Institutions.....	8
Box 2: Summary of Methods for Integrating Gender Equality into Design, Delivery, Performance Monitoring or Evaluation of Projects .....	13
Box 3: How Does Gender Analysis Help Inform Infrastructure Projects? .....	14
Box 4: A Checklist for Gender-Sensitive Stakeholder Consultations .....	15
Box 5: Sex-Disaggregated Data: A Minimum Standard for Planning, Implementing, Monitoring and Evaluating All Types of Development Initiatives .....	15
Box 6: Gender Analysis Methods Helped Nam Theun 2 Hydropower Project Planners Reduce Resettlement Burdens on Women and Promote Economic Empowerment.....	16
Box 7: The Possibility of Land Allocations during Resettlement to close Gender Gaps .....	18
Box 8: Two World Bank Transport Projects Move from Analysis to Action to Ensure that Gender Concerns are Considered, and Gaps Reduced Gaps.....	19
Box 9: Tips to Keep in Mind when Developing Gender-Sensitive Indicators Gaps.....	20
Box 10: Monitoring and Evaluation of the Resettlement Associated with the Nam Theun 2 Project	21
Box 11: World Bank Vanuatu Aviation Project Considers Local Context and Introduces Codes of Conduct to Reduce Gender-Based Violence and Violence Against Children.....	23
Box 12: The World Bank's Infrastructure-Prioritization Framework .....	31
Box 13: Definitions of Pre-Feasibility and Feasibility Studies.....	32
Box 14: Gender-Sensitive Stakeholder Engagement in the Trung Son Hydropower Project.....	33
Box 15: Environmental and Social Impact Assessment for Bangladesh Regional Waterway Transport Revealed Lack of Facilities for Women.....	34
Box 16: Upfront Capital Subsidy Helped Make Kumasi Toilet PPP Project Financially Viable.....	35
Box 17: Definition of a Women-Owned Business .....	38
Box 18: Example of Code of Conduct—the World Bank Group Standard Request for Proposal After Prequalification Requires a Development of Code of Conduct .....	39
Box 19: Example of Supplier Diversity Code of Conduct—Transport for London Puts Equality and Inclusion at Heart of Program.....	40
Box 20: Example of Local Content Requirements—the South African Renewable Energy Independent Power Producer Procurement Program (REIPPPP).....	40
Box 21: Example of PPP Institutional Guidance that Incorporates Gender .....	45
Box 22: Examples of Gender Biases in Legislation .....	47
Box 23: Example of Integrating Gender Equality in a PPP Framework — Nam Theun 2 Hydropower Project Includes Male and Female Project Staff .....	48
Box 24: Checklist: Key Questions for Gender Inclusion Related to the PPP Institutional and Legal Framework .....	49



# Acronyms & Abbreviations

AfDB	African Development Bank
BOT	Build operate transfer
BOOT	Build own operate transfer
CA	Concessional agreement
CSR	Corporate social responsibility
EMDEs	Emerging markets and developing economies
ESHS	Environmental, social, health and safety
ESIA	Environmental and social impact analysis
EBRD	European Bank for Reconstruction and Development
GAP	Gender action plan
GBV	Gender-based violence
GE	Gender equality
GSSC	Gender-sensitive stakeholder consultation
C3P	IFC PPP Advisory
ICT	Information and communication technologies
IFC	International Finance Corporation
IPG	Infrastructure Finance, PPPs and Guarantees Group
KPI	Key performance indicators
M&E	Monitoring and evaluation
OHS	Occupational health and safety
PIC8	Pacific Island Eight Countries
PPPIRC	PPP in Infrastructure Resource Center
PPIAF	Public Private Infrastructure Advisory Facility
PPP	Public-private partnership
RfP	Request for proposals
RfQ	Request for qualifications
SEA	Sexual exploitation and abuse
SDGs	Sustainable Development Goals
VAC	Violence against children







# Foreword

For all of our age's technological advances, service innovations, and instant connectivity, gender inequality stubbornly remains a defining characteristic of the structure of our economies and the opportunities for our citizens. This is especially true in many corners of the developing world, where women trail men in health and educational outcomes, access to jobs and assets, and their ability to voice their opinions and exercise agency over their lives. The response to these unequal outcomes will require, but cannot be limited to, drafting better labor laws and improving the availability of social services. It must include dedicated attention to the physical backbone of our communities and economies, and the access, quality and prices of the services that run over that infrastructure.

But is it possible for a road or a bus lane to know or care about the travelers upon it? If power lines, water pipes, rail tracks and bus lanes could bend to the needs of consumers according to their gender, would it matter? Would such gender-informed decisions in infrastructure help to address equity and fairness, job opportunity and equality of access?

The short answer to these questions is an emphatic, "Yes!"

That is, infrastructure is not gender neutral, and the examples of how infrastructure impact gender outcomes are powerfully clear, once we stop to consider them. They can be found in the way infrastructure investments are planned, designed, constructed and operated, not to mention infrastructure's reach, and the quality and prices of the services it provides.

On the side of "do no harm," the expansion of network infrastructure—from highways to pipelines to hydro-power projects—may result in disruption to communities. To ensure this disruption does not worsen the existing power imbalances between women and men, and put women at risk for sexual harassment and gender-based violence, proper consultations and contracting mechanisms are essential. This begins with the earliest stages of project design and continues throughout the supervision and oversight of the project's implementation.

Beyond this defensive need to consider infrastructure's gender impacts, infrastructure services can also be a force for *good*. Urban transit systems that are mapped against job locations for women, designed to provide security, and operated to remove uncertainty of arrival times, are essential to balancing labor opportunities for female workers. The design and pricing of water and power systems that recognize and value the disproportionate productivity losses of women and children having to collect water, firewood or other alternative sources of basic services to their families will look different than those that do not weigh those costs.

In the various infrastructure sectors, we're pleased to report that best-practice examples have been mounting. Yet, for infrastructure-development professionals—particularly those focused on crowding in private financing and operations and preparing public-private partnerships (PPPs)—knowing where to start integrating gender equality concerns into our work can be daunting.

However daunting, the incorporation of gender considerations is uniquely important for PPPs, where private-service providers become the main interface with consumers. Moreover, public-private partnerships offer a singular opportunity to get these plans, structures and operations right from the outset, because the construction, expansion and rehabilitation of assets, and the obligations for operations and maintenance of those assets over the long term, are joined together in PPPs. All of this is folded into the initial contracts, and regulated according to those agreed-upon standards, often for 30 years or more.

From both the public and private sides of the World Bank Group, we are pleased to offer this primer as an important first step. It consolidates and draws from a wide spectrum of examples that cut across sectors to demonstrate how infrastructure, its development, and the policies and regulations governing its construction and operation, can play a role in closing gaps between women and men. It pinpoints approaches for ensuring that projects not only do no harm, but also serve as vehicles for empowerment, providing practical guidance that can be systematically integrated into PPP projects and frameworks.

The primer points out that best practices at the intersection of gender equality and infrastructure PPPs are still evolving. We hope that readers will take ideas from these pages as inspiration for their own projects and, in doing so, advance our knowledge of the topic to the benefit of women—of all consumers, in fact—across the developing world.

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# Introduction

## A. OVERVIEW

In the age of the Sustainable Development Goals (SDGs), investing in more sustainable infrastructure and promoting gender equality have emerged as two key global-development priorities.<sup>1</sup> The infrastructure agenda is underpinned by evidence showing that improved infrastructure can promote economic development, which in turn helps reduce poverty.<sup>2</sup> It recognizes that meeting global infrastructure-investment needs, estimated at \$94 trillion through 2040,<sup>3</sup> requires crowding in significant private investment and developing projects through public-private partnership (PPP) models. The gender equality agenda recognizes that gender inequalities not only deprive women of basic rights and opportunities, but also stymie economic development outcomes.<sup>4</sup>

The links between these two priorities—one fueled by technical, engineering and financial disciplines, the other by more social disciplines—are often misunderstood, not considered, or poorly defined. It is generally accepted that well-thought-out improvements to infrastructure service delivery can improve gender equality outcomes. Providing better water and sanitation services, for example, can reduce the time women and girls spend fetching water, freeing their time for educational or economic pursuits.<sup>5</sup> In transport, it is well documented that women have more complex mobility patterns than men due to their gender roles (for example, taking care of children). As a result, they often try to juggle trips between other daily tasks and disproportionately shoulder the opportunity costs related to poor and unreliable transport systems.<sup>6</sup> If faced with unreliable transport options, a woman may choose not to take a job further away, because her schedule would not allow it.

Yet, merely providing much-needed infrastructure and related services will not improve gender equality outcomes. Broader social power structures, norms, and a country's legal and regulatory environment can impact women's and men's abilities to equally benefit from infrastructure services. The process of challenging power structures and changing norms is not easy, though many openings exist throughout the infrastructure project-development process to do so. Ensuring the equitable presence of both male and female voices when deciding which infrastructure to build or what technical solution to choose helps ensure better results for end users, something that many private players already recognize. There is increasing recognition by private-sector infrastructure operators to cater more to women as users, improve the gender balance of their boards, source materials and services from more women-owned companies,<sup>7</sup> and increase the number of women in the workforce.<sup>8</sup>

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1 On January 1, 2016, the 17 SDGs of the 2030 Agenda for Sustainable Development—adopted by world leaders in September 2015 at a historic UN Summit—officially came into force. Goal number five is to achieve gender equality and empower all women and girls, and goals six, seven, nine and 11 directly refer to infrastructure development.

2 See Sánchez-Robles, 1998; Canning, 1999; Demetriades and Mamuneas, 2000; Röllerand Waverman, 2001; Esfahani and Ramirez, 2003; Calderón and Servén, 2004, 2010. More recently, increasing attention has been paid to the impact of infrastructure on poverty and inequality (Estache, Foster and Wodon, 2002; Calderón and Chong, 2004).

3 From G20-supported Global Infrastructure Hub Analysis, July 2017.

4 See Hakura, Dalia et al, *Inequality, Gender Gaps and Economic Growth: Comparative Evidence for Sub-Saharan Africa*, IMF, 2016; or Gonzales, Christian et al, *Catalyst for Change: Empowering Women and Tackling Inequality*, IMF, 2015.

5 A well-planned World Bank Rural Water Supply and Sanitation Project in Morocco demonstrated this. After project completion, time spent fetching water by women and girls was reduced by 50 to 90 percent. With more time and better health, female primary-school attendance in the project area increased by 21 percent. World Bank. ICR Review. Report number: ICRR11535.

6 *Gender tool kit: Transport—Maximizing the benefits of improved mobility for all*, Asian Development Bank, 2013.

7 Companies such as EDF Energy, TransCanada and PG&E are signatories to WEConnect International—a global network that connects women-owned businesses to qualified buyers around the world.

8 Supported by the European Bank for Reconstruction and Development (EBRD) and Kazakhstan's Almaty Electrotrans (AET), a municipal tram and trolleybus company hired its first female driver. This was a big step for the company, and is a helpful move to bringing the company's workforce more in line with its customer base (60 percent of users are women). See: *Lessons on Equal Opportunity from Almaty Electrotrans*. EBRD, 2015.

Considering these opportunities and developmental priorities, this primer distills high-level advice to help practitioners plan and develop infrastructure PPPs that incorporate actions, design features, and strategies that will help close the persistent opportunity gaps between women and men.

## B. STRUCTURE OF THE PRIMER

The primer consists of four key sections that show PPP practitioners how gender considerations can be incorporated into infrastructure PPPs.

The primer points out that best practices at the intersection of gender equality and infrastructure PPPs are still evolving. Thus, it is hoped that readers will take ideas from these pages as inspiration for their own projects. More ideas and innovations need to be tested—for example, in terms of allocating budget for gender-related project activities—to push the envelope and redefine best practices in infrastructure PPPs.

### **Section One: Gender Equality and Infrastructure—Framing the Relationship**

- **Description:** This section uses the conceptual framework on Gender Equality and Development developed by the 2012 World Development Report and the 2015 World Bank Gender Strategy to frame the interplay between gender equality and infrastructure.
- **Goal of the Section:** To ground the reader in key concepts and ideas related to gender equality and infrastructure.

### **Section Two: Best Practices for Incorporating Gender Equality in Infrastructure**

- **Description:** Building on the conceptual framework for understanding gender equality, this section examines best practices with regards to gender equality and infrastructure. It also provides several examples.
- **Goal of the Section:** To give the reader an understanding of the mechanisms and processes that ensure that infrastructure projects not only “do no harm” to women and men, but also create positive benefits for women.

### **Section Three: Gender Equality Integration into PPPs**

- **Description:** This section provides brief and practical guidance on how gender equality can be systematically integrated into PPP projects and frameworks, with a strong results chain between analysis, action, monitoring and evaluation to improve outcomes.
- **Goal of the Section:** Building on the previous two sections, provide the reader with brief and practical guidance on how to systematically integrate gender considerations into PPP projects and frameworks in a way that promotes a strong results chain linking analysis, action, monitoring and evaluation.

### **Section Four: Gender Equality Questions for the PPP Project Developer**

- **Description:** This section provides an analytical tool to help project participants—governments, advisors, and private investors alike—ensure that PPP projects improve equality between women and men.
- **Goal of the Section:** Provide a set of questions to be asked in relation to five key areas surrounding a PPP project. It is hoped that these questions will help ensure more gender-responsive PPP projects, by uncovering information and issues that will translate into different project designs and more nuanced drafting of project agreements.

In addition to the content provided in these four sections, the primer has several annexes which provide in-depth discussion of key gender equality topics and examples of best practices.

## C. AUDIENCE FOR THE PRIMER

This primer caters to actors participating in the development of infrastructure projects in emerging markets and developing economies (EMDEs) through PPPs. It is hoped that government officials from infrastructure-procuring authorities, private-sector advisors, and particularly international-development practitioners (who have more of a mandate to consider gender equality aims when preparing infrastructure PPPs) will find its contents useful. Despite targeting this audience, the primer's contents will likely be useful to all readers interested in the links between gender equality and infrastructure.

## D. METHODOLOGY USED TO DEVELOP THE PRIMER

This primer was developed by a team from the International Finance Corporation's PPP Advisory team and the World Bank's Infrastructure Finance, PPPs and Guarantees Group. It also benefitted from inputs from IFC's Gender Secretariat and the World Bank's Gender department. It was developed through:

- An extensive desk review of the literature on gender equality, and gender equality and infrastructure;
- A review of the project-level experiences of development banks (namely the World Bank Group) in gender equality and infrastructure, and, where possible, PPPs; and
- Consultation with World Bank and IFC operational teams overseeing PPP projects.

## E. HOW TO READ THE PRIMER

The primer is broken into sections to ensure easy navigability and allow readers to jump between sections as needed; however, given that the primer caters in part to readers interested in developing infrastructure PPPs with little knowledge of gender equality, it is recommended to start from Section 1 and work through to Section 4, time permitting.

Readers should be aware that considering gender equality aims and infrastructure PPPs is a relatively new field. Although much research was conducted to develop the primer, there is limited evidence from PPP projects themselves from which to pull best practices. As such, we use best-practice approaches identified from infrastructure projects more generally, and then highlight points along the PPP project cycle and in institutional frameworks where gender equality aims could be addressed. Hopefully, as gender equality goals continue to gain prominence in development and political agendas, more examples of gender equality and infrastructure PPPs will surface, and the primer can be updated accordingly.





## SECTION

# 1

## GENDER EQUALITY & INFRASTRUCTURE: FRAMING THE RELATIONSHIP

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### GOAL OF SECTION

Ground the reader in key concepts and ideas related to gender equality and infrastructure. For further detail readers are directed to Annexes 1–4.

“

Why is gender important for infrastructure policy and operations? Infrastructure development is not simply a technocratic question. It requires combining supply-side issues of technical design specifications... with demand side dimensions of who uses infrastructure, for what purposes, how it is paid for and with what impacts on individuals, households and communities. In this respect, infrastructure development is not gender neutral.

*Making Infrastructure Work for Women and Men: A Review of World Bank Group Infrastructure Projects 2005-2009, World Bank 2012*

## KEY GENDER DEFINITIONS

**Agency:** the capacity to make decisions about one's own life and act on them to achieve a desired outcome, free of violence, retribution or fear.

**Gender:** the social, behavioral and cultural attributes, expectations and norms associated with being male or female.

**Gender equality:** how these aspects determine how women and men relate to each other and the resulting differences in power between them.

This section lays out a conceptual framework and vocabulary for how to think about gender equality and infrastructure. It is grounded in the World Bank's gender strategy, which is anchored in the *World Development Report 2012: Gender Equality and Development* (WDR 2012).

### A. THE CONCEPTUAL FRAMEWORK

The WDR 2012 framework proposes that households, markets and institutions, and the relations between them, influence gender equality and economic development (refer to Box 1), emphasizing:



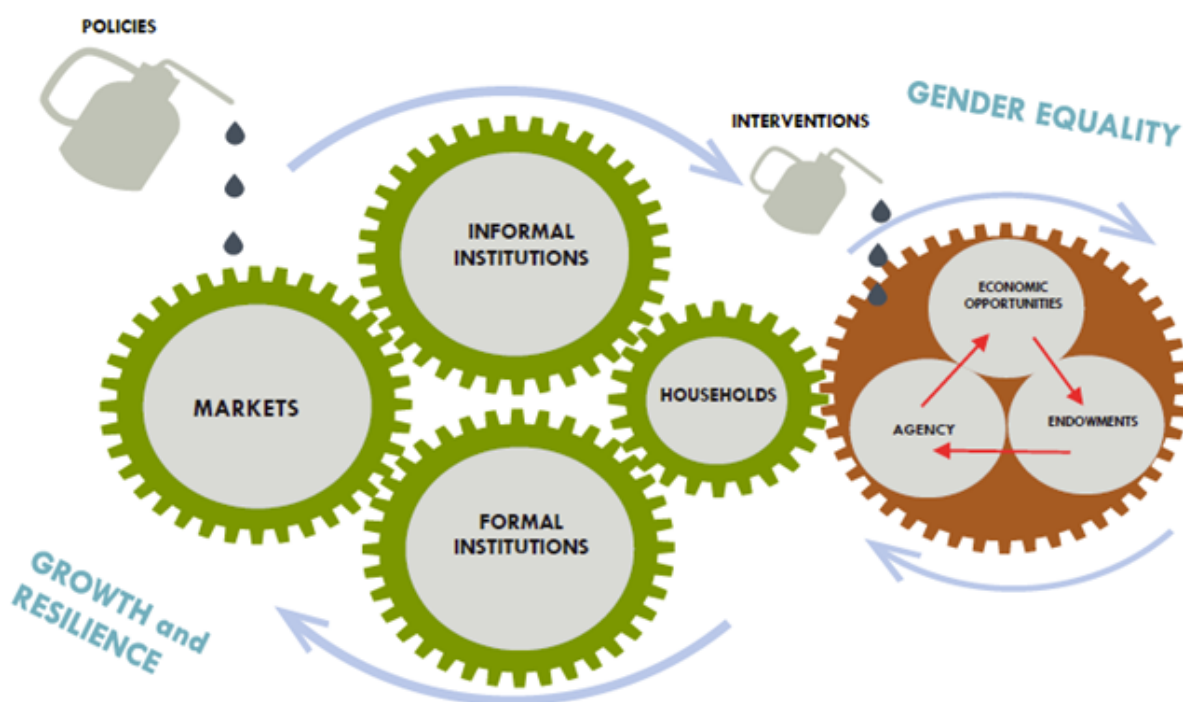
*When [the relationships between the household, markets and institutions] are not considered, the intended policy interventions can be muted or contrary to expectations.*

The World Bank Group's 2016–2023 Gender Strategy (World Bank Group Gender Strategy),<sup>9</sup> built on this framework, aims to tackle four objectives important to promoting gender equality and overcoming the existing gaps in opportunity between men and women (refer to Figure 1):

1. **Improving human endowment gaps**—reduce health, education and social-protection gaps between men and women.
2. **Removing constraints for more and better jobs**—increase women's participation in the labor force, enhance income-earning opportunities, and improve access to key productive assets.
3. **Removing barriers to women's ownership and control of assets**—improve women's access to land, housing and technology.
4. **Enhancing women's voice and agency and engaging men and boys**—include women in decision making on service delivery; reduce gender-based violence and its impact in conflict situations.

<sup>9</sup> World Bank Group gender strategy (FY16-23): gender equality, poverty reduction and inclusive growth (English), World Bank, 2015. <http://documents.worldbank.org/curated/en/820851467992505410/World-Bank-Group-gender-strategy-FY16-23-gender-equality-poverty-reduction-and-inclusive-growth>.

Figure 1: Conceptual Framework for Viewing Gender Equality and Development



Source: World Bank Group gender strategy (FY16-23): gender equality, poverty reduction and inclusive growth (English), World Bank, 2015

## B. INFRASTRUCTURE'S ROLE IN HELPING CLOSE IDENTIFIED GENDER GAPS

The challenges that prevent men and women from achieving similar outcomes in the areas of human development, accessing jobs, control of assets, and voice and agency—the four key objectives of the World Bank's Gender Strategy—range from easily identifiable to harder to pinpoint.

- **The easily identifiable challenges**—such as those leading to human endowment gaps such as different educational outcomes for girls and boys at the secondary-school level—may have concrete solutions, such as building a school or improving water and sanitation in a community, which frees time for girls to go to school.
- **The invisible challenges**—the unspoken societal norms and stereotypes dictating men's and women's behaviors, such as whether a woman would offer her opinion in front of a man—are sometimes harder to recognize or identify. In such cases, however, infrastructure may offer solutions that are transformational at an individual or community level—for example, by employing women in non-traditional jobs such as road maintenance, which can both challenge pervasive social norms and give women the space to exercise their agency. Ample opportunities exist along the infrastructure project cycle to take the different realities of men and women into account, giving women opportunities to build their skills, ultimately leading to better-designed infrastructure and improved development outcomes.

It is worth noting that, although plentiful opportunities exist within a more inclusive infrastructure-project-development process to address gender gaps in outcomes, tackling these disparities at the project level will not eliminate some of the root causes of gender disparities. This will require systemic cultural and behavioral changes.

Annexes 1–4 contain more detailed discussions of the four gender equality gaps targeted by the World Bank Group 2016 Strategy and include discussion of how infrastructure can contribute to closing them. These findings are summarized in Table 1.

### Box 1: Definitions of Markets, Formal Institutions, and Informal Social Institutions

**Markets**—a variety of arrangements that allow buyers and sellers to exchange any type of goods and services subject to a set of rules. Markets allow for any item that is exchanged to be evaluated and priced. Markets can be influenced and shaped by formal and informal institutions.

**Formal institutions**—all aspects that pertain to the functioning of the state, including laws, regulatory frameworks, and mechanisms for the delivery of services that the state provides, such as judicial services, police services, basic infrastructure, health and education.

**Informal social institutions**—the mechanisms, rules and procedures that shape social interactions but do not pertain to the functioning of the state. Gender roles provide guides to “standard” or normative behaviors for each sex within certain social contexts. Roles gain power as they are learned through socialization, elaborated in cultural products, and enacted in daily life. The repeated experience of performing gender roles affects widely shared beliefs about men’s and women’s attributions and one’s own sense of identity. Social norms refer to patterns of behavior that flow from socially shared beliefs enforced by informal social sanctions. These can affect household bargaining in many ways: They set limits on what can be bargained about; they can be a determinant of or constraint to bargaining power; they can affect how bargaining is conducted; and they themselves can be subject to bargaining and can change. Social networks refer to the systems of social relationships and bonds of cooperation for mutual benefit that shape one’s opportunities, information, social norms and perceptions.

*Source: The World Development Report 2012 (Box 4), based on Agarwal, 1994, 1997; Fehr, Fischbacher, and Gächter, 2002; Kabeer, 1999; Sen, 1990.*

**Table 1: Infrastructure’s Role in Closing the Gender Gaps**

Gender Gaps to Close	Description	Infrastructure’s Role in Closing these Gaps
Human endowment gaps—health, education, social protection gaps	Investments in health and education ensure people meet their potential. Progress has been made in health, yet worrying maternal mortality rates remain. Education gaps—between girls and boys—are closing, but not evenly.	<p><b>Improved access to:</b></p> <ul style="list-style-type: none"> <li>• Transport and ICT technologies can facilitate access to health and education</li> <li>• Water, sanitation and electricity can improve health outcomes and reduce time poverty—freeing up time for education</li> <li>• Nearby health facilities and schools can help close these gaps</li> </ul> <p><b>Process for building infrastructure provides opportunities to:</b> Deliver benefit schemes to local population—e.g., schools, health facilities; ensure that contractors take measures to prevent sexual harassment and gender-based violence (GBV)</p>
Removing constraints for more and better jobs	Women’s labor-force participation matters for economies, women’s voices, and agency. Unfortunately, across countries, the rate of women in the labor force pales in comparison to that of men, due to: skills gaps, occupational sex segregation, lack of child/elder-care, mobility constraints, unpaid “drudge work,” gender pay gaps, and legal and regulatory constraints.	<p><b>Improved access to:</b></p> <ul style="list-style-type: none"> <li>• Electricity has been shown to reduce time poverty and enable entrepreneurial pursuits</li> <li>• Water and sanitation can reduce time poverty and free up time for work</li> <li>• Well-designed transport can improve women’s labor-force participation</li> <li>• ICT can allow women access to online-based work and different economic opportunities</li> </ul> <p><b>Process for building infrastructure provides opportunities to:</b></p> <ul style="list-style-type: none"> <li>• Promote women-run businesses along the project-development cycle</li> </ul> <p>Encourage companies to provide equal opportunities for women and men in the workforce through codes of conduct; build skills, and provide jobs for both sexes</p>
Removing barriers to women’s ownership and control of assets	Owning assets helps people generate income, access capital and credit, and cope with shocks. Barriers for women include: no access to financial accounts or credit; and not having proper identification, which prevents women from getting mortgages or connections to services.	<p><b>Improved access to:</b></p> <ul style="list-style-type: none"> <li>• ICT networks provides more opportunities for women to build a digital credit history</li> </ul> <p><b>Process for building infrastructure provides opportunities to:</b></p> <ul style="list-style-type: none"> <li>• Provide joint titling of land during resettlement</li> </ul> <p>Promote gender-sensitive procurement to build/run infrastructure projects/services</p>
Enhancing women’s voice and agency; engaging men & boys	Addressing voice and agency constraints requires engaging men and boys as change agents; changing inequitable social norms, discriminatory laws, and legal institutions; challenging gender stereotypes; and developing programs to promote economic opportunities in emerging high-growth sectors, social protections, and education, especially in STEM.	<p><b>Improved access to:</b></p> <ul style="list-style-type: none"> <li>• Well-designed infrastructure can improve health outcomes, reduce time poverty, etc., giving women opportunities to improve their education and exercise agency</li> <li>• Safe transport services can promote personal security of women and girls</li> </ul> <p><b>Process for building infrastructure provides opportunities to:</b></p> <ul style="list-style-type: none"> <li>• Promote women’s voices—especially through stakeholder consultations</li> <li>• Develop skills and leadership potential equitably for women and men</li> </ul> <p>Hold construction contractors and service providers to a Code of Conduct designed to prevent incidents of sexual harassment and GBV</p>

## C. SECTION ONE REFERENCES FOR FURTHER READING

- *World Bank Group gender strategy (FY16-23): gender equality, poverty reduction and inclusive growth (English)*, World Bank, 2015.
- *World Development Report 2012: Gender Equality and Development*, World Bank.  
<https://openknowledge.worldbank.org/handle/10986/4391> License: CC BY 3.0 IGO

Annex 1: Infrastructure and Human Endowments

Annex 2: Infrastructure development and equal access to jobs

Annex 3: Infrastructure development and women's ownership and control of assets

Annex 4: Infrastructure development and women's voice and agency



SECTION

# 2

## BEST PRACTICES FOR INCORPORATING GENDER EQUALITY IN INFRASTRUCTURE

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### GOAL OF SECTION

Give the reader an understanding of the mechanisms and processes that can be used to ensure that infrastructure projects not only “do no harm” to women or men but also create positive and equitable benefits for both.

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Rather than trying to reinvent the wheel, build on to that which is already excellent.

— Auliq Ice

This section provides a brief review of the World Bank and other development banks' experiences with incorporating gender equality into infrastructure projects, and aims to:

- Provide an overview of the experience and knowledge stemming from infrastructure projects that have incorporated gender into projects;
- Describe the results framework, methods and tools that can help promote meaningful consideration of gender equality in infrastructure projects; and
- Provide a brief discussion of some of the downside risks of not considering gender equality in project planning.

## A. LEARNING FROM THE INFRASTRUCTURE EXPERIENCE WITH GENDER

The experience of development banks in incorporating gender into infrastructure projects reflects the growth in gender as a development priority. Projects across infrastructure sectors are increasingly adopting measures to ensure that benefits accrue evenly to women and men, and that projects include actions to promote women's economic empowerment.<sup>10</sup>

Empirically proven lessons—revealing what works and what does not—are hard to find. In some cases, evidence shows that a subsector (for example, rural electrification) or gender action (such as joint titling or business training) is proven to promote women's economic empowerment.<sup>11</sup> It is helpful, however, for those interested in infrastructure PPPs to refer to the growing body of best-practice examples emerging from infrastructure projects, including those procured through methods other than PPPs. Several of these are discussed in this section. Best-practice approaches for incorporating gender into infrastructure project planning and development will need to rely on the specifics of the project and local context.

## B. ROBUST RESULTS FRAMEWORKS TO ACHIEVE GENDER EQUALITY GOALS

As a base rule, projects achieve better gender equality results when those involved in the project—particularly governments and private-sector participants—spend time and resources to meaningfully consider how a project can address gender gaps. Reviews show that infrastructure operations have more success at promoting gender equality when they:<sup>12</sup>

- Prepare appropriate gender analyses** to understand project risks and opportunities, and how they affect men and women differently;
- Adequately reflect this analysis in project design, results and operations;** and
- Monitor and evaluate the results.**

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10 For more, see: *Making Infrastructure Work for Women and Men: A Review of World Bank Group Infrastructure Projects 2005-2009*, World Bank, 2012, and *Asian Development Bank: Support for Gender and Development (2005-2015)*, Asian Development Bank, 2017.

11 Buvinic, Mayra and O'Donnell, Megan, *Revisiting What Works: Women, Economic Empowerment and Smart Design*, Center for Global Development, 2016.

12 Ibid.

There are several methods and tools (see summary in Box 2) that can be deployed throughout the infrastructure-project-development process to ensure inclusion of gender considerations. These are discussed in more detail below, alongside several cases that provide best-practice examples.

### Box 2: Summary of Methods for Integrating Gender Equality into Design, Delivery, Performance Monitoring or Evaluation of Projects

- a. **Methods to Prepare the Appropriate Gender Analysis for a Project**
  - i. **Gender Analysis:** a socio-economic analysis of gender relations that provides information about the different conditions of women and men, and the different effects that projects may have on them.
  - ii. **Gender-Sensitive Stakeholder Consultations:** public meetings held with women and men directly affected by an infrastructure project. In contexts where socio-cultural norms prevent women from voicing opinions in front of men, or where women are mostly confined to households, it is important to conduct consultations separately with men and women.
  - iii. **Sex-Disaggregated Data:** data collected and tabulated separately for women and men. This allows for the measurement of differences between women and men on various social and economic dimensions related to a project.
- b. **Methods to include targeted gender actions in project design, results and operations:**
  - i. **Gender Action Plan (GAP):** lays out the goals and activities of the project related to closing the gaps in outcomes for both women and men. These activities could be a part of the core development, building and operations of a project, or they could be part of the social engagement angle of the project, designed to provide the fullest benefit to the community.
  - ii. **Allocate Resources:** Dedicated budget line items for gender-related activities and analyses. Without appropriate resources, gender analyses and project-related activities designed to help limit risks to women and men or promote equitable opportunities cannot proceed.
  - iii. **Mechanisms to Ensure Gender Analyses and Stakeholder Consultations are Reflected in Project Design, Results and Operations:** e.g., through targeted gender activities, gender-responsive design and technical specifications, or including a gender-related project objective.
- c. **Methods and Tools for Gender-Sensitive Monitoring and Evaluation:**
  - i. **Gender Indicators:** established to measure and compare the situation of women and men over time. Can be quantitative (based on statistics broken down by sex) or qualitative (based on women's and men's experiences, attitudes, opinions and feelings).
  - ii. **Gender Monitoring:** a systematic and objective assessment of the design and planning (objectives, results pursued, activities planned), and the implementation and results of an ongoing project from a gender perspective. This considers information and data collected during different planning and implementation phases, as well as other knowledge and sources.
  - iii. **Gender Impact Assessment:** an ex-ante evaluation, analysis or assessment of a project to estimate whether the project had a positive, negative or neutral consequence for the state of equality between women and men.

Sources: *Making Infrastructure Work for Women and Men: A Review of World Bank Group Infrastructure Projects 2005-2009*, World Bank, 2012, and European Institute for Gender Equality

## a. Methods to Prepare the Appropriate Gender Analysis for a Project

Including these methods or tools as part of the project-development process can help planners understand how a project might impact women and men differently. This could be in terms of possible benefits and uses women and men could derive from the infrastructure project and resulting service, or of possible risks they could face—for example, loss of livelihood due to resettlement, or incidents of gender-based violence. Using analytical tools to understand a project's potential welfare and social impacts can help ensure that an infrastructure project is responsive to the specific needs of all end users, and that it is developed and designed to reduce potential project-related risks. It is worth highlighting up front that conducting the analysis is not enough; the true value of the fuller analysis comes into play when that information is used to inform how the project is designed or delivered.

- i. **Gender Analysis:** Analytical findings help in the design of interventions that promote gender equality. A common error in attempts to conduct gender analysis is to only study women. This approach is limiting, in that it sheds only minimal light on the relationship between men and women, which is key to understanding gender relations.<sup>13</sup> Box 3 provides some ideas of what infrastructure-project planners would seek to glean from gender analyses, and Box 6 provides an example of how gender analysis helped inform the resettlement process of the Nam Theun 2 Hydropower Project.

### Box 3: How Does Gender Analysis Help Inform Infrastructure Projects?

- Identifying gender-specific priorities, needs and usage of infrastructure
- Designing facilities and services which are responsive to users' needs, by differentiating those needs based on gender and other social factors
- Identifying specific target groups by more accurately understanding who is "poor" or most "needy"
- Understanding and addressing the differential impacts on women, men, girls and boys
- Understanding and addressing the socio-economic situation and cultural contexts
- Identifying the potential problems in access to and use of infrastructure which can arise from existing or traditional land usage or water rights
- Challenging assumptions and stereotypes
- Understanding the constraints and barriers to women and men's participation in project activities and access to benefits
- Designing strategies to enhance positive outcomes and remedial measures to address negative impacts

*Source: Excerpt from Why Gender Matters for Infrastructure, prepared by the Organisation for Economic Co-operation and Development (OECD) Development Assistance Committee's Network on Gender Equality, October 2004.*

- ii. **Gender-Sensitive Stakeholder Consultation (GSSC):** Depending on the local context where an infrastructure project is being built, different social cultural norms may prevent women from voicing opinions in front of men. Or, where women are mostly confined to households, it is important to conduct consultations in a way that ensures their participation. It is also important to conduct consultations with women and men of different socio-economic status and demographic characteristics, and

<sup>13</sup> Doss, Cheryl and Kieran, Caitlin, *Standards for Collecting Sex-Disaggregated Data for Gender Analysis: A Guide for CGIAR Researchers*.

to ensure their attendance (for example, a convenient time and culturally acceptable setting for women to gather and provide feedback) as well as their meaningful participation (particularly in mixed groups). Taking such considerations into account during consultations with stakeholders is important throughout the project lifecycle, from project preparation through to operation. Box 4 provides a checklist for conducting gender-sensitive consultations.

#### Box 4: A Checklist for Gender-Sensitive Stakeholder Consultations

- Include an equal split of men and women from different age groups, in surveys, interviews, meetings and consultations, and disaggregate data;
- Include female members in survey teams, community liaison staff (who can, for example, conduct discussions, interviews or receive grievances from women) or work through women's organizations;
- Ensure representation and presence of women from different socioeconomic groups and women's rights organizations in all meetings and consultations;
- Ensure that meetings and consultations are organized at a time when women find it convenient to attend, so that maximum participation can be ensured; consider offering childcare during meetings;
- Consider separate meetings and consultations for women; and
- Raise priority issues for women.

Sources: *Stakeholder Engagement—A Good Practice Handbook for Companies Doing Business in Emerging Markets*, IFC, 2007; *Gender Checklist Resettlement*, ADB, 2003.

**iii. Collection of Sex-Disaggregated Data:** Collecting and analyzing sex-disaggregated data is an important part of every gender analysis. Even if infrastructure project developers are unable to conduct a thorough gender analysis, sex-disaggregated data is a powerful tool to identify quantifiable differences between women and men, and between girls and boys. Without sex-disaggregated data, vital information is missed about the existing differences and gaps between girls, boys, women and men, and important opportunities to adapt infrastructure projects and services to meet their unique needs and improve outcomes can be overlooked.

#### Box 5: Sex-Disaggregated Data: A Minimum Standard for Planning, Implementing, Monitoring and Evaluating All Types of Development Initiatives

*“Disaggregating information by sex means that we count males and females separately when gathering information on development activities and benefits. Sex-disaggregated data is important because it helps assess whether an initiative is successful at targeting and benefiting women, men, girls, and boys as planned. Indicators should specify that all data about target groups and beneficiaries will be sex-disaggregated. Information may also be disaggregated according to other key variables, depending on the type of initiative, target group, and context—such as socioeconomic group, age, ethnicity, race, religion, or location (rural or urban).”*

Source: *Toolkit on Gender Equality – Results and Indicators*, ADB and Australian Aid, 2013.

### **Box 5, cont.: Sex-Disaggregated Data: A Minimum Standard for Planning, Implementing, Monitoring and Evaluating All Types of Development Initiatives**

#### **Tips for Collecting Sex-Disaggregated Data**

- Collect information about both men and women. Ask questions about specific individuals or groups and identify them by sex.
- Collect information from men and women. This does not necessarily require interviewing men and women in the same household. Studies that fail to include male and female respondents will be subject to biases; the extent of the bias will depend on the knowledge and perceptions of the respondent(s).
- All data collection methods must be context specific. Questions must be adapted to the context. Those collecting and analyzing the data need to understand gender roles and social dynamics. This knowledge must also guide the settings for interviews or focus groups.
- Budget for the additional costs of collecting sex-disaggregated data.
- Work with a gender equality expert early in the process to define the research question and methodology.
- Researchers collecting data from human subjects must ensure that the participants have completed a confidentiality and consent agreement. While these requirements are important for all research, they are essential for gender analyses that address sensitive topics such as asset ownership and domestic violence.
- Comparing male and female headed households is not gender analysis. Differences between these diverse household types cannot necessarily be attributed to the sex of the household head.

Source: Doss, Cheryl and Kieran, Caitlin, Standards for Collecting Sex-Disaggregated Data for

Box 6 provides an example of how these tools were deployed in the Nam Theun 2 Hydropower Project in Laos PDR. Box 7 provides a little more discussion on the potential for land titling during a resettlement process to positively impact women's economic empowerment and agency.

### **Box 6: Gender Analysis Methods Helped Nam Theun 2 Hydropower Project Planners Reduce Resettlement Burdens on Women and Promote Economic Empowerment**

Gender Analysis, 2014. The Nam Theun 2 (NT2) hydropower dam, procured under a 25-year build, own, operate and transfer (BOOT) type PPP, was a landmark project for the government of Laos PDR. Building it required relocating more than 6,000 people from 17 villages on the country's Nakai Plateau. The area, historically marked by poverty and low capacities, was not in a great position to absorb the stresses associated with resettlement.

In low-capacity contexts, resettlement can greatly upset normal functioning of affected populations and exacerbate existing gender inequalities, unless properly understood, addressed and managed. Challenges such as lack of formal land ownership means women can fail to benefit

### Box 6, cont.: Gender Analysis Methods Helped Nam Theun 2 Hydropower Project Planners Reduce Resettlement Burdens on Women and Promote Economic Empowerment

equally from resettlement compensation mechanisms, or their generally more restricted mobility can limit their capacity to adjust to new circumstances once resettled.<sup>14</sup> For these reasons, when resettlement occurs, it is important to analyze and understand how the process will affect the population, including the different impacts on women and men.

In preparing for the NT2 resettlement process and planning the social mitigation programs, project planners adhered to World Bank Resettlement Guidelines<sup>15</sup> and the Equator Principles.<sup>16</sup> A gender analysis found that women and girls, particularly those from marginalized ethnic groups or disadvantaged households, stood to lose the most from the resettlement process.<sup>17</sup>

The project's social and environmental studies, enshrined in parts 1–4 of Schedule 4 of the Concession Agreement (CA) stipulated that “the Company (Nam Theun 2 Power Company) agrees under the CA to comply with and implement at its own cost those of the Environmental and Social Objectives set out in Schedule 4, which are expressed to be the activities and obligations for which it is responsible...”<sup>18</sup> The Gender Resettlement Strategy,<sup>19</sup> which formed part of the CA's environmental and social objectives, included the following key aims:

1. Collect sex disaggregated data
2. Set gender balance targets for community supported activities
3. Open leadership opportunities for women villagers
4. Monitor gender concerns, especially about women's labor burdens
5. Increase access to family planning and health care
6. Increase women and girl's access to education and literacy
7. Improve clean water access
8. Improve transport
9. Set up savings and loans group

By and large, the gender actions related to resettlement were successful.<sup>20</sup> Resettled populations benefitted from health improvements to reduce issues prevalent to the local community, such as maternal and infant mortality. Steps were taken to improve women's and girls' levels of education and literacy. All new assets were jointly issued in the name of husbands and wives; and to receive new assets, women and men had to be present. There were also training workshops to explain the importance of joint titling. Women also benefitted from access to: child-care facilities during resettlement; savings and loans schemes; and assets such as push carts and clean water to reduce their work burdens.<sup>21</sup>

14 See Asian Development Bank's “Gender Checklist Resettlement” February 2003 for more challenges often faced by women in the resettlement process. Accessed at <https://www.adb.org/sites/default/files/publication/28731/gender-checklist-resettlement.pdf>.

15 <https://policies.worldbank.org/sites/ppf3/PPFDocuments/090224b0822f89db.pdf>.

16 See Nam Theun 2 Power Company (NTPC) website: <http://www.namtheun2.com/index.php/reports/independent-studies>.

17 *Making Infrastructure Work for Men and Women*, World Bank, 2010.

18 See “Summary of Concession Agreement” at <http://www.namtheun2.com/index.php/reports/reports-doc>.

19 For more on the gender resettlement strategy, see: Volume 2 – Chapter 17 “Social Development and Community Strengthening,” pp. 16-18, at <http://www.namtheun2.com/index.php/reports/reports-doc>.

20 The NT2 project benefits from an external Panel of Experts which follows up on the project's Resettlement Objectives and Provisions with annual reports. The latest report, from May 2018, stated that the gender objectives appear to be effective. These reports are available at <http://www.namtheun2.com/index.php/reports/reports-doc>.

21 *Making Infrastructure Work for Men and Women*, World Bank, 2010.



### Box 7: The Possibility of Land Allocations during Resettlement to close Gender Gaps

Gender disparities in land access remain high the world over, regardless of the region's level of development.<sup>22</sup> This is unfortunate, because studies show that women's ownership of land can be potentially transformative, not only as a store of value, but as a means of acquiring other assets and engaging in other business.<sup>23</sup> Infrastructure projects requiring resettlement, such as Nam Theun 2, offer an opportunity for project planners to help close the gender gap in property ownership through joint titling of new land. When the process is done properly, it can help accrue the following benefits to women:

- **Removing barriers to women's ownership and control of assets:** Land can serve as collateral for credit and a savings for the future.<sup>24</sup>
- **Enhancing women's voice and agency:**
  - Land can become a social asset crucial for cultural identity, political power and participation in decision making.
  - Land rights for women can help reduce domestic violence—evidence shows that women's land rights reduce domestic violence, and women who own land are more capable of exiting violent relationships and negotiating safe sex.<sup>25</sup>

22 Economic and Social Perspectives: Gender and Land Rights, Food and Agriculture Organization (FAO), 2010.

23 Namubiru-Mwaura, Evelyn, *Land Tenure and Gender: Approaches and Challenges for Strengthening Rural Women's Land Rights*, World Bank, 2014.

24 A World Bank impact assessment of the Vietnam Land Administration Project, which had a joint titles program, revealed that about 42 percent of people surveyed used their newly issued LUC for investment, either as a collateral to borrow from banks or as a share for investment.

25 *A Quick Guide to What and How: Increasing Women's Access to Land*, SIDA, 2009.

## b. Methods to Include Targeted Gender Actions in Project Design and Operations

Once infrastructure-project planners have conducted the appropriate gender analyses to understand how the project could either hinder or promote gender equality goals, they can allocate resources in terms of staff time or budget to adequately support targeted gender activities or aims as part of the project process. Ways to formalize this include:

- i. **Gender Action Plan (GAP):** This lays out the gender-related goals and activities of the project. These activities could be part of the core development, building and operations of a project, or they could be part of the social-engagement angle of the project, designed to provide the fullest benefit to the community (see Box 8).
- ii. **Allocate Resources:** Hire gender equality experts to conduct needed, ongoing analyses and monitoring of risks and opportunities associated with projects and how they impact women and men, girls and boys differently, or earmark budget line items for targeted gender activities.
- iii. **Gender-Sensitive Design and Operations:** Gender analysis conducted at the project identification and appraisal stage can help influence the design of the infrastructure project such that it equitably meets the needs of women and men.

### Box 8: Two World Bank Transport Projects Move from Analysis to Action to Ensure that Gender Concerns are Considered, and Gaps Reduced Gaps

**Women included in rural road maintenance in World-Bank-supported Peru Decentralized Rural Road Project (World Bank Project, P095570):** Women living in rural Peru have less economic and decision-making opportunities than their male counterparts. This stems from their lower education levels, as well as the society's more conservative vision of gender roles in rural areas.<sup>26</sup> For this reason, the World Bank's Peru Decentralized Rural Road Project, the third project in a series of rural transport projects designed to improve and maintain rural roads, developed a **GAP**. The GAP included measures to enhance women's participation in income-generating activities in the project's affected areas. The GAP helped ensure that women could contribute to the project's microenterprise-based road maintenance model, which aimed to generate employment for poor men and women from the rural communities living alongside the rehabilitated roads, and thus ensure benefits from improved access. Promoting women's employment in this model was achieved through a target for women's employment, inclusive hiring practices and outreach efforts. The more inclusive hiring practices meant that projects prioritized hiring from female-headed households, reducing the weight given to education level in determining membership, recognizing previous experience in specific tasks needed for road maintenance rather than in actual road building, and classifying women's management of households as managerial experience. Furthermore, the Rural Roads Committees, charged with contracting out the maintenance services and overseeing the work, were at least 20 percent women. Women also benefitted from the project's Local Development Window, which aimed to accelerate the emergence of productive activities alongside improved roads.<sup>27</sup>

**Metro Manila BRT Line 1 Project listened to women and responded to their needs (World Bank Project, P132401):** Women account for 55 percent of public-transport users in Metro Manila and experience a unique set of challenges. The project's social-impact assessment, which included **gender-sensitive stakeholder consultations**, revealed key gender concerns, for example: (a) physical harassment possibly due to overloading; (b) inadequate safety and security; (c) difficulty in traveling with children and luggage; (d) the need for a payment scheme to allow for multiple trips; (f) difficulty in boarding and alighting; (g) women employees poorly represented in the public-transport sector, where drivers and conductors are predominantly men. These concerns were **integrated into the project through gender-sensitive design features**: (a) sufficient space for passengers and cargo; (b) upgraded sidewalks and walking facilities, well-lit stations and surveillance equipment installed on buses and at stations; (c) bus rapid transit (BRT) system designed for ease of boarding and alighting, with buses and the stations at the same level; and (d) a project policy environment that promotes equal-employment opportunities for women in the BRT system. The project's results framework includes specific gender-disaggregated indicators.<sup>28</sup>

<sup>26</sup> Peru - Decentralized Rural Transport Project (English), World Bank Group, 2014, <http://documents.worldbank.org/curated/en/936081468059359160/Peru-Decentralized-Rural-Transport-Project>.

<sup>27</sup> Ibid.

<sup>28</sup> Project Appraisal Document for the Metro Manila BRT—Line 1 Project. February 23, 2017. Accessible here: <http://documents.worldbank.org/curated/en/270231488468381979/pdf/Philippines-Metro-Manila-PAD-PAD1382-02272017.pdf>.

**c. Gender-Sensitive Monitoring and Evaluation:**

The maxim “what gets measured, gets managed” applies to gender equality and infrastructure projects. As with any objective of a project, it is not enough to conduct the analysis and support actions related to gender equality goals. Gender equality results, aims and actions should be monitored and evaluated throughout the project life cycle. This process will help inform and improve existing project operations and provide knowledge that can inform future projects. Some key methods to deploy include:

- i. Gender Indicators:** These indicators are established to measure and compare the situation of women and men over time. They can be quantitative (based on statistics broken down by sex) or qualitative (based on women’s and men’s experiences, attitudes, opinions and feelings).<sup>29</sup> Box 9 provides some tips on what to bear in mind when developing gender-sensitive indicators.

**Box 9: Tips to Keep in Mind when Developing Gender-Sensitive Indicators Gaps**

1. Identify gender issues within a specific context of the program or activity.
2. Formulate measures that demonstrate the mitigation/removal of gender-based constraints or the change in the relationship or roles of women and men, girls and boys over time.
3. Establish realistic targets that aim to advance gender equality. Separate targets for males and females and by relevant age groups. Check assumptions: Would an intervention targeted to vulnerable children and families benefit all families equally? Instead of “Increase vulnerable children and family income by 25 percent,” consider “Increase child-headed households’ income by 25 percent.” It’s also important to track girl-headed households and boy-headed households separately.
4. Clarify where more information is needed, and determine how this information can be obtained. Have you conducted a gender analysis, or interviewed women and men, girls and boys?
5. Indicators should capture quality, not just quantity. Avoid counting bodies—capture true participation and decision-making power. Gender-sensitive indicators aim to assess increases in access and equality. For example, when measuring impact and increases in equality, the quality of jobs newly available to women is more important than the number employed.
6. Aim to measure changes in the levels of inequality. Measure proportions instead of numbers; compare proportions of males and females. Compare proportions over time to the proportions expected (if available).

Source: *Gender Considerations in Monitoring and Evaluation*, USAID, 2018; <https://www.usaidassist.org/resources/gender-considerations-monitoring-and-evaluation>

- ii. Gender Monitoring:** This refers to systematic and objective assessment of the design and planning (objectives, results pursued, and activities planned), implementation, and results of an ongoing project from a gender equality perspective. It considers information and data collected during different planning and implementation phases, as well as other knowledge and sources.
- iii. Gender Impact Assessment:** This is an ex-ante evaluation, analysis or assessment of a project to estimate whether the project had a positive, negative or neutral consequence for the state of equality between women and men, girls and boys.

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<sup>29</sup> Ibid.

### Box 10: Monitoring and Evaluation of the Resettlement Associated with the Nam Theun 2 Project

As mentioned in Box 6, the Nam Theun 2 Hydropower Project evaluated the impacts of the resettlement process on women and men, identifying that women stood to be most affected. As a result, the project company had a “Gender Strategy for Resettlement.” The website of the project company, Nam Theun 2 Power Company, includes an impact evaluation of the gender components of the project—Andrea Lea Esser’s Evaluation of the Government of Lao PDR’s and NTPC’s Concession Agreement Obligations Related to Gender for the Nam Theun 2 Project—which systematically reviews the project’s gender equality obligations. It includes recommendations such as working on increasing school enrollment for girls in specific project-affected villages and developing mechanisms to overcome family violence.<sup>30</sup> The evaluation’s annex provides an overview of the strategic action plan (such as a gender action plan) of the project.

This evaluation document, when read with other NT2 project-related documents, is a useful example of how gender considerations can be included in a project throughout the analysis, action, monitoring and evaluation framework.

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<sup>30</sup> Esser, Andrea Lee, *Evaluation of the Government of Lao PDR’s and NTPC’s Concession Agreement Obligations Related to Gender for the Nam Theun 2 Project*, 2014, p. 28.

## C. MANAGING PROJECT RISKS THAT ARE POTENTIALLY HARMFUL TO GENDER OUTCOMES

Thinking about gender concerns can also help project teams mitigate key risks such as GBV or unintended consequences associated with infrastructure projects.

### a. Risks Related to Labor Influx and Civil Works

Construction of large-scale infrastructure projects such as highways or dams often involves the influx of a large pool of external labor and their “followers” into an area or community. There are documented instances where this large labor influx has been linked to adverse project impacts, including incidents of GBV and violence against children.<sup>31</sup>

The World Bank note *Managing the Risks of Adverse Impacts on Communities from Temporary Project Induced Labor Influx* (2016) lists three key principles to bear in mind:

- i. Reduce labor influx by tapping into the local workforce;
- ii. Assess and manage labor-influx risk based on appropriate instruments, namely the Environment and Social Impact Assessment, sector assessments, or other relevant studies; and
- iii. Incorporate social and environmental mitigation measures into the civil works contract.

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<sup>31</sup> Some examples are mentioned in: Gupta, Geeta Rao and Sierra, Katherine, *Working together to prevent sexual exploitation and abuse: recommendations for World Bank investment projects (English)*, World Bank Group, 2017.

The same note also details several questions project planners should bear in mind when thinking about the possible consequences of labor influx:

- Will the project take place in a rural or urban environment?
- What is the scale of the labor influx?
- Does the local community have the capacity to absorb incoming workers, or will separate camp facilities be necessary?
- What is the geographic span of the project, and how many communities will project activities affect?
- Will the project be able to monitor implementation over the full span of the work?

To determine the project-related risks of GBV, infrastructure-project planners should also consider the following questions at the outset of project preparations:

- Are country-level rates of GBV higher than regional averages?<sup>32</sup>
- What are women's and men's attitudes to sexual harassment and GBV?
- What protections from violence does the existing legal framework provide women and children in the country of focus, particularly as related to i) child and early marriage; ii) domestic violence; iii) sexual harassment; and iv) marital rape?<sup>33</sup>
- Are there prevailing socio-cultural norms that minimize women's roles or participation in the public and private spheres?<sup>34</sup>
- Will the project take place in a fragile or conflict-affected environment?<sup>35</sup>

In addition to these points to bear in mind, planners should note that often national legislations fail to make sufficient legal provisions for the diverse forms of GBV (for example, physical, sexual, psychological and economic violence) as related to workplace environments; thus, the project will need to put in place sufficient mitigation measures to prevent such occurrences.

Box 11 provides an example of how to use procurement as a tool to mitigate GBV risks in infrastructure civil-works contracts. This is an interesting concept and way of using procurement as a tool.

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32 This information may be available in country-level Demographic and Health Surveys conducted periodically by the World Health Organization (WHO), or by other international actors (<http://dhsprogram.com/What-We-Do/Survey-Types/DHS.cfm>).

33 These data have been aggregated and are available in the Women, Business and the Law dataset, a World Bank product that collects data on laws and regulations constraining women's entrepreneurship, employment and agency (<http://wbl.worldbank.org/data/exploretopics/protecting-women-from-violence>).

34 Information on the prevalence or strength of patriarchal norms that may serve to disempower women may be available across a range of sources, including the World Values Survey, the Organization for Economic Cooperation and Development Social Institutions and Gender Index (SIGI), Gallup, or stakeholder consultations and interviews, particularly with women's groups and organizations.

35 Global evidence indicates that incidence of GBV often increases before and during conflicts and persists even after conflicts end because, among other factors, exposure to conflict may contribute to greater tolerance for violence (IASC 2015).

### Box 11: World Bank Vanuatu Aviation Project Considers Local Context and Introduces Codes of Conduct to Reduce Gender-Based Violence and Violence Against Children

The eight small Pacific Island Countries (PIC8), including the Republic of Vanuatu, have some of the highest incidences of GBV in the world.<sup>36</sup> Women in more than half of the PIC8 countries suffer from partner or non-partner violence, which has major traumatic and disempowering effects. GBV is often associated with poverty, poor health, lack of housing, and increased stress on children’s development, education and nutrition.<sup>37</sup>

Bearing this local context in mind, the World Bank team preparing the Vanuatu Aviation Investment Project, which is designed to bring critical upgrades to improve the safety and efficiency of Vanuatu’s aviation sector,<sup>38</sup> decided to incorporate mechanisms in the project that limited the risks of GBV. They embedded provisions in bidding documents for runway civil works that require the contractor to take responsibility for implementation, enforcement and monitoring of a code of conduct covering GBV. Subsequently the project established “The Codes of Conduct and Action Plan to Prevent GBV as well as Violence Against Children (VAC),” which apply to this Vanuatu project, as well as work in Tuvalu and Samoa. The aim of these documents was to introduce:

““a set of key definitions, core Codes of Conduct, and guidelines that establish mechanisms for preventing, reporting and addressing GBV and VAC within the work site and in its immediate surrounding communities. These Codes of Conduct are to be adopted by those working on the project and are meant to: (i) create common awareness about GBV and VAC; (ii) ensure a shared understanding that they have no place in the project; and, (iii) create a clear system for identifying, responding to, and sanctioning GBV and VAC incidents.”<sup>39</sup>

Through the contractor, the project also established a working relationship with a local organization to manage referrals and service provisions for victims of GBV.

The World Bank team that introduced this innovative idea into the project remarked that it was important to get client buy-in for the concept as well as contractor buy-in. With regards to getting the contractor buy-in, it was noted that this obligation would come at no cost to the contractor—the cost of this additional awareness building and training around GBV was built into the bill of quantity; thus, the cost of staff attending GBV and VAC training would not affect their bottom line.<sup>40</sup>

At the time of writing this primer, this approach of using codes of conduct was still being tested and monitored to ensure rigorous learning. In addition to this project, in October 2017, the World Bank Group incorporated enhancements to the environmental, social, health and safety aspects of its Standard Bidding Documents for Procurement of Works (among other standard procurement documents) to include additional provisions on sexual exploitation and abuse (SEA) and GBV.<sup>41</sup>

36 *Systematic Country Diagnostic for Eight Small Pacific Island Countries: Priorities for Ending Poverty and Boosting Shared Prosperity*, World Bank, 2016. License: Creative Commons Attribution—Non-Commercial—No Derivatives 3.0 IGO (CC BY-NC-ND 3.0 IGO).

37 Ibid.

38 See Vanuatu Aviation Investment Project Page for more information: <http://projects.worldbank.org/P154149/?lang=en&tab=overview>.

39 From the VAIP CoC and Action Plan.

40 This was discussed at an internal World Bank event on March 6, 2017. Some of this content may eventually be posted on the World Bank’s Open Learning Campus: <https://olc.worldbank.org/content/using-codes-conduct-prevent-and-respond-gender-based-violence-lessons-pacific-islands-and/>.

41 These documents can be found at: <http://www.worldbank.org/en/projects-operations/products-and-services/brief/procurement-new-framework#SPD/>.

## b. Risks of Not Achieving the Development Aims or Service-Quality Standards of the Infrastructure Project

While no infrastructure project can please everyone, failure to conduct gender analysis upfront can lead to poor outcomes. One example in Zanzibar, where women were excluded from the stakeholder-consultation process, demonstrated the real effects of this. Due to existing socio-cultural norms, when electricity came to Uroa village, Zanzibar women were excluded from the process. As a result, spaces predominately used by men, such as the village mosque and the local fish market, were electrified, whereas those used by women, like the grain mill and the kindergarten, were not.<sup>42</sup>

## D. SECTION TWO REFERENCES FOR FURTHER READING

### Development Banks' Experiences with Gender and Infrastructure

- *Making Infrastructure Work for Women and Men: A Review of World Bank Group Infrastructure Projects 2005-2009*, World Bank, 2012.
- *Support for Gender and Development (2005-2015)*, Asian Development Bank, 2017.

### Gender Methods

A good overview of many of these can be found on the European Institute for Gender Equality's web page: <http://eige.europa.eu/gender-mainstreaming/methods-tools>.

- *Quick Guide to Gender Analysis*, Oxfam, 2014.
- Pangare, V., *Guidelines on how to collect sex-disaggregated water data*, *Gender and Water Series*, WWAP, UNESCO, 2015.
- *Tool kit on gender equality results and indicators*, Asian Development Bank, 2013. This includes a valuable discussion on establishing a gender-sensitive results framework and includes multiple sample gender-sensitive indicators across sectors.

### Sector Specific Resources

- *Gender tool kit: Transport—Maximizing the benefits of improved mobility for all*, Asian Development Bank, 2013. Includes a good overview of differences between the genders and how they use transport systems, as well as discussion of gender entry points in various transport sub-sectors (for example, urban, rural, national highways, water transports and bridges).
- *Gender 1: Urban rehabilitation and transport projects*, European Bank for Reconstruction and Development, 2011. This guidance note contains practical tips and suggestions on how to include gender in urban transport projects, including a nice visual of gender entry points along the project life cycle.
- Orlando, Maria Beatriz; Janik, Vanessa Lopes; Vaidya, Pranav; Angelou, Nicolina; Zumbayte, Ieva; and Adams, Norma, *Getting to Gender Equality in Energy Infrastructure: Lessons from Electricity Generation, Transmission, and Distribution Projects*, Energy Sector Management Assistance Program (ESMAP) Technical Report, no. 012/18, World Bank Group, 2018.

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<sup>42</sup> Winther, Tanja, *The impact of electricity: Development, desires and dilemmas*, Berghahn Books, 2008.



SECTION

# 3

## GENDER EQUALITY INTEGRATION IN PPPs

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### GOAL OF SECTION

Building on the previous two sections, to provide the reader with brief and practical guidance on how to systematically integrate gender considerations into PPP projects and frameworks in a way that promotes a strong results chain linking analysis, action, monitoring and evaluation.

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The world as we have created it is a process of our thinking. It cannot be changed without changing our thinking.

— Albert Einstein

This section provides brief and practical guidance on how to systematically integrate gender considerations into PPP frameworks and projects in a way that links analysis, action, monitoring and evaluation into a strong results chain. It achieves this by providing an overview of entry points across the PPP project cycle where tools or legal instruments can be applied by project teams to identify and analyze gender gaps; develop and implement corresponding actions and indicators; and monitor and evaluate results to ensure better project outcomes for men and women. Actively analyzing gender implications of PPP projects, taking actions to improve outcomes, and determining whether these actions had the desired effect will help infrastructure PPP projects make headway towards promoting gender equality and women's empowerment.<sup>43</sup>

Although this section provides examples of solutions successfully used to address certain gender issues within PPP or infrastructure projects more generally,<sup>44</sup> it does not discuss design options in detail. The publications referenced at the end of this section provide more detailed information.

## A. INTRODUCTION

As described in Section 2, in the past, infrastructure projects typically did not take a systematic approach to gender equality. Today, however, gender considerations are increasingly integrated into infrastructure projects and programs, with a stronger focus on the connection between analysis, action, monitoring and evaluation. A shift has also occurred regarding the type of gender interventions included in infrastructure projects. No longer is the gender focus in infrastructure projects on risk mitigation. Increasingly, projects not only reduce risks to women, but also include women as community members, employees, entrepreneurs, corporate leaders, and infrastructure users. They focus, for example, on providing equal access to infrastructure services for women; equipping local women with skills; experience and tools to participate in decision-making and governance; taking measures to increase jobs for women with equal pay and in a non-discriminatory environment created by the project; integrating women-owned SMEs in supply chains of projects; and contributing towards ending sexual harassment and gender-based violence.

The private sector plays an important part in this development. As cases such as the Vanuatu Aviation project (Box 11) and the Nam Theun 2 Hydropower project (Boxes 6 and 10) show, private companies can become part of the solution towards more gender-sensitive projects. In addition, private-sector players are increasingly partnering in international initiatives that identify best practices and practical approaches that companies can implement to improve women's inclusion in governance and the economy—not only because it is the right thing to do, but also because it makes business sense. As a growing body of research covering developed and emerging economies shows, mitigating risks for women; paying attention to their needs as users of infrastructure services; investing in them as entrepreneurs, employees, and managers so they can realize their full economic potential; and increasing local women's engagement in projects can lead to increased firm productivity and help private companies innovate, grow, and perform better.<sup>45</sup>

At the same time, this area is still evolving. There is not always evidence available to showcase that certain interventions lead to more gender-equal results or reflect smart economics. Uncertainty persists on identifying best approaches in specific situations. To drive the gender agenda forward and build on this understanding regarding PPP projects, it is important to engage teams and their counterparts using promising approaches and good practices in different contexts.

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<sup>43</sup> Thus, narrowing the key gender disparity gaps identified by the World Bank Group gender strategy outlined in section 1.

<sup>44</sup> See also sections 1 and 2.

<sup>45</sup> *World Bank Group Gender Strategy (FY16–23), Gender Equality, Poverty Reduction and Inclusive Growth*, World Bank Group, 2016.

Against this background, PPPs have a lot of potential to advance the development of infrastructure projects that reduce poverty, while promoting gender equality and women’s empowerment in the long term.

Although there are many variations among PPPs, they typically share common features that allow for the coherent integration of gender considerations across different stages of the project life cycle. They include mechanisms that make gender equality goals enforceable and are conducive to establishing strong, long-term partnerships, not only between the public and private sectors, but also with the women and men of local communities, NGOs and civil society.

Common features of PPPs relevant to gender-sensitive projects include:

- Long-term partnerships between public and private sectors;
- Long-term contracts to build and/or operate infrastructure projects;
- Remuneration linked to performance;
- Performance monitoring based on output-based performance indicators;
- Remuneration based on government payments, regulated user fees, or a mix of both;
- Private partners bearing significant risks and management responsibilities;
- Life-cycle approaches that increase efficiency and may lead to the most economical solutions;
- Funding from international financial institutions or private financial institutions that have adopted social sustainability standards, or the Equator Principles for managing environmental and social risks; and
- A strong legal and institutional PPP framework.

**Table 2: Potential Ways Unique Features of PPP Could Contribute to Gender Equality**

Feature of PPP	Potential ways it could Contribute to Gender Equality
Long-term contracts between public and private sectors	The long-term and often large-scale nature of the partnership could provide opportunities through sub-contracts to develop the local private sector, including women-owned businesses.
Remuneration linked to performance	PPP contract could include bonuses or penalties to provide strong incentive and accountability for the private sector partner to achieve gender-related performance goals.
Performance monitoring	Both output based and process indicators used to monitor performance could reflect gender equality related goals. (e.g., process to preventing GBV or sexual harassment is in place; bus stops will have lights and cameras operating 24/7)
Private partners bearing significant risks and management responsibilities	The PPP contract could stipulate that the private partner bears the risks associated with any of the project’s gender equality related goals, see Box 6 on Nam Theun 2 for example.
Life-cycle approaches that increase efficiency and may lead to the most economical solutions	Achieving this efficiency requires feedback from consumers and the local community to understand the whole of the project context and local practices. Gender equality will be critical to this flow of data and feedback from the community.
A strong legal and institutional PPP framework	Often for a PPP project to be successful it needs to be enabled by a strong legal and institutional framework. There are opportunities to include gender equality aims in this legal and institutional framework.

## B. INTEGRATION OF GENDER INTO PPP PROJECTS

Gender considerations can be integrated both within the overall PPP framework and within individual PPP projects. Although both levels are interrelated, this section first looks at the project level and then turns to opportunities for addressing gender equality within the PPP framework.

### a. The Project Level: Closing Gender Gaps Through the PPP Project Cycle

Many points exist within each phase of the PPP project cycle, where projects teams can:

- Undertake due diligence to understand women's views, constraints and needs;
- Identify risks and opportunities related to gender differences;
- Respond to these findings by taking on a gender-sensitive approach;
- Translate these commitments into actions that can be enforced and monitored; and
- Implement and monitor these activities and ensure compliance by all parties.

This section is organized according to the PPP project cycle, to identify where and how these key principles can be incorporated during each stage.

#### 1. The PPP Project Cycle

The PPP process at the project level is composed of several phases, referred to as the project cycle. While countries break up this multi-stage process differently, the cycle usually comprises the following steps (see Figure 2):

1. Identifying a priority project and screening it as a PPP;
2. Structuring and appraising the project;
3. Managing the PPP transaction and drafting the contract; and
4. Implementing the project and managing the contract.

##### 1.1 PPP Project Stage One: Identification and Screening

Project planners can consider gender issues from the outset of the PPP project cycle process—during project identification and initial PPP screening. The objective of the initial screening of one or several candidate PPP projects is to identify—based on preliminary information—whether it is likely the project can be successfully implemented and provide better value as a PPP, and which of several eligible projects to develop first.

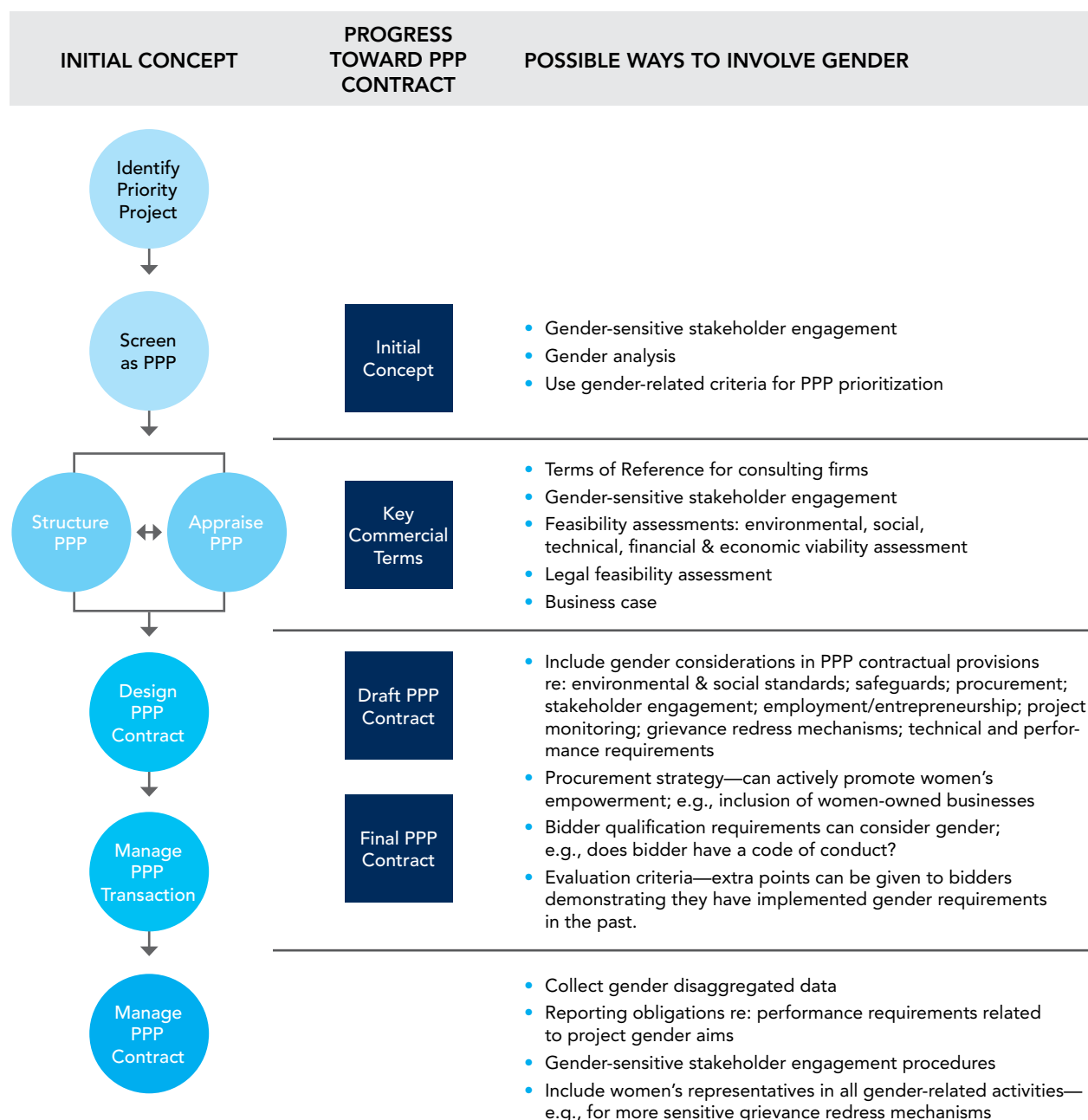
For a more gender-responsive approach, the following activities should be considered:

- a. Plan stakeholder communication and engagement in a gender-sensitive way;
- b. Identify different impacts of the project on women and men, and opportunities for both genders;
- c. Filter projects that have a high potential to reduce gender gaps; and
- d. Prioritize projects that promote gender equality and women's empowerment.

##### A. Gender-Sensitive Stakeholder Engagement

Stakeholder identification and engagement at an early stage of the project can help government and private-sector parties clarify the project's scope, impacts and objectives; identify critical issues;

**Figure 2: Typical PPP Process with Gender Entry Points Outlined**



and prepare effective strategies for managing them. Engaging potential users and key stakeholders throughout the process can strengthen support for the project.

Early gender-sensitive stakeholder-engagement activities can include the following:

- Identification of key female and male direct and indirect stakeholders, as well as their representatives;
- Development of a stakeholder communication and engagement strategy that takes differences between both genders into account;<sup>46</sup> and
- Outreach to men and women (for example, through social surveys and household interviews).<sup>47</sup>

## B. Gender Analysis

The initial process of screening and identification can potentially be used to determine key positive and negative impacts of projects on men and women, and gender-specific needs, concerns and priorities related to the project or sector on a preliminary basis.<sup>48</sup> This analysis requires the collection of sex-disaggregated baseline data from existing resources, as well as data collected through further research.<sup>49</sup>

An analysis undertaken at this stage<sup>50</sup> can enable governments to identify projects with high gender-specific risks, as well as those with the potential to narrow gender gaps and achieve additional benefits for women, if designed accordingly.<sup>51</sup>

## C. Use Gender-Related Criteria for PPP Prioritization

In situations where numerous economically and technically feasible projects exist that could address the public's infrastructure-service needs, governments may use prioritization criteria to help them decide which potential PPP projects to develop first.

In light of the Sustainable Development Goals, it is increasingly discussed how infrastructure investment prioritization can better take environmental, social and economic sustainability into account.<sup>52</sup>

One way to increase the pipeline of PPP projects with a high potential to narrow gender gaps is to develop and use gender-related prioritization criteria, e.g., by giving additional points to projects that take an inclusive approach and have a high potential to narrow gender gaps, or projects where gender-responsive design features are comparatively easy to add, and where the success of these interventions is based on strong evidence (e.g., better lighting at bus stations to increase safe use by women and girls).

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46 For example, different representations in community structures, differences in access to information, accessibility of networks, means of communications, agency to take actions or to make decisions that may be due to social, cultural, religious or legal differences between men and women.

47 For more details, see B. 1. c. (ii).

48 For example, the National Government Public-Private Partnership Manual, National Government of the Philippines, draft version as of August 4, 2014 (<https://ppp.worldbank.org/public-private-partnership/library/national-government-public-private-partnership-manual-draft>). *Guidelines and Checklists for Gender in Public-Private Partnerships in LAO PDR Grant 0309*, draft of August 2014: (<https://ppp.worldbank.org/public-private-partnership/library/guidelines-and-checklists-gender-public-private-partnerships-lao-pdr-grant-0309-draft>).

49 Although data needs to be collected for the transaction, ideally data is also collected at the country and sector level.

50 The project's potential impacts are typically assessed in more detail at the appraisal stage.

51 One example would be a rural road project where the rehabilitation of rural roads and supported maintenance activities has in many different regions often been successfully combined with interventions to spur female employment and reduce gaps between men and women related to employment, governance and decision-making in rural and regional road projects (see as an example the Peru Decentralized Road Project, described in more detail in Box 4).

52 Goal number 5 aims to achieve gender equality and empower all women and girls.

Many tools used to prioritize projects already incorporate economic standards as well as social and environmental standards (e.g., social cost-benefit analysis) and could be further developed to include specific criteria related to gender.

## 1.2 PPP Project Stage Two: Thinking about Gender Equality when Appraising and Structuring the PPP Project

### Box 12: The World Bank's Infrastructure-Prioritization Framework



*“Social cost-benefit analysis (SCBA) provides sound project appraisal and, when systematically applied, a basis for prioritizing projects. However, in some instances, capacity and resource limitations make extensive economic analysis across full project sets unfeasible in the immediate term. (...) The Infrastructure Prioritization Framework (IPG) is a multi-criteria decision support tool that considers project outcomes along two dimensions—social-environmental and financial-economic. (...) IPF is structured to accommodate multiple policy objectives; attend to social and environmental factors; provide an intuitive platform for displaying results; and take advantage of available data whilst promoting capacity building and data collection for more sophisticated appraisal methods and selection frameworks.”*

Source: Marcello, Darwin; Mandri-Perrott, Cleidan; Schwartz, Jordan Z.; and House, Shuyler, *An Alternative Approach to Project Selection: The Infrastructure Prioritization Framework*, World Bank, 2016.

After a first-level screening and identification, candidate projects must undergo an appraisal process to develop a business case. During this iterative process, the design of the PPP solution—including the risk allocation, the payment mechanism, and the structure and principal terms of the PPP contract—are usually progressively assessed and developed at a basic level. Many analyses, assessments and studies are undertaken in parallel during this phase, with results from one study feeding into the other to assess whether the project is feasible from all relevant perspectives, and suitable for PPP delivery.

### Box 13: Definitions of Pre-Feasibility and Feasibility Studies

- **Pre-feasibility study:** a short, focused and low-cost assessment of a project's viability. The intention is to define the project and collate information necessary to develop the project concept, based on an engineering design concept, the technical and financial challenges of implementation, and expected project outcomes and impacts. Governments often undertake this less-detailed analysis of the fundamentals of a project before full appraisal, to ensure that time and resources are well spent.
- **Feasibility study:** a full feasibility study (also referred to as a business case) is a detailed investigation of the project. It assesses the technical, financial and legal feasibility of a proposed project, whether the project satisfies a public need and is a good public investment decision based on an economic viability analysis (cost-benefit analysis), as well as whether it is environmentally and socially sustainable.

Several openings exist during this stage to:

- Understand women's perspectives, as well as existing differences between both genders that are likely to constrain the outcome of the project—for example, limited finances of women that could hinder access to infrastructure services;<sup>53</sup>
- Assess potential negative and positive impacts of a project on male and female service users and stakeholders, as well as opportunities to narrow gender gaps;
- Develop corresponding design features; and
- Translate these features into commitments.

Some key entry points for these considerations during the appraisal stage include:

- a. Terms of reference for consulting firms;
- b. Stakeholder engagement;
- c. Environmental and social feasibility;
- d. Technical feasibility;
- e. Financial viability assessment;
- f. Economic viability assessment;
- g. Legal feasibility assessment; and
- h. Business case.

Section four maps out a series of questions that can be included in the feasibility study to ensure that a project is gender-sensitive.

#### *A. Terms of Reference: Gender Equality Expertise Within Project Teams and Consulting Firms*

To meet the diverse objectives of feasibility studies, the government must engage an experienced project team from the beginning of the appraisal phase. This team can be composed of government specialists, but often also includes transaction advisers and/or industry experts.

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<sup>53</sup> For data on financial inclusion, see the Global Findex database; for data measuring the legal obstacles to women who engage in economic activity, and legal data on differences that may lead to inequalities between men and women, see the *Women, Business and the Law Report 2018*.



Depending on the level of significance of gender impacts that were identified on a preliminary basis at an earlier stage, the terms of references for consulting firms preparing (pre-)feasibility studies should ensure that external consultants bring in the expertise and skills necessary to consider gender issues appropriately. Project teams should also be gender diverse, with one or more core team members qualified to identify and address gender issues.<sup>54</sup>

### *B. Gender-Sensitive Stakeholder Engagement*

As mentioned above, stakeholder engagement is an important part of the entire project cycle. Gender-sensitive stakeholder engagement during the appraisal stage should include the following steps:

- Female and male stakeholders and their representatives are identified systematically;
- Positive and negative effects of the projects on these groups are defined;
- A stakeholder engagement plan is developed that takes needs and priorities of men and women into account;
- Female and male representatives are included in all analysis and assessments; and
- Formal stakeholder consultations, as well as any other project-related meetings and outreach activities that are conducted, give women the opportunity to participate and raise their voices.

(Also see Box 4, which includes a checklist for gender-sensitive consultations.)

#### **Box 14: Gender-Sensitive Stakeholder Engagement in the Trung Son Hydropower Project**

The World Bank-supported Trung Son Hydropower Project made extra efforts to include community members, in particular women, in stakeholder consultations. The following measures were taken:

- At least three weeks before the consultation meeting, information of appropriate form and in local languages was provided at the district, commune, village and household level.
- Information sheets, posters and calendars that included some project information, frequently asked questions and contact details were given to village heads and distributed to all households.
- Audio recordings of the project information, frequently asked questions and contact information, with a machine on which they could be played, were provided at the village level. Recordings were in four languages: Vietnamese, Thai, Muong and H'Mong.
- Consideration was given to having separate meetings with any group that was reluctant to attend the village meetings, to encourage women and other vulnerable groups to participate.
- A short oral summary of the project, its impacts and proposed mitigation measures, was presented at the meeting. All questions, feedback and requests were properly recorded and provided appropriate responses.
- Group discussions were held if needed. In addition to Vietnamese, translation of the discussions into local languages was provided as necessary.
- At least one observer from a Vietnamese NGO was present at each of the village consultations.

Source: Vietnam - Trung Son Hydropower Project (English), World Bank, 2011 (<http://documents.worldbank.org/curated/en/104781468134093713/Vietnam-Trung-Son-Hydropower-Project>), annex 11.

<sup>54</sup> See also B. 2. c. “Institutional Framework.”

### C. *Environmental and Social Feasibility*

The environmental and social assessment—particularly the more formalized environmental and social impact assessment (ESIA)—is a key mechanism to undertake a more in-depth analysis and assessment of the potentially positive and negative impacts of the PPP project’s preliminary design on men and women living in affected communities throughout the different project stages.

A robust gender-impact assessment in an ESIA includes, inter alia, the following steps:

- Identification of risks for the local population as users of the infrastructure services, workers and residents (for example, loss of livelihood caused by resettlement; incidents of sexual harassment and GBV during construction; or loss of jobs), and how women and men would be differently impacted by these threats;
- Assessment of different mitigation and compensation measures that take differences between men and women into account;
- Identification of potential benefits of the project for the local community, disaggregated by sex (for example, through employment, skills development, local supplier development, community initiatives or benefit sharing), and ways to enhance benefits for women;
- Assessment of possibilities for women (and women’s representatives) to get involved in the design, implementation and monitoring of gender-sensitive activities; and
- Assessment of the design of a gender-sensitive grievance and redress mechanism.

Although a full ESIA may not always be justified, a gender analysis to identify key social issues is vital and often required by governments, investors or advisors involved in PPPs, as part of their environmental and social due diligence.

#### **Box 15: Environmental and Social Impact Assessment for Bangladesh Regional Waterway Transport Revealed Lack of Facilities for Women**

During the ESIA study undertaken in relation to the World Bank-supported Bangladesh Regional Waterway Transport Project 1 (P154511), in-depth consultation meetings with female and male stakeholders were conducted, including a socio-economic survey to establish the baseline data. The survey revealed that the river-transport systems did not have any specific facilities dedicated to women (for example, separate ticket counters, waiting rooms, or rest rooms for women at the project sites). This made it difficult for women to use the infrastructure services and to benefit from increased employment and entrepreneurship opportunities. The project has studied in more depth specific design features to maximize women’s needs, comfort and safety in using inland water transport for river terminals and landings during the design and ESIA stage. As a result, the physical design of the facilities shall address safety-related issues for women as users and small traders in the design and incorporate, for example, separate toilet facilities for women and women-only waiting rooms.

*Source: Project Appraisal Document, dated May 20, 2016.*

#### *D. Technical Feasibility*

The technical analysis will further assess whether the project can be implemented as planned from a technical point of view (i.e., selection of technical options; construction and operation methods; schedule; cost; time; likelihood of failure; and interface with other technologies). This will gauge whether the project design meets the needs specified during the project identification and screening phase; if the technical features have been tested before and are achievable at a price comparable to similar infrastructure; and if the service can be specified in terms of outputs, and if so, if the outputs can be measured in terms of key performance indicators (KPIs).

A gender-responsive technical feasibility assesses, for example, if:

- Project design is suitable to close gender gaps identified during the identification and screening phase;
- Additional technical features that make the project more gender-responsive (for example, separate facilities for men and women; recruitment of female employees; and information and awareness campaigns to prevent sexual harassment and GBV) have been successful previously and are achievable; and
- Gender-specific activities can be specified in terms of outputs and measured by KPIs disaggregated by sex.

#### *E. Financial Viability*

The financial viability assesses whether private parties will find a project commercially attractive. The due diligence typically incorporates an assessment of the projected revenue structure (for example, proposed tariffs or required annuities) and any need for financial support from the public sector.

A gender-sensitive approach might, for example, ask whether the demand predictions backed by surveys or demand forecast models are done in a sex-disaggregated way, or if proposed tariffs or fees are affordable for poor women and men, and assess potential means to make these affordable, while still ensuring good financial returns for the private partner.

#### **Box 16: Upfront Capital Subsidy Helped Make Kumasi Toilet PPP Project Financially Viable**

A pre-feasibility study undertaken for the Kumasi Toilet Project in Ghana sought to determine the viability of PPP transaction(s) to deliver sustainable and high-quality public toilet facilities in Kumasi. The pre-feasibility study found that a PPP structure was not financially viable, based on the cost estimate for rehabilitation and operation of the facilities set against current usage levels and tariffs. The study noted that the average tariff would need to be raised by close to 100 percent to ensure financial viability. Given that this new tariff would not be affordable for Kumasi's lower-income population (based on a willingness-to-pay survey conducted as part of the pre-feasibility study), an upfront subsidy was required to lower private-sector capital-expenditure requirements and ensure project bankability. The main recipients of these facilities were the lower and lower-middle-income groups, including women.

*Source: Global Partnership for Output-Based Aid, Concept Note dated May 13, 2015.*

## *F. Economic Viability*

A project is economically viable if the economic benefits of the project exceed its economic costs. This assessment is a more refined version of the cost-benefit analysis conducted during the identification phase, and builds on more detailed and precise data that was, for example, collected for a “willingness to pay” evaluation or a social and environmental impact assessment.

An economic-viability analysis that is based on gender-disaggregated data and takes non-market factors, such as high risks and direct and indirect benefits for men and women living within the project area (for example, increased employment opportunities for women, and better market access for female small traders through construction of ancillary infrastructure) identified in other assessments and studies into account, can potentially give a more accurate picture of the project’s economic viability.<sup>55</sup>

## *G. Legal Feasibility*

The legal review will analyze whether all aspects of the project are permitted by law, the parties involved in the project are legally empowered to do what they will need to do under the project, and the agreements that will be required can be made legally binding on all parties concerned.

From a gender perspective, the following legal aspects need to be assessed to identify legal obstacles, risks and opportunities for women and girls:

- Regulatory licensing and tariff setting schemes that might disadvantage women;
- Monopoly rights of infrastructure providers that may exclude small-scale options that are beneficial for poor men and women;
- Discriminatory legal and compensation regimes in the case of resettlement and loss of livelihood; and
- Labor-law provisions that promote women’s employment, and local content provisions that benefit women and women-owned businesses.<sup>56</sup>

## *H. Business Case*

The final scope of the project, the proposed structure, and a summary of the results of the various assessments are drawn together at the end of this stage to demonstrate why the PPP project is a good investment decision.

A gender-sensitive business case would, for example, include:

- Gender-specific strategies that address identified risks as well as opportunities for men and women;
- Decisions regarding risk allocation (such as availability of a required skill set in the local market, if quotas for local female employment are established);
- Distribution of responsibilities (for example, shared responsibilities between the private and public-sector partners regarding training of men and women);
- Allocation of budget for all gender-sensitive measures; and
- A first draft of the project documents that reflect the points above.

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<sup>55</sup> See also B. 1.b. (iii), “Use Gender-Related Criteria for PPP Prioritization.”

<sup>56</sup> For more details see 2. b., “Enabling Environment.”

### 1.3 PPP Project Stages Three and Four: Drafting the Contract and Managing the Transaction

Once the feasibility study has been approved, the project moves to the design and procurement stage. During this phase, the bidding documents—such as Request for Qualifications (RfQ) and Request for Proposals (RfP)—and the PPP contract must be structured and drafted before the project can be tendered.

This section gives a broad overview of how gender-related commitments could be translated into the further management of the transaction and be incorporated in the PPP documentation.

#### A. Strengthening the PPP Bidding Process

To the extent permitted by the rules that govern procurement of PPP contracts in a specific country, PPP procurement can promote gender equality and women's empowerment.<sup>57</sup>

Areas where procurement is particularly relevant as a tool for gender development in PPP projects include:

- Prevention and mitigation of risks that are typically more relevant for women than for men (for example, risk of sexual harassment and gender-based violence caused by labor influx during project construction), and
- Promotion of women as employees, entrepreneurs, leaders and stakeholders.<sup>58</sup>

Some potential entry points for gender criteria during the PPP bidding process, and examples for interventions, are summarized below.

##### i. Procurement Strategy

The procurement stage typically starts with the development of a procurement strategy, based on the results of the appraisal stage, where the market interest has been assessed, and the types of private firms that may be interested in the project have been identified.

Depending on the market assessment, and the targets identified during the appraisal stage, the procurement strategy can actively promote women's empowerment, and in particular, the inclusion of women-owned enterprises in PPP projects. Women-owned businesses are often disadvantaged when it comes to participating in PPP projects.<sup>59</sup> Although women-owned businesses face unique challenges, many methods that are discussed with regard to the integration of small-scale SMEs in PPP projects can be applied respectively to overcome barriers faced by women-owned SMEs.<sup>60</sup> In this context, it may also be good for project teams to review the local procurement policy to find out if there is already public infrastructure in place to support women-owned businesses.

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57 For a general overview of relevant environmental and social issues to be considered during the preparation of the procurement process and contractor selection, see *Managing Contractor's Environmental and Social Performance*, IFC, 2017.

58 This depends on the country strategy, success with similar projects, and expected interest by the private sector towards the project.

59 In comparison to male-owned enterprises, they tend to be smaller; they may not have access to established business networks; the channels in which women learn about tenders are typically more limited; they have less access to trainings needed for the application process and certification; and they may be disadvantaged by financial and legal requirements they cannot fulfil.

60 See UN Women, 2017.

### Box 17: Definition of a Women-Owned Business

A woman-owned business should at a minimum include:

- At least 51 percent independent ownership by one or more women;
- Unconditional control by one or more women over both long-term decision-making and the day-to-day management and administration of the business operations; and
- Independence from non-women-owned businesses.

Source: *The Power of Procurement: How to Source from Women-Owned Businesses—Corporate Guide to Gender-Responsive Procurement*, UN Women, 2017.

Examples of actions to facilitate and encourage the participation of women-owned businesses in PPP projects:

- Streamlining of the application process;
- Division of bids into smaller ones;
- Use of communication channels (for example, for the publication of tender documents) that are equally known to and used by women- and men-owned businesses; and
- Provision of training opportunities for women-owned businesses and improved access to ICT.

**Table 3: Tools, Including Women-Owned Businesses Across the Supply Chain**

<a href="#">Guide to Getting Started in Local Procurement</a> , IFC, 2011	<a href="#">SheWorks: Putting Gender Smart Commitments into Practice</a> , IFC, 2016	<a href="#">Women's Empowerment in the Global Value Chain: A Framework for Business Action to Advance Women's Health, Rights, and Wellbeing</a> , Business for Social Responsibility (BSR), 2016
<a href="#">Incorporating Small Producers into Formal Retail Supply Chains: Sourcing Readiness Checklist</a> , University of Michigan, 2016	<a href="#">Unlocking Markets for Women to Trade and Empowering Women through Public Procurement</a> , International Trade Centre (ITC), 2016	<a href="#">The power of procurement: How to source from women-owned businesses</a> , UN Women, 2017
<a href="#">Global Supplier Diversity &amp; Inclusion Reaching the Gold Standard</a> , WEConnect International, 2017	<a href="#">The Business Case for Global Supplier Diversity and Inclusion</a> , WEConnect International, 2017	<a href="#">Unlocking Opportunities for Women and Business—Tool 2: Women-Owned Businesses and the Supply Chain</a> , IFC, 2018

#### ii. Qualification Requirements

Bidding documents can also stipulate certain qualification requirements for bidders—for example, the experience, skills and capabilities the private partner should have. These qualification requirements are either submitted alongside the proposal in a one-stage open tender process, or during a separate pre-qualification stage.

Qualification criteria can take gender-related requirements into account.<sup>61</sup> For example, bidders can be required to submit the following:

61 For details regarding prequalification criteria that relate to environmental and social issues, including a questionnaire, see IFC, 2017 (Annex A).

1. Details regarding past experience and performance with gender-sensitive projects (e.g., reports regarding sexual harassment and how the issue was addressed, and details regarding gender-sensitive community engagement).
2. Means to address harassment and other forms of sexual exploitation and abuse (SEA) and GBV. Bidding companies could, for example, be asked to submit a code of conduct that applies to their employees and sub-contractors, and to provide details on compliance, or on how this code of conduct will be implemented (for details, see Vanuatu Aviation project).<sup>62</sup>

**Box 18: Example of Code of Conduct—the World Bank Group Standard Request for Proposal After Prequalification Requires a Development of Code of Conduct**



*“The Bidder shall submit its Code of Conduct that will apply to Contractor’s Personnel (...), to ensure compliance with its Environmental, Social, Health and Safety (ESHS) obligations under the contract. (...) In addition, the Bidder shall detail how this Code of Conduct will be implemented. This will include: how it will be introduced into conditions of employment/engagement, what training will be provided, how it will be monitored and how the Contractor proposes to deal with any breaches. The Contractor shall be required to implement the agreed Code of Conduct.”*

Source: Request for Bids Work—After Prequalification, World Bank, 2017.

3. A supplier diversity code of conduct<sup>63</sup> that applies to the bidder’s own operations and its sub-contractors, to promote equal participation of local companies—particularly women-owned companies—in the project, as well as details on compliance, showing how the code of conduct will be implemented.

<sup>62</sup> For another example, see Gender Equality in Codes of Conduct Guidance, BSR, ([https://www.bsr.org/reports/BSR\\_Gender\\_Equality\\_in\\_Codes\\_of\\_Conduct\\_Guidance.pdf](https://www.bsr.org/reports/BSR_Gender_Equality_in_Codes_of_Conduct_Guidance.pdf)).

<sup>63</sup> An example from the banking sector is the Supplier Diversity and Inclusion Code of Conduct of the Royal Bank of Scotland: <https://weconnectinternational.org/images/supplier-inclusion/supplier-inclusion-code-of-conduct-adopting-the-code.pdf>.

### Box 19: Example of Supplier Diversity Code of Conduct—Transport for London Puts Equality and Inclusion at Heart of Program



*“In 2004 Transport for London (TfL) put together a five-year 10-billion-pound investment program to fund large-scale construction projects in London, including an extension to the East London Line railway. Equality and inclusion were regarded as being at the heart of that program and integral to procurement contracts. (...) TfL therefore introduced a set of requirements for bidders to be implemented during the execution of the project: an equality policy for the project, a diversity training plan for staff working on the project and a supplier diversity plan (to ensure that diverse suppliers were able to bid for subcontracting opportunities arising from the project). These requirements were incorporated in the invitation to tender and in the conditions of the contract.”*

Source: Buying Social—A Guide to Taking account of Social Considerations in Public Procurement, European Commission, 2010.

4. Management strategies and implementation plans that show how the bidder plans to ensure compliance with gender-related requirements of the project or to go beyond these standards (for example, how the project intends to increase entrepreneurship opportunities, employment for local women at different levels of responsibilities, or gender-sensitive training for local workforces for the transfer of skills).

### Box 20: Example of Local Content Requirements—the South African Renewable Energy Independent Power Producer Procurement Program (REIPPPP)

Under the REIPPPP, independent power producers (IPPs) are either required or encouraged to meet the following criteria:

- In terms of job-creating targets, 12 to 20 percent of the staff of renewable-energy plants must originate from the local communities where they are located. Because South Africa’s population is predominantly female, a fair number of these local beneficiaries are women.
- At least 12 percent of project shareholding is reserved for black people, including women.
- IPPs should aim to procure up to five percent of their inputs exclusively from women-owned vendors or business enterprises.
- IPPs must aim for 40 percent black top management in their project companies, with preference for black women in particular.

The program is also benefitting women through the socio-economic development and enterprise development initiatives implemented by IPPs.

Source: Eberhard, Anton and Naude, Raine, *The South African Renewable Energy IPP Procurement Programme: Review, Lessons Learned, and Proposals to Reduce Transaction Costs*, Graduate School of Business, University of Cape Town, 2017; see Table 5, p. 26.

5. Bidders’ internal human-resource policies and procedures that actively seek to address all forms of deliberate or unintentional discrimination against women in the workforce, including proactive promotion of gender equality and diversity in the workforce and an-



ti-sexual-harassment policies, as well as data that shows compliance with these policies (for example, gender wage-gap data or corporate-leadership data).

### *iii. Evaluation Criteria*

The contracting authority will select the preferred bidder according to criteria for the evaluation of bids, their weightings, and the way they will be evaluated. These criteria are published in advance. Some examples of evaluation criteria are the lowest tariff, fee, or availability payment, or the best quality of service.

Evaluation criteria can include objectives relating to a proposal that are not directly measurable in financial terms, such as the achievement of gender-related goals. The considerations elaborated above regarding qualification requirements apply respectively for evaluation criteria. Extra points can be given for the demonstrated capacity of a bidder to implement gender requirements, judged by past performance, or, for proposed measures, by strategies and implementation plans that maximize job creation for women or that prevent gender-related risk.

## *B. Strengthening PPP Contract Provisions*

The bid documents usually include a draft PPP contract to be signed by the contracting authority and the private partner after the end of the bidding process. Gender commitments can be enshrined in the draft PPP contract and other key project-relevant agreements. This primer focuses on the PPP contract,<sup>64</sup> as it is at the center of the partnership and defines the relationship between the contracting authority and the private partner, their respective rights and responsibilities, and the risk allocation between them.

### *i. Gender Commitments, KPIs, and Incentives for Compliance in PPP Contracts*

The PPP contract can ensure that the gender actions envisaged during appraisal are translated into enforceable commitments measured against corresponding indicators.

In contrast to traditionally financed infrastructure projects, the PPP contract typically measures the performance of the private partner against a set of criteria defined in KPIs. These focus on what a project is intended to achieve (outputs) rather than the methods and materials used to achieve those goals (inputs), thus giving the private partner the opportunity to develop innovative solutions intended to reduce overall life-cycle costs, while delivering the intended level of service. Compliance with these KPIs is incentivized through a payment mechanism that connects performance with bonuses, penalties and/or payment deductions.

This mechanism provides an opportunity to systematically integrate two elements—specific long-term gender commitments plus gender-sensitive indicators that can be accurately reported—in PPP contracts, to monitor and assess outcomes, and to ensure compliance of these standards through deductions and penalties.<sup>65</sup> Although KPIs usually focus on project performance and service quality, rather than socio-economic objectives<sup>66</sup> such as gender equality and women's empowerment, this practice is shifting towards providing a stronger emphasis on social sustainability in PPP frameworks and projects.

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<sup>64</sup> PPP contracts are, for example, concession agreements, implementation agreements, or BOT agreements.

<sup>65</sup> See for example, WBI 2004, IFC, 2012, as well as Gender Review 2016.

<sup>66</sup> IFC, 2012.

**Table 4: External Tools and Guides with Sample Indicators**

Sector	Tool
Energy	<i>Examples of Assessments, Actions, and Monitoring and Evaluation (M&amp;E) in the Energy Sector, Integrating Gender Considerations in Energy Operations</i> , ESMAP, 2012, Annex I.
Extractives	<i>Potential Indicators for Monitoring and Measuring the Impact of a Gender-Sensitive Approach to EI Projects, Gender Dimensions of the Extractive Industries</i> , World Bank, 2009, Annex I.
Extractives	<i>Unlocking Opportunities for Women and Business, A Toolkit of Actions and Strategies for Oil, Gas, and Mining Companies</i> , IFC, 2018 (contains indicators, such as Indicators to Monitor Progress on Supply Chain Gender Diversity Goals, Tool 2.6).
Multi-Sector	<i>Priority Indicators, Gender Impact of PPPs</i> , IFC, 2012, Table 3.1.
Multi-Sector	<i>Tool Kit on Gender Equality Results and Indicators</i> , Asian Development Bank (ADB), 2013.
Transport	<i>Output Level Performance Targets or indicators, Gender Tool Kit—Transport</i> , ADB, 2013.
Water	<i>Suggested Indicators for Gender-Sensitive Monitoring and Evaluation, Toolkit for Mainstreaming Gender in Water Operations</i> , World Bank, 2016, Annex II.

*ii. How Can Gender Commitments be Integrated in PPP Contracts?*

When drafting PPP contracts, the project team needs to decide how identified gender commitments can be included. The following list highlights the main provisions in PPP contracts that are relevant to the integration of gender issues, along with examples of how these entry points could be used to achieve the gender goals of a project:<sup>67</sup>

- **General commitment to environmental and social standards**—include a clear statement regarding the gender benefits both parties expect the project to achieve.
- **Integration of safeguards documents**—include gender commitments detailed in ESAPs, resettlement plans, and so forth, to make them legally enforceable.
- **Commitments related to procurement**—include commitments related to procurement (for example, a development of Code of Conduct or Supplier Diversity Plan, together with a requirement to pass on all gender-specific requirements to sub-contractors, and an obligation to solicit, select and supervise sub-contractors in accordance with gender commitments).
- **Commitments related to stakeholder engagement**—include stakeholder-related commitments that target men and women separately (for example, household surveys to track users’ satisfaction with new or upgraded infrastructure services, or income-generating activities enabled by the project).
- **Commitments related to employment and/or entrepreneurship**—ensure that commitments related to employment and/or entrepreneurship take concerns and priorities of men and women into account (for example, commitments around gender-sensitive recruitment, hiring, training, management and promotion of a diverse and competent workforce throughout all project stages; development of a strategic equality and diversity plan; development of a training plan; development of or compliance with child-care, equal pay for equal work, and anti-sexual-harassment policies; and provision of separate facilities).
- **Effective monitoring mechanism**—Establish clear responsibilities for monitoring between the private partner and the contracting authority:

<sup>67</sup> For an overview of environmental and social commitments to be included in contracts, see IFC, 2017.

- a. **Collection of sex-disaggregated data** throughout the implementation phase, to measure performance against a baseline.<sup>68</sup>
- b. **Reporting obligations** of the private partner that detail performance against gender commitments, based on sex-disaggregated data.
- c. **Obligations related to disclosure of project documents and performance data** to ensure transparency and compliance with gender obligations, and to enable stakeholders to monitor performance of the parties.
- **Grievance and redress mechanism**—Establish a gender-sensitive grievance and redress mechanism (in coordination with local women and their representatives) to receive and facilitate the resolution of concerns raised by community members about the parties’ performance, taking the special needs of women into account, who may feel more comfortable if they can talk with other women.
- **Enforceable technical and performance requirements (KPIs) together with financial incentives to comply with set standards**—Ensure that all key gender-specific technical requirements are included in the contract as outputs, and are measurable in terms of KPIs (such as requirements to include physical-design features that are beneficial for women [e.g., surveillance cameras, bus-stop ramps, and sidewalks]; to hire a certain number of skilled and unskilled local men and women during construction and operation; or to develop and maintain ancillary infrastructure that is needed).

#### 1.4 Final Stage: PPP Project Implementation

The project-implementation stage covers the term of the PPP contract. In comparison to a traditionally procured contract, a PPP contract has a much longer term and requires long-term contract management.

With regards to all gender commitments, during this stage, the project needs to ensure that the parties comply with the respective obligations and all performance standards agreed upon in the PPP contract, in particular that:

- Sex-disaggregated data is collected;
- The private partner reports on performance against the sex-disaggregated baseline data;
- Gender-sensitive stakeholder engagement procedures and complaints mechanisms are established and are complied with during the construction and operation phase; and
- Women’s representatives are included in all gender-related activities that are conducted during the implementation (for example, a gender-sensitive grievance and redress mechanism).

Figure 3 on the next page provides a summary of this information, as well as a checklist of key questions project planners and developers can ask themselves at each stage of the PPP project development process.

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<sup>68</sup> Private parties typically have access to all information during construction and the long operational period of the project and may need to take on this task, while the public sector may also need dedicated staff and budgets to review and manage the additional information.

**Figure 3: Summary of Key Questions for how to Frame Promotion of Gender Equality Aims throughout the Project Development Cycle**

IDENTIFICATION & SCREENING	APPRAISAL & STRUCTURING	MANAGING PPP TRANSACTIONS & CONTRACT DESIGN	MONITORING & IMPLEMENTATION
<ol style="list-style-type: none"> <li>1. Have key women stakeholders and their representatives been identified? Has the project engaged with female stakeholders or their representatives (e.g., household surveys, interviews)?</li> <li>2. Has sex-disaggregated data been collected?</li> <li>3. Have the project's impacts on women and men been analyzed on a preliminary basis (i.e., gender-specific risks or opportunities to narrow gender gaps)? Have potential strategies to address issues and use opportunities been formulated?</li> <li>4. Have gender-related prioritization criteria been developed and applied?</li> </ol>	<ol style="list-style-type: none"> <li>5. Has need for gender expertise been assessed? Does appointed project team include a gender specialist? Do TORs for external consulting firms reflect need to address gender issues?</li> <li>6. Have female and male users and other key stakeholders been identified and mapped? Have female and male users and other key stakeholders been engaged in the analysis and assessments? Has an ongoing community engagement process been designed that accounts for specific needs of men and women?</li> <li>7. Have the project's impacts on women and men been analyzed in more detail? Have gender considerations been included in all analysis and assessments, in particular the E&amp;S impact assessment, economic, financial, legal, technical feasibility assessment?</li> <li>8. Can the gender-specific elements of the project be specified in terms of outputs and be measured in terms of KPIs disaggregated by gender?</li> <li>9. Can negative impacts be mitigated and opportunities be used, and at what costs? Have strategies to address issues and use opportunities been formulated? Has budget been set aside for the planned gender activities?</li> </ol>	<ol style="list-style-type: none"> <li>10. Will procurement strategy allow for more equal gender outcomes?</li> <li>11. Are gender-related qualifications required from potential bidders?</li> <li>12. Does project's gender strategy require that bidders provide additional information related to the implementation of gender goals? (e.g., code of conduct, or a gender-responsive implementation plan)</li> <li>13. Do bid evaluation criteria contain gender-related goals?</li> <li>14. Are concrete gender commitments included in PPP contract?</li> <li>15. Are obligations from ESIA, resettlement plans, etc. included in PPP contract?</li> <li>16. Are anticipated gender activities reflected in the KPIs?</li> <li>17. Are gender-specific elements of project reflected in outputs, and measurable in terms of gender-sensitive KPIs?</li> <li>18. Is collection of sex-disaggregated data addressed in contract?</li> <li>19. Is obligation to establish a gender-sensitive grievance redress mechanism addressed in contract?</li> <li>20. Does the contract contain additional obligations related to gender-sensitive stakeholder engagement (e.g., interview with project-affected men and women)?</li> </ol>	<ol style="list-style-type: none"> <li>21. Is sex-disaggregated data collected?</li> <li>22. Does private partner report on performance against the sex-disaggregated baseline data?</li> <li>23. Is the private partner in compliance with the gender obligations reflected in the PPP contract (e.g., KPIs)? Are response actions necessary (e.g., payment deductions)?</li> <li>24. Are women's representatives included in the monitoring and supervision of the project? Are women's representatives included in all gender-related activities that are conducted during implementation (e.g., gender-sensitive grievance redress mechanism)?</li> </ol>

## C. INTEGRATION OF GENDER EQUALITY IN THE PPP FRAMEWORK

In addition to including gender criteria in each project, it is important that governments promote gender equality and women's empowerment in the legal and institutional framework that governs infrastructure investment. Most countries with successful PPP programs have solid PPP frameworks in place that provide opportunities for targeted capacity building and can facilitate systematic integration of social considerations in PPP programs and projects.

### a. Gender Focus in PPP Laws

Many countries have adopted specific PPP policies or legislation to support PPP implementation (often referred to as PPP laws, concession laws, or build-operate-transfer [BOT] laws) or have set out details regarding PPPs in other legal instruments, such as procurement, sector-specific or public-finance laws.

One way to ensure that government entities implementing PPP projects consistently consider gender during the project cycle is to integrate minimum standards into respective PPP policies and legislation,<sup>69</sup> as described above with respect to single projects (for example, regarding stakeholder communication and engagement, project selection, appraisal, tendering, drafting of the contract, and implementation). This would also ensure a consistent approach for all PPPs in a country, regardless of whether international lenders, or advisors adhering to social standards, are involved in the financing or not.

So far, few countries have developed PPP policies or legislation incorporating gender standards systematically across the project cycle.<sup>70</sup> However, with an increasing global focus on delivering sustainable infrastructure, this could change in the near future. At a minimum, the political commitment to PPPs in a given country, as expressed in these instruments, should be aligned with the respective gender policies and political commitments regarding gender equality and women's empowerment.

#### Box 21: Example of PPP Institutional Guidance that Incorporates Gender



*“Annex 4: Guidelines for Gender Mainstreaming in PPP Projects” in the draft National Government Public-Private Partnership Manual of the Philippines (as of August 4, 2014), recommends gender interventions across the project cycle. The guidelines lay out the process for integrating gender considerations in the identification, structuring and evaluation of PPP transactions. These guidelines are consistent with national guidelines and strategies, as well as gender-integration strategies and guidelines of other international-lending institutions, such as the ADB and the World Bank.”*

### b. Enabling Environment

A reliable, well-functioning, and transparent legal and regulatory framework is helpful for facilitating successful PPPs. The PPP legal and regulatory framework includes PPP-specific laws, regulations, sector-specific laws, and all other legislation affecting PPP contracts, decision processes, and implementation proce-

69 Including implementing instruments, such as regulations or guidelines, that can be adjusted easily to changing circumstances and would typically be used to set out details on how gender considerations can be integrated in the PPP project cycle.

70 Examples are available on the website of the PPP in Infrastructure Resource Center (PPPIRC): <https://ppp.worldbank.org/public-private-partnership/ppp-sector/gender-impacts-ppps/gender-responsive-ppp-legal-framework/gender-responsive-ppp-legal-fra/>.

dures. A PPP legal and regulatory framework assessment can determine if an existing framework is adequate for preparing and implementing the envisaged types of projects.

Consequently, a gender-sensitive PPP regulatory and legal framework assessment can determine if existing laws and regulations:

- Promote gender equality and women's empowerment;
- Discriminate against women directly, or contain indirect biases that may hinder the project from achieving the intended results; and
- Require additional features to ensure that PPP projects achieve better results in narrowing gender gaps.

Below are some key questions that a gender-responsive legal and regulatory PPP framework assessment could consider:

- Does the enabling PPP and procurement legislation address gender differences?
- Do general or sector-specific policies and/or legislation exist that support gender equality and women's empowerment?
- Do policies and legislation related to employment take women's and men's concerns into account (for example, mandated labor standards, equal pay for equal work, safety provisions, anti-sexual-harassment policies, mandated child-care provisions,<sup>71</sup> and the prioritized hiring or promotion of women)?
- Do policies and legislation related to local content exist, and do these instruments contain provisions that focus on women (for example, prioritization of women-owned businesses)?
- Do policies and legislation related to land ownership, resettlement, displacement and compensation take women's and men's different needs, concerns and priorities into account?
- Do exclusivity clauses exist that do not allow the provision of infrastructure services by cheaper alternative service providers? Does this disadvantage specific groups of men or women?<sup>72</sup>
- Do regulatory licensing and tariff-setting schemes in sector-specific legislation (for example, related to tariff setting) disadvantage specific groups of men or women?
- Do policies and legislation allow the delivery of infrastructure services to informal settlements? If not, does this affect women disproportionately?
- Do other relevant policies or legislation discriminate against women or contain indirect gender biases that may prevent women from benefiting equally from the PPP program, or have unintended side effects on women?

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71 For examples, see *Women, Business and the Law*, 2018.

72 Further analysis is needed to determine whether exclusivity leads to adverse effects. Even if alternative service providers are cheaper, they may pose safety or health risks and may lock people into alternative services with no incentive for the operator to reach out to new users.

### Box 22: Examples of Gender Biases in Legislation

Legislation that could hinder/disadvantage women to benefit equally from PPP projects are laws or regulations that:

- Allocate rights or entitlements only to heads of households, landowners, full-time registered workers, members of particular user groups or decision-making bodies, who are more likely to be men;
- Condition rights or entitlements on a certain educational level, or on basic literacy or numeracy;
- Require an identity card or other documentation to access services that are more difficult to obtain for women;
- Require collateral to obtain credit;
- Establish connection charges, registration fees, user fees, or other financial requirements to access services;
- Do not allow women to open a bank account, sign a contract or register a business in the same way as men;
- Do not allow women to legally get a job or pursue a trade or profession in the same way as men;
- Do not allow women to work in the same industries, in the same jobs, perform the same tasks, or work at the same hours as men.

Sources: *Guidelines and Checklists for Gender Public-Private Partnerships in Lao PDR*, ADB, 2014; *PPP in Infrastructure Resource Center (PPPIRC); Women, Business and the Law*, 2018.

### c. Institutional Framework

Although the legal and regulatory framework enables PPPs, the institutions and processes that facilitate the implementation of PPP policies and legislation are equally important. Many governments have created dedicated governmental bodies—often referred to as PPP units—under competent ministry or public agencies and with specific knowledge of PPPs, to facilitate and manage private-sector investment in infrastructure. In projects related to infrastructure, regulatory authorities and local institutions are also typically involved in areas such as licensing, setting of tariffs, and quality standards.

If these entities are to integrate gender considerations systematically in the project cycle—for example, identifying gender issues and potential opportunities for women; developing communication and community-engagement strategies that engage men and women; or monitoring compliance of PPP projects that seek to close gender gaps—they may need to adjust internal structures and processes and enhance their institutional capacities, particularly their skills and resources.

To achieve this, the following measures can be considered:

- Hiring of **gender equality specialists** by PPP units, or integrating gender equality specialists in the contracting authority's dedicated project teams that develop, implement and monitor each project to ensure that gender issues are considered at all stages of the PPP project cycle;

- Providing **specific gender equality training**, including awareness raising on sexual harassment and GBV to the respective staff members of the PPP unit, the relevant members of line ministries preparing proposals and managing contracts, regulatory authorities, or relevant bodies at the local level;<sup>73</sup>
- Offering **capacity-building measures**, such as training, awareness raising or advisory services for parts of the private sector (including women-owned local companies) that need to understand any new policy changes, bidding or delivery requirements;
- Ensuring **that PPP communication and stakeholder engagement strategies are gender-sensitive** and tailored to the specific needs of men and women; and
- Ensuring **that women are represented in institutions involved in the PPP process**, by increasing the number of women employed at different skill levels in the national PPP unit and other authorities or bodies at the national or sub-national level relevant for the preparation, design, implementation and evaluation of PPP projects.

#### Box 23: Example of Integrating Gender Equality in a PPP Framework – Nam Theun 2 Hydropower Project Includes Male and Female Project Staff

The institutional component of the gender-resettlement strategy for the Nam Theun 2 Hydropower Project ensured that male and female resettlers were assisted and trained by male and female project staff, and that opportunities for women to take up positions of authority and decision-making were increased. This included the following measures:

- Setting a target number of women as members of the Resettlement Committee<sup>7</sup>
- Setting a target number of women as staff of the Resettlement Management Unit, especially for mid-level technical positions and all sub-offices;
- Setting a target number of women as staff for the Resettlement Office;
- Adding (at least one, and preferably two) women as cabinet members in each District Resettlement Working Group; and
- Setting targets for monitoring gender equity within institutions.

*Source: Appendix A.1: Concession Agreement—Schedule 4: Part 1*

<sup>73</sup> Ideally, one member of the PPP unit and one PPP team member closely involved in project preparation would be responsible for gender issues.



## Box 24: Checklist: Key Questions for Gender Inclusion Related to the PPP Institutional and Legal Framework

### PPP Policies and Legislation

- Do PPP policies and legislation include gender assessments (for example, requirements for gender analysis) systematically across the project cycle?
- Do PPP policies and legislation include some minimum gender standards (for example, commitment to gender equality and women's empowerment, and guidelines for gender-sensitive ESIA)? If not, can (minimum) standards regarding gender be included in PPP policies and legislation?
- Are PPP policies and legislation aligned with gender policies?

### Enabling Environment

- Do policies or legislation supporting gender equality and women's empowerment exist? Do they influence the planning, design and implementation of PPP projects?
- Do gaps in legislation exist that may hinder women to benefit equally from PPP projects or programs? Are there missing features that would need to be incorporated into the framework to ensure that PPP projects achieve better results for men and women?
- Does existing project-relevant legislation discriminate against women directly, or contain indirect gender biases that may restrict women in accessing services or otherwise benefiting from PPP projects? Is there a plan to address these barriers?

### Institutional Framework

- Do the PPP units or other institutions involved in the PPP process have the skill set, capacity and resources to manage the preparation, design and implementation of gender-sensitive PPP projects?
- Are gender specialists integrated in the project team that develops, implements and monitors projects?
- Is gender training provided to all relevant staff members of the PPP unit, and in the line ministries and all other relevant public authorities and private-sector participants?
- Does the PPP communication and stakeholder-engagement strategy take differences between men and women into account?
- Are an equal number of women and men employed by PPP units and other institutions involved in the PPP process at different skill levels? Are there measures in place to increase the number of women in these institutions?
- Raise priority issues for women.

## D. SECTION THREE REFERENCES FOR FURTHER READING

- PPP Legal Resource Center (PPPLRC) (<https://ppp.worldbank.org/public-private-partnership/ppp-sector/gender-impacts-ppps/impacts-ppps-gender-inclusion>).
- PPP Knowledge Lab ([pppknowledgelab.org](http://pppknowledgelab.org)).
- *PPP Reference Guide*, World Bank Group, 2017.
- Delman, J., *Public-Private Partnership in Infrastructure: An Essential Guide for Policy Makers*, 2017.
- *EPEC PPP Guide*, European PPP Expertise Center (EPEC), 2015.
- *Procuring Infrastructure Public-Private Partnerships*, World Bank Group, 2018.
- *Gender Equality Advisory Services for Infrastructure*, Gender Review, Adam Smith International, 2016.
- *Gender Impact of Public-Private Partnerships—Literature Review Synthesis Report*, IFC, 2012.
- Jennings, Mary, and Gaynor, Cathy, *Public Private Partnerships, Infrastructure, Gender and Poverty*, World Bank Institute (WBI), 2004.
- *The power of procurement: How to source from women-owned businesses*, UN Women, 2017.
- *Managing Contractor's Environmental and Social Performance*, IFC, 2017.
- *A Strategic Approach to Early Stakeholder Engagement*, IFC, 2014.
- *Unlocking Opportunities for Women and Business*, IFC, 2018.

SECTION

# 4

## GENDER EQUALITY QUESTIONS FOR THE PPP PROJECT DEVELOPER

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### GOAL OF SECTION

This section provides an analytical tool to help project participants—governments, advisors, and private investors alike—ensure that PPP projects improve equality between women and men.

“

If you want something new, you have to stop doing something old.

— Peter Drucker

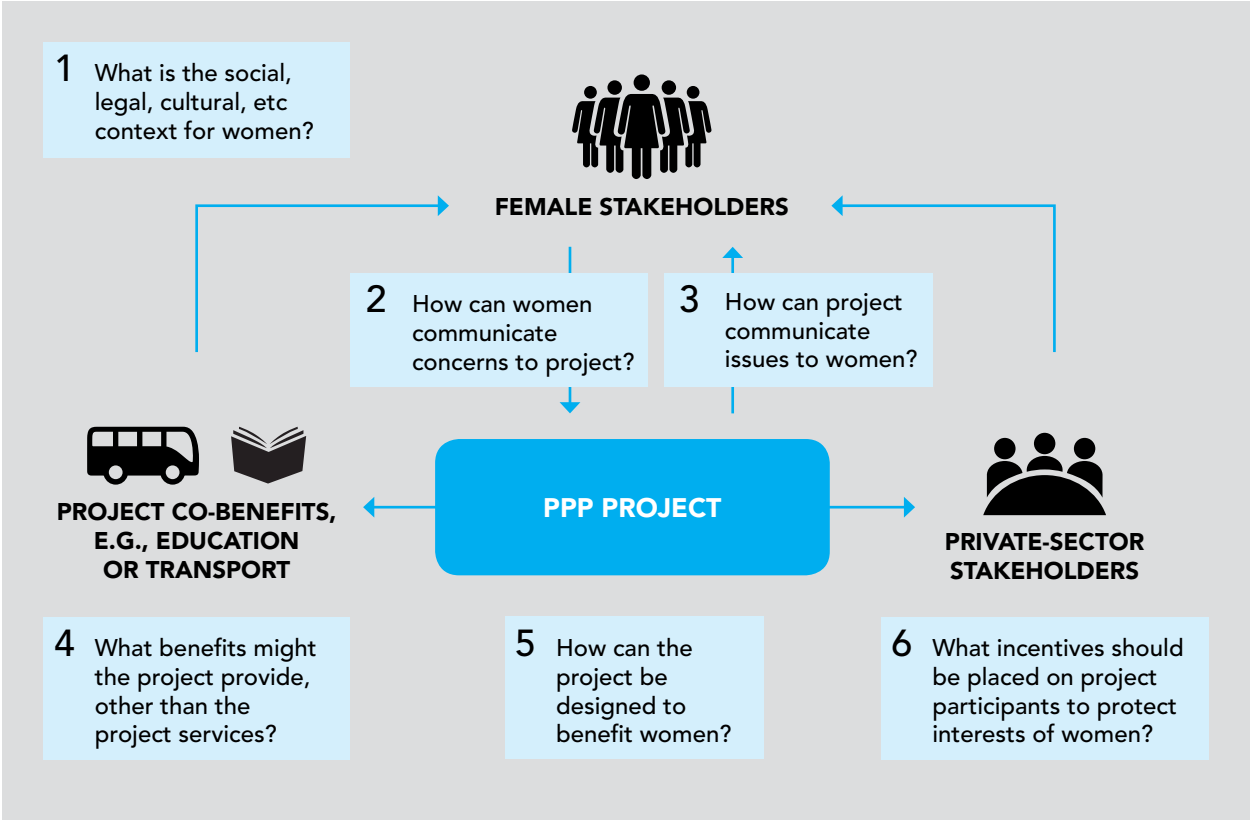
Section one of this primer focused on providing a base understanding of key concepts and ideas related to gender equality and infrastructure. Building from there, section two aimed to give the reader an understanding of the mechanisms and processes that can be used to ensure that infrastructure projects not only “do no harm” to women or men, but also create positive benefits for both. Section three further built on this by providing the reader with brief and practical guidance on how to systematically integrate gender considerations into PPP projects and frameworks, in a way that promotes a strong results chain linking analysis, action, monitoring and evaluation. This section provides an analytical tool to help project participants—governments, advisors, and private investors alike—ensure that PPP projects improve equality between women and men.

Private investors often rely on the government to consider and address issues relevant to ensuring that a project is inclusive of both genders. Government often relies on the private sector to address these issues as fundamental to service delivery of the project. A PPP project provides an opportunity to join public and private capacities to focus on issues relevant to women. PPP projects must be commercially and financially viable. If governments need private investors to provide additional support or services to meet the needs of women, they may need to provide additional incentives. For example, PPP payments can be linked to performance and services for women. Likewise, if the private partner performs poorly, financial penalties within the PPP contract may apply.

## A. INTRODUCTION

This project-centered tool recognizes that PPPs often fail to examine or address the issues relevant to all project stakeholders, usually women. The set of questions underpinning this tool is therefore designed to help project planners think through how to improve gender equality in PPP projects. It provides a set of questions to be asked in relation to five key areas surrounding the PPP project (see Figure 4). It is hoped that these questions will help ensure more gender-sensitive PPP projects, by uncovering information and issues that will translate into different project designs and more nuanced drafting of project agreements.

**Figure 4: Five Key PPP-Project Areas to Focus on to Ensure Gender Equality—Schema of the Project-Centered Tool**



**B. TIPS TO KEEP IN MIND WHEN USING THE TOOL**

This project-centered tool is meant to support projects that have been well selected, are a priority for government, and represent value for money, therefore the questions do not address project identification or selection. A project that considers issues relevant to gender equality:

- **Reflects good governance.** Well managed infrastructure considers the interests of the entire community.
- **Contributes to the developmental goals of the government, development partners and private investors.** Seeking gender equality will help meet the government’s development goals, the Sustainable Development Goals, and other national and regional priorities. It can also help the project access support from different sources of funding and financing, as and when needed—for example, to the extent bilateral or multilateral investment is sought.
- **Is good business.** Women are consumers; they may form a key part of the labor, business-owner or service-provider pools; and they are key community and political stakeholders. A project that proactively seeks gender equality is more resilient and more robust in times of change, particularly in times of political change, when new policies might suggest a change in support for the project. It is harder to undermine a project when it clearly serves the needs of women. If the project supports the community, in times of change, the community is far more likely to support the project.

When asking the questions, the following analytical tools and considerations may be useful:

- Disaggregated data by sex, age group, ethnicity, language, and economic status that can help to identify gender differences and constraints and respond to issues one group is facing;
- Household-survey-based tools and approaches that help assess affordability of services, willingness to pay, and the effectiveness of current systems for targeting subsidies;
- Poverty and social impact analysis (PSIA) methods or tools using household-survey data to simulate direct and indirect effects of tariff increases for a good or service (e.g., in energy or transport) on the welfare of different groups of women;
- Gender maps and other spatial data on welfare indicators, cross-referenced with other information and statistics (such as vulnerability to disasters, existing infrastructure, and public facilities);
- Population census data that can shed light on literacy, language, religious affiliation, etc.;
- Micro-simulation tools using household survey data to assess the welfare impact of infrastructure or other forms of investment that has potential impact on output, employment and prices;
- Focus groups that gather specific information and obtain feedback on the consultation process; and
- NGOs and other community groups working with, and amongst, women that can provide key data and assessments.

## C. THE TOOL

The tool provides a set of questions to be asked in relation to five key areas surrounding the PPP project (see figure 4).

### 1. What is the context of women, and its implications for the project?

- a. Are there legal constraints that could impede women, e.g., does one need to have land tenancy, a registered address or an identity card before accessing services, seeking employment, starting a business, receiving compensation (e.g., for resettlement), or engaging in other activities associated with the project?
- b. Are there local social, cultural and religious practices that could impede service provision to women, or women accessing economic opportunities from the project?
- c. Are there power structures in local communities affecting women, or certain groups among women, that will influence the location, design or operation of the project?
- d. Are there factors within the communities, such as high sexual-harassment and violence rates, that are specific to women?
- e. Do women have access to or control over household finances? Can women open bank accounts? Can they access credit as easily as men?
- f. Do women receive subsidies or other aid that might help to access benefits from the project?
- g. To what extent can women receive and pay bills (e.g., are there requirements for things such as land tenancy, a registered address, or an identification card)?
- h. Where are women located, compared to the existing service network? Are there technical/cost complexities of serving areas where women live? Are women located in areas vulnerable to disasters? How does the location/alignment of the project affect potential benefits to, and participation by, women, e.g., commuting patterns, location of employment, education, and social focal points?

- i. Are women more vulnerable to risks arising from the project—for example, an influx of workers during construction can increase risks of disease, inflation, traffic, accidents, and even gender-based violence.

## **2. How can women communicate concerns to the project?**

- a. How does the political context of women allow them “voice”? Does local government represent women well?
- b. How do the cultural and religious contexts of women allow them “voice”? Are there community groups that reflect the interests and concerns of women?
- c. Are there civil organizations/NGOs that reflect the interests and concerns of women? Can these groups be used as intermediaries/support mechanisms to ensure protection and communication of the interests of women?
- d. How do women express opinions and priorities in decision-making in the family and in the community? How are men and women organized and represented in these decision-making structures?
- e. How can the project provide expedited dispute resolution that is accessible to women—e.g., complaint mechanisms, mechanisms for communication, access to the regulator, an on-site representative, or telekiosks?

## **3. How can the project communicate issues to women?**

- a. How can the project communicate with women, particularly in terms of designing and monitoring it? To what extent are female beneficiaries consulted when monitoring project performance, e.g., a formal consultation process at different stages; informal consultation on a regular basis through community organizations; or access of the regulator to feedback from women when assessing compliance?
- b. How can the project ensure that women are represented throughout the consultation process (e.g., timing of meetings or women-only meetings)?
- c. How do women access information (print media, radio, television, informal networks, or meetings)? What are the illiteracy levels among women? Are there established mechanisms for communicating with the illiterate female population, e.g., familiar access technologies? What languages are commonly used for communication by and to women?
- d. In the event of renegotiation or modification of the project, to what extent can the project consult with women?

## **4. What other benefits might the project provide, other than the project services?**

- a. What opportunities are there for jobs to be filled and/or created for women? Are there key constraints to women accessing these jobs? What support could be provided to women to help them better access those job opportunities? Will female employees earn as much as male employees?
- b. What opportunities are there for local, small businesses to provide services to the project? Which of those services might be provided by businesses owned by women or employing women? What support could be provided to those companies to access these opportunities?
- c. What are the potential indirect economic benefits of the project for women (e.g., more economic activity leading to greater demand for jobs; more employment opportunities due to greater commuting ability; better skills transfer due to access to power and transport, etc.)? Will the project provide, directly or indirectly, new access to markets, e.g., through improved transportation, information or education? How might the design of the project further magnify these indirect benefits?

## 5. How can the project be designed to benefit women?

- a. Do women require different access to the services, e.g., step-free access, lighting, security, or women-only facilities/access?
- b. Are complimentary arrangements/inputs needed to ensure that women can use the services optimally (e.g., information/education and low-cost methods to access services)?
- c. Do women receive services through alternative providers or systems (e.g. off grid)? What are the technical and financial implications of such alternative services (e.g., cost per unit or health implications)? Can/should the project be incentivized to facilitate such provisions? What would be the implication if the informal supply networks were formalized or removed in favor of a formal system? How could this impact be minimized?
- d. How should the project be designed to enhance any subsidies that women receive, and to maximize benefits obtained through those subsidies?
- e. Can third parties (e.g., community-based organizations or non-governmental organizations) help provide services to women to reduce the cost of delivery, e.g., through bulk purchases?
- f. Can the project be used to provide other services to women? Is there an opportunity for cross-selling or other public service delivery?



# ANNEX

# 1

## INFRASTRUCTURE AND HUMAN ENDOWMENTS

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### WHAT ARE THE GAPS BETWEEN THE CURRENT SITUATION AND THE DESIRED OUTCOMES?

Human capital endowments such as investments in health and education can ensure that people meet their potential and fully contribute to society.

- ***Progress seen in health, but more needed with respect to maternal mortality.*** By some markers, such as life expectancy, global health endowments have improved over the last two decades;<sup>74</sup> however, significant challenges remain to reducing high maternal mortality in many countries.<sup>75</sup> Estimates suggest that in 2015, roughly 303,000 women died during and following pregnancy and childbirth, and that most of these deaths could have been prevented.<sup>76</sup> Beyond worrying maternal mortality rates, given women tend to outlive men, they face additional health problems such as dementia and non-communicable diseases (for example, breast cancer and diabetes).<sup>77</sup>

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74 *World Bank Group 2016 Gender Strategy*: Both men (from 66 to 69) and women (from 70 to 73) saw increases to life expectancy between 2000 and 2013.

75 *World Bank Group 2016 Gender Strategy*.

76 Leontine et al, “Global, regional and national levels and trends in maternal mortality between 1990 and 2015, with scenario-based projections to 2030: a systematic analysis by the UN Maternal Mortality Estimation Inter-Agency Group Alkema,” *The Lancet*, Volume 387, Issue 10017, pp. 462–474.

77 *World Bank Group 2016 Gender Strategy*.

- **Education gaps closing, but not evenly.** Gaps between boys and girls with regards to several aspects of education—including enrollment, completion of primary school, and transition to secondary school—have narrowed,<sup>78</sup> yet these gains do not accrue evenly across countries, with low-income countries seeing the poorest performance.<sup>79</sup> Furthermore, girls in low-income countries who enter secondary school are less likely than boys to finish. The story at the tertiary level differs, with global enrollments for females stronger than those for males. However, gaps remain in the fields studied, with women being overrepresented in education and health, and underrepresented in engineering, manufacturing, construction and science.<sup>80</sup>

Overcoming these challenges requires addressing both demand and supply-side barriers. On the demand side, barriers to achieving adequate health and education outcomes include low economic resources, poor knowledge and information, limited mobility, and general social norms preventing women from seeking health care or girls from completing school. Supply-side barriers for health include availability and affordability of qualified health-care providers, and adequacy of care; for education, they include availability of education facilities, services, and properly trained teachers.

## HOW CAN INFRASTRUCTURE HELP ADDRESS THESE GAPS?

The development of infrastructure—both the physical assets and corresponding services—can directly and indirectly address “gaps” between reality and desired outcomes for improved human endowments.

### On the Demand Side:

- Development of well-designed transport and ICT services can encourage equal access to health services and education.
  - **Transport:** it is documented that men and women have different travel patterns, and that women prioritize safe transport systems, more flexible transport links, and affordable fares. If a system does not meet these needs, then more barriers exist between women and health or education services—they may not feel safe, or the travel times may be too burdensome.<sup>81</sup>
  - **ICT:** The emergence of ICT, and the use of mobile phones, can provide broader developmental impact, and they are powerful tools for increasing access to education and other social services.

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78 Ibid.

79 *World Bank Group 2016 Gender Strategy*: Only 23 percent of low-income countries have achieved gender parity at the primary level and 15 percent at secondary level.

80 Ibid.

81 For more discussion on gender and transport, see *Mobility for All: The link between Gender and Urban Transit*, Interamerican Development Bank, 2014, or *Gender Toolkit: Transport, Maximizing the Benefit for Improved Mobility for All*, Asian Development Bank, 2013.

## Transport's effect on Women Accessing Educational and Health Services

Lack of appropriate transport and unsafe public spaces, where women risk sexual harassment and other forms of gender-based violence, make it difficult for women to move around freely. This can constrain their abilities to take advantage of educational opportunities and health services. In the Republic of Yemen, lack of mobility is cited as a major restriction on girls' ability to go to school, and one-third of women deliver babies without medical care because appropriate transportation is lacking.<sup>82</sup>

Repurposed from: Klugman et al, *Voice and Agency: Empowering Girls for Shared Prosperity*, World Bank, 2014.  
Source: Appendix A.1: Concession Agreement—Schedule 4: Part 1

82 *Gender and Transport in the Middle East and North Africa Region: Case Studies from West Bank and Yemen*, Report 54788-MNA, Middle East and North Africa Region Transport and Energy Unit, World Bank, 2011.

### On the Supply Side:

- **Access to water and sanitation** services can help reduce illnesses associated with poor drinking water, thus improving health outcomes and freeing time for educational or economic pursuits.<sup>83</sup>
- **Increasing electricity access** can enable the use of time-saving appliances, freeing time for men and women to take advantage of educational or study opportunities. It also promotes health benefits from cleaner air and reduced risk of burns, fires and accidents.<sup>84</sup>
- **Increasing access to healthcare facilities** can improve health outcomes for women, provided there is good quality of care. A study of maternal mortality and distance to hospitals in Tanzania found that a large distance to hospitals contributed to high levels of obstetric mortality.<sup>85</sup>
- **Increasing access to education:** can help ensure that girls, particularly from rural areas, can continue their education. A project in Mauritania that helped build “proximity” schools in areas where there were no schools helped more than double the enrollment of girls in secondary school in just a few years.<sup>86</sup>
- **Embedding human endowment concerns into broader infrastructure projects**
  - These include benefit schemes and local area development activities, such as the benefit activities of the Nam Theun 2 Hydropower Project, described in Box 6.
  - Projects can aim to prevent health risks such as gender-based violence; see, for example, the Vanuatu Aviation Project described in Box 11.

83 A well-planned World Bank Rural Water Supply and Sanitation Project in Morocco demonstrated this. After project completion, time spent fetching water by women and girls was reduced by 50 to 90 percent. With more time and better health, female primary-school attendance in the project area increased by 21 percent (ICR Review, World Bank, Report number: ICRR11535).

84 Kohlin et al, “Energy, Gender and Development: What are the linkages? Where is the evidence?” World Bank, 2011.

85 Hanson, Claudia et al, *Maternal mortality and distance to facility based obstetric care in rural southern Tanzania: a secondary analysis of cross-sectional census data in 226,000 households*, Lancet Global Health, 2015.

86 For example on Mauritania, see: <https://www.globalpartnership.org/blog/distance-shouldnt-stand-between-girl-and-her-education>

# ANNEX

# 2

## INFRASTRUCTURE DEVELOPMENT AND EQUAL ACCESS TO JOBS

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### WHAT ARE THE GAPS BETWEEN THE CURRENT SITUATION AND THE DESIRED OUTCOME?

According to the McKinsey Global Institute, if all countries match the rate of improvement of the fastest-improving country in their region with regards to women's participation in the labor force, global annual GDP could grow as much \$12 trillion by 2025.<sup>87</sup> Unfortunately, almost universally across countries, women's labor-force participation pales in comparison to that of men.

Factors constraining women's participation are varied, but include:

1. Skills gaps;
2. Occupational sex segregation;
3. Lack of care services for dependents;
4. Limited mobility;
5. Time constraints related to unpaid drudgery work; and
6. Legal, regulatory and social restrictions.

Well-designed, easily accessible infrastructure and related services can be the key to helping women access jobs and economic opportunities, by both getting them to the jobs (such as through transport or ICT connections) or freeing their time from unpaid drudgery work (such as collecting water) for opportunities in the formal labor

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<sup>87</sup> *The power of parity: How advancing women's equality can add \$12 trillion to global growth*, McKinsey Global Institute (MGI), 2015.

market. Employment of women in infrastructure sectors, historically dominated by men, provides another pathway for improving women's labor-force participation.

## HOW CAN INFRASTRUCTURE HELP ADDRESS THESE GAPS?

Improved access to:

- ... electricity has been shown to raise female employment, by freeing time from home-production activities and enabling home-based micro-enterprises.<sup>88</sup>
- ... water and sanitation services can reduce time poverty, freeing time for paid work.<sup>89</sup>
- ... safe, well-designed transport links in urban and rural areas can positively influence women's participation in the labor market.
- ... ICT connections can open new job markets and possibilities.<sup>90</sup>

The process of developing and operating infrastructure can provide opportunities to promote women-owned business along the infrastructure value chain<sup>91</sup> and expand economic opportunities for women.

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88 Dinkelman, Taryn, *The effects of rural electrification on employment: New evidence from South Africa*, *American Economic Review*, Vol. 101(7), pp. 3078-3108, December 2011, appendices.

89 A well-planned World Bank Rural Water Supply and Sanitation Project in Morocco demonstrated this. After project completion, time spent fetching water by women and girls was reduced by 50 to 90 percent. With more time and better health, female primary-school attendance in the project area increased by 21 percent (ICR Review, World Bank, Report number: ICRR11535).

90 For a good example of this in practice, see: *Kosovo: Women in Online Work Pilot* (<http://www.worldbank.org/en/country/kosovo/brief/kosovo-wow>).

91 This could work particularly well for off-grid renewable-energy solutions, as seen in the example of "Solar Sisters," which works with a woman-centered direct-sales network to bring clean-energy technologies to remote communities in rural Africa. See more at <https://www.solarsister.org/about>.

# ANNEX

# 3

## INFRASTRUCTURE DEVELOPMENT AND WOMEN'S OWNERSHIP AND CONTROL OF ASSETS

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### WHAT ARE THE GAPS BETWEEN THE CURRENT SITUATION AND THE DESIRED OUTCOME?

Owning assets such as land, housing and technology can help people generate income, facilitate access to capital and credit, and cope with and absorb unforeseen shocks.<sup>92</sup> Although many countries have taken steps to increase women's access to assets, numerous gaps exist. Barriers include not having access to financial accounts or credit, or not having proper identification, which prevent women from being able to get mortgages for land or houses, or to gain a connection to a service such as water or mobile phones.

### HOW CAN INFRASTRUCTURE HELP ADDRESS THESE GAPS?

These barriers will not be overcome by the presence of a physical infrastructure asset or service (as may be the case for human-endowment challenges); however, the process of building or providing infrastructure can provide unique entry points towards helping women overcome barriers to owning assets. Specifically, providing joint titling during the resettlement process is associated with large-scale infrastructure (see Box 3).

ICT infrastructure and its related services are a bit of an exception to this. Having good ICT networks (mobile or broadband) can foster a more digital economy, and enable a more connected society. Technology can facilitate women's access to financial markets, or can serve to build a credit history, which will then allow them to access credit for the purchase of larger assets.

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<sup>92</sup> World Bank Group Gender Strategy 2016.

# ANNEX

# 4

## INFRASTRUCTURE DEVELOPMENT AND WOMEN'S VOICE AND AGENCY

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### WHAT ARE THE GAPS BETWEEN THE CURRENT SITUATION AND THE DESIRED OUTCOME?

Even where gaps in human capital and physical assets have narrowed, differences in gender outcomes can still occur when males and females have unequal capacity to exercise agency and participate fully in all aspects of life.<sup>93</sup>

- **Agency**—sometimes called empowerment<sup>94</sup>—refers to an individual or group's ability to make effective choices, and to transform those choices into desired outcomes, free of violence, retribution or fear.<sup>95</sup>
- **Full and equal participation requires that all people have voice**—the ability to speak up, be heard, shape and share in discussions and decisions that affect them.<sup>96</sup>

Addressing voice and agency constraints, arguably one of the most challenging but potentially powerful aspects of promoting gender equality, requires engaging men and boys as change agents, and changing unequitable social norms, discriminatory laws and legal institutions. It also requires developing programs to promote economic opportunities, social protections and education.<sup>97</sup>

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93 WDR 2012.

94 Klugman et al, *Voice and Agency: Empowering Girls for Shared Prosperity*, World Bank, 2014.

95 Ibid.

96 Ibid.

97 *World Bank Group Gender Strategy 2016*.

Imperfect but useful measurements of the current progress on achieving equitable voice and agency is done through proxies. They show:<sup>98</sup>

- Gender-based violence is a global epidemic that affects women across all regions of the world;
- Many girls have limited control over their sexual and reproductive rights;
- Fewer women than men own land and housing; and
- Women are underrepresented in the halls of power.

## HOW CAN INFRASTRUCTURE HELP ADDRESS THESE GAPS?

The process of developing and providing infrastructure assets and services provides ample opportunities to enhance women's voice and agency:

- **Including women's voice** in the planning, design, implementation and monitoring of projects can enhance agency and voice and lead to better-designed infrastructure.
- **Providing opportunities for skills development, leadership and mentorship** through jobs associated with infrastructure projects can lead to increased agency for women (see Box 8).
- **Requiring female participation in local decision-making bodies** such as water boards can improve service quality and trigger factors that increase women's agency.
- **Deploying mechanisms to prevent GBV:** New processes, such as the "code of conduct" (see Box 11 and Annex 6) promoted by the World Bank can make private firms involved in the construction of infrastructure processes part of the equation to promote gender equality.

It must be underscored that agency is complex and very dependent on local context and social norms. Often social norms prevent the effectiveness of policies and services. For example, social norms are the most frequently reported constraint on physical mobility, followed by public safety (infrastructure is rarely mentioned).<sup>99</sup> As agency is intrinsically linked with human endowments and economic empowerment, where infrastructure fills gaps in those arenas, it also helps improve agency outcomes. Experience suggests that economic growth can expand infrastructure services (for example, rural electrification) which can then reduce constraints on women's time, giving women more opportunity to earn money, which can increase their bargaining power in households.

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98 Klugman et al, *Voice and Agency: Empowering Girls for Shared Prosperity*, World Bank, 2014.

99 *Defining Gender in the 21st Century: A Multi-Country Qualitative Study of Gender and Economic Choice*, World Bank, 2011.



# ANNEX

# 5

## EXAMPLES OF GENDER-SENSITIVE INDICATORS— INFRASTRUCTURE PROJECT CYCLE<sup>100</sup>

<sup>100</sup> From *Checklist for Gender Mainstreaming in the Infrastructure Sector*, AfDB, 2009.

Phase	Indicators
Project design and input indicators	<ul style="list-style-type: none"> <li>• Infrastructure constraints on men's productive roles and women's economic, domestic and community-management roles addressed</li> <li>• The economic and cultural issues affecting women's and men's access to transport and services identified and addressed</li> <li>• Staff on project coordination team identified to facilitate women's participation in the project</li> <li>• HIV/AIDS indicators related to awareness, access to health services, treatment and counseling</li> <li>• Overall institutional structure set-up helps to encourage staff to address gender in their projects (this can be through increased gender sensitization of staff; providing appropriate tools to undertake gender-sensitive monitoring; ensuring quarterly progress reports are reporting gender-disaggregated data on project achievements; establishing dialogue amongst staff on constraints and achievements in addressing gender issues in the project, and so forth.)</li> </ul>
Project implementation indicators	<ul style="list-style-type: none"> <li>• Gender responsiveness of institutional arrangements and delivery systems for inputs</li> <li>• Participatory project planning and implementation with women and men in communities, including procurement activities of the project</li> <li>• Training, capacity building and methodologies cater to both women and men</li> <li>• HIV/AIDS awareness campaigns for workers, communities and activities promoting access to health services, treatment and counselling</li> </ul>
Project output indicators	<ul style="list-style-type: none"> <li>• Increase in number of women selected to participate in project activities, such as road or path construction and maintenance</li> <li>• Increase in ratio of women to men with access to appropriate physical infrastructure</li> <li>• Increase in ratio of women to men with access to employment and income-generating activities</li> <li>• Increase in HIV/AIDS awareness, access to health services, treatment and counselling</li> </ul>

Phase	Indicators
Project impacts indicators	<ul style="list-style-type: none"> <li>• Reduced time and costs for women and men taking goods to the market</li> <li>• Increased income for women and men</li> <li>• Increased number of women and men entrepreneurs on roadsides</li> <li>• Reduced traffic-related accidents</li> <li>• Increase in security for communities in the region</li> <li>• Increase in enrolment rates in primary and secondary schools</li> <li>• Improved women's participatory and decision-making skills in community infrastructure-management issues</li> <li>• Improved maternal and child health;</li> <li>• Reduced HIV/AIDS prevalence</li> </ul>

Other sources for gender and infrastructure-related indicators include:

- Roads to agency: Effects of Enhancing Women's Participation in Rural Roads Projects on Women's Agency. World Bank, 2015, Table 2 "Suggested Gender-Sensitive Monitoring Indicators."
- *Tool kit on gender equality results and indicators*, Asian Development Bank, 2013. This includes a great discussion of setting a gender-sensitive results framework and includes multiple sample gender-sensitive indicators across sectors.

# ANNEX

# 6

## SAMPLE CODES OF CONDUCT

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*Note: The following codes of conduct were developed for the World Bank Pacific Island Country Transport Projects, as adapted from codes of conduct developed by the United Nations. Three codes are presented here: one for the contracting firm, one for firm managers, and one for individual workers. These codes provide a useful model for adaptation and inclusion in other projects, although there is more to learn to assess the effectiveness of the respective tools.*

### **Company Code of Conduct** Implementing ESHS and OHS Standards Preventing Gender-Based Violence

The company is committed to ensuring that the project is implemented in such a way which minimizes any negative impacts on the local environment, communities, and its workers. This will be done by respecting the environmental, social, health and safety (ESHS) standards, and ensuring appropriate occupational health and safety (OHS) standards are met. The company is also committed to creating and maintaining an environment where children under the age of 18 will be protected, and where Sexual Exploitation and Abuse (SEA) and sexual harassment have no place. Improper actions towards children, SEA and sexual harassment are acts of Gender-Based Violence (GBV) and as such will not be tolerated by any employee, sub-contractors, supplier, associate, or representative of the company.

Therefore, to ensure that all those engaged in the project are aware of this commitment, the company commits to the following core principles and minimum standards of behavior that will apply to all company employees, associates, and representatives, including sub-contractors and suppliers, without exception:

## **General**

1. The company—and therefore all employees, associates, representatives, sub-contractors and suppliers—commits to complying with all relevant national laws, rules and regulations.
2. The company commits to fully implementing its Contractors Environmental and Social Management Plan (C-ESMP) as approved by the client.
3. The company commits to treating women, children (persons under the age of 18), and men with respect regardless of race, color, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status. Acts of GBV are in violation of this commitment.
4. The company shall ensure that interactions with local community members are done with respect and non-discrimination.
5. Demeaning, threatening, harassing, abusive, culturally inappropriate, or sexually provocative language and behavior are prohibited among all company employees, associates, and its representatives, including sub-contractors and suppliers.
6. The company will follow all reasonable work instructions (including regarding environmental and social norms).
7. The company will protect and ensure proper use of property (for example, to prohibit theft, carelessness or waste).

## **Health and Safety**

8. The company will ensure that the project's OHS Management Plan is effectively implemented by company's staff, as well as sub-contractors and suppliers.
9. The company will ensure that all persons on-site wear prescribed and appropriate personal protective equipment, preventing avoidable accidents, and reporting conditions or practices that pose a safety hazard or threaten the environment.
10. The company will:
  - i. Prohibit the use of alcohol during work activities
  - ii. Prohibit the use of narcotics or other substances which can impair faculties at all times
11. The company will ensure that adequate sanitation facilities are available on site and at any worker accommodations provided to those working on the project.
12. The company will not hire children under the age of 18 for construction work, or allow them on the work site, due to the hazardous nature of construction sites.

## **Gender-Based Violence**

13. Acts of GBV constitute gross misconduct and are therefore grounds for sanctions, which may include penalties and/or termination of employment and, if appropriate, referral to the police for further action.
14. All forms of GBV are unacceptable, regardless of whether they take place on the work site, the work site surroundings, at worker's camps or within the local community.
15. Sexual harassment of work personnel and staff (e.g. making unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature) are acts of GBV and are prohibited.
16. Sexual favors (e.g. making promises of favorable treatment such as promotions, threats of unfavorable treatment such as losing a job, payments in kind or in cash dependent on sexual acts) and any form of humiliating, degrading or exploitative behavior are prohibited.

17. The use of prostitution in any form at any time is strictly prohibited.
18. Sexual contact or activity with children under 18—including through digital media—is prohibited. Mistaken belief regarding the age of a child is not a defense. Consent from the child is also not a defense or excuse.
19. Unless there is full consent<sup>101</sup> by all parties involved in the sexual act, sexual interactions between the company’s employees (at any level) and members of the communities surrounding the work place are prohibited. This includes relationships involving the withholding/promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex (including prostitution). Such sexual activity is considered “non-consensual” within the scope of this Code.
20. In addition to company sanctions, legal prosecution of those who commit acts of GBV will be pursued if appropriate.
21. All employees, including volunteers and sub-contractors, are highly encouraged to report suspected or actual acts of GBV by a fellow worker, whether in the same company or not. Reports must be made in accordance with project’s GBV Allegation Procedures.
22. Managers are required to report and act to address suspected or actual acts of GBV as they have a responsibility to uphold company commitments and hold their direct reports responsible.

## Implementation

To ensure that the above principles are implemented effectively the company commits to:

23. Ensuring that all managers sign the project’s Manager’s Code of Conduct detailing their responsibilities for implementing the company’s commitments and enforcing the responsibilities in the Individual Code of Conduct
24. Ensuring that all employees sign the project’s Individual Code of Conduct confirming their agreement to comply with ESHS and OHS standards, and not to engage in activities resulting in GBV, child endangerment or abuse, or sexual harassment
25. Displaying the Company and Individual Codes of Conduct prominently and in clear view at workers’ camps, offices, and in public areas of the work space; examples of areas include waiting, rest and lobby areas of sites, canteen areas and health clinics
26. Ensuring that posted and distributed copies of the Company and Individual Codes of Conduct are translated into the appropriate language of use in the work site areas as well as for any international staff in their native language
27. Ensuring that an appropriate person is nominated as the company’s “Focal Point” for addressing GBV issues, including representing the company on the GBV Complaints Team (GCT) which is comprised of representatives from the client, contractor(s), the supervision consultant, and local GBV Service Provider
28. Ensuring that an effective GBV Action Plan is developed in consultation with the GCT which includes as a minimum:
  - i. **GBV Allegation Procedure** to report GBV issues through the project Grievance Redress Mechanism (Section 4.3 Action Plan)

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<sup>101</sup> Consent: refers to when an adult makes an informed choice to agree freely and voluntarily to do something. There is **no** consent when agreement is obtained through the use of threats, force or other forms of coercion, abduction, fraud, manipulation, deception, or misrepresentation; the use of a threat to withhold a benefit to which the person is already entitled, or; a promise made to the person to provide a benefit. In accordance with the United Nations Convention on the Rights of the Child, the World Bank considers that consent cannot be given by children under the age of 18, even if national legislation of the country into which the Code of Conduct is introduced has a lower age. Mistaken belief regarding the age of the child and consent from the child is not a defense.

- ii. **Accountability Measures** to protect confidentiality of all involved (Section 4.4 Action Plan), and
  - iii. **Response Protocol** applicable to GBV survivors and perpetrators (Section 4.7 Action Plan)
29. Ensuring that the company effectively implements the agreed final GBV Action Plan, providing feedback to the GCT for improvements and updates as appropriate
  30. Ensuring that all employees attend an induction training course prior to commencing work on site to ensure they are familiar with the company's commitments to ESHS and OHS standards, and the project's GBV Codes of Conduct
  31. Ensuring that all employees attend a mandatory training course once a month for the duration of the contract starting from the first induction training prior to commencement of work to reinforce the understanding of the project's ESHS and OHS standards and the GBV Code of Conduct

*I do hereby acknowledge that I have read the foregoing Company Code of Conduct, and on behalf of the company agree to comply with the standards contained therein. I understand my role and responsibilities to support the project's OHS and ESHS standards, and to prevent and respond to GBV. I understand that any action inconsistent with this Company Code of Conduct or failure to act mandated by this Company Code of Conduct may result in disciplinary action.*

Company name: \_\_\_\_\_

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

# Manager's Code of Conduct

## Implementing ESHS and OHS Standards

### Preventing Gender-Based Violence

The company is committed to ensuring that the project is implemented in such a way which minimizes any negative impacts on the local environment, communities, and its workers. This will be done by respecting the environmental, social, health and safety (ESHS) standards, and ensuring appropriate occupational health and safety (OHS) standards are met. The company is also committed to creating and maintaining an environment where children under the age of 18 will be protected, and where Sexual Exploitation and Abuse (SEA) and sexual harassment have no place. Improper actions towards children, SEA and sexual harassment are acts of Gender-Based Violence (GBV) and as such will not be tolerated by any employee, sub-contractors, supplier, associate, or representative of the company.

Managers at all levels have a responsibility to uphold the company's commitment. Managers need to support and promote the implementation of the Company Code of Conduct. To that end, managers must adhere to this Manager's Code of Conduct and also to sign the Individual Code of Conduct. This commits them to supporting the implementation of the Contractor's Environmental and Social Management Plan (C-ESMP), the OHS Management Plan, and developing systems that facilitate the implementation of the GBV Action Plan.

Managers need to maintain a safe workplace, as well as a GBV-free environment at the workplace and in the local community. Their responsibilities to achieve this include but are not limited to:

#### Implementation

1. To ensure maximum effectiveness of the Company and Individual Codes of Conduct:
  - i. Prominently displaying the Company and Individual Codes of Conduct in clear view at workers' camps, offices, and in public areas of the work space. Examples of areas include waiting, rest and lobby areas of sites, canteen areas and health clinics.
  - ii. Ensuring all posted and distributed copies of the Company and Individual Codes of Conduct are translated into the appropriate language of use in the work site areas as well as for any international staff in their native language.
2. Verbally and in writing explain the Company and Individual Codes of Conduct to all staff.
3. Ensure that:
  - i. All direct reports sign the Individual Code of Conduct, including acknowledgment that they have read and agree with the Code of Conduct.
  - ii. Staff lists and signed copies of the Individual Code of Conduct are provided to the OHS Manager, the GBV Complaints Team (GCT), and the client.
  - iii. Participate in training and ensure that staff also participate as outlined below.
  - iv. Put in place a mechanism for staff to:
    - a. report concerns on ESHS or OHS compliance; and,
    - b. confidentially report GBV incidents through the Grievance Redress Mechanism (GRM)
  - v. Staff are encouraged to report suspected or actual ESHS, OHS, GBV issues, emphasizing the staff's responsibility to the Company and the country hosting their employment, and emphasizing the respect for confidentiality.

4. In compliance with applicable laws and to the best of your abilities, prevent perpetrators of sexual exploitation and abuse from being hired, re-hired or deployed. Use background and criminal reference checks for all employees nor ordinarily resident in the country where the works are taking place.
5. Ensure that when engaging in partnership, sub-contractor, supplier or similar agreements, these agreements:
  - i. Incorporate the ESHS, OHS, GBV Codes of Conduct as an attachment
  - ii. Include the appropriate language requiring such contracting entities and individuals, and their employees and volunteers, to comply with the Individual Codes of Conduct
  - iii. Expressly state that the failure of those entities or individuals, as appropriate, to ensure compliance with the ESHS and OHS standards, take preventive measures against GBV, to investigate allegations thereof, or to take corrective actions when GBV has occurred, shall not only constitute grounds for sanctions and penalties in accordance with the Individual Codes of Conduct but also termination of agreements to work on or supply the project
6. Provide support and resources to the GCT to create and disseminate internal sensitization initiatives through the awareness-raising strategy under the GBV Action Plan.
7. Ensure that any GBV complaint warranting police action is reported to the police, the client and the World Bank immediately.
8. Report and act in accordance with the agreed response protocol any suspected or actual acts of GBV.
9. Ensure that any major ESHS or OHS incidents are reported to the client and the supervision engineer immediately, non-major issues in accordance with the agreed reporting protocol.
10. Ensure that children under the age of 18 are not present at the construction site, or engaged in any hazardous activities.

## **Training**

11. The managers are responsible to:
  - i. Ensure that the OHS Management Plan is implemented, with suitable training required for all staff, including sub-contractors and suppliers, and
  - ii. Ensure that staff have a suitable understanding of the C-ESMP and are trained as appropriate to implement the C-ESMP requirements
12. All managers are required to attend an induction manager training course prior to commencing work on site to ensure that they are familiar with their roles and responsibilities in upholding the GBV elements of these Codes of Conduct. This training will be separate from the induction training course required of all employees and will provide managers with the necessary understanding and technical support needed to begin to develop the GBV Action Plan for addressing GBV issues.
13. Managers are required to attend and assist with the project facilitated monthly training courses for all employees. Managers will be required to introduce the trainings and announce the self-evaluations, including collecting satisfaction surveys to evaluate training experiences and provide advice on improving the effectiveness of training.
14. Ensure that time is provided during work hours and that staff prior to commencing work on site attend the mandatory project facilitated induction training on
  - i. OHS and ESHS; and,
  - ii. GBV required of all employees.



15. During civil works, ensure that staff attend ongoing OHS and ESHS training, as well as the monthly mandatory refresher training course required of all employees to on GBV.

**Response**

16. Managers will be required to take appropriate actions to address any ESHS or OHS incidents.
17. Regarding GBV:
  - i. Provide input to the GBV Allegation Procedures and Response Protocol developed by the GCT as part of the final cleared GBV Action Plan.
  - ii. Once adopted by the Company, managers will uphold the Accountability Measures set forth in the GBV Action Plan to maintain the confidentiality of all employees who report or (allegedly) perpetrate incidences of GBV (unless a breach of confidentiality is required to protect persons or property from serious harm or where required by law).
  - iii. If a manager develops concerns or suspicions regarding any form of GBV by one of his/her direct reports, or by an employee working for another contractor on the same work site, s/he is required to report the case using the GRM.
  - iv. Once a sanction has been determined, the relevant manager(s) is/are expected to be personally responsible for ensuring that the measure is effectively enforced, within a maximum timeframe of 14 days from the date on which the decision to sanction was made by the GCT.
  - v. If a Manager has a conflict of interest due to personal or familial relationships with the survivor and/or perpetrator, he/she must notify the Company and the GCT. The Company will be required to appoint another manager without a conflict of interest to respond to complaints.
  - vi. Ensure that any GBV issue warranting Police action is reported to the Police, the client and the World Bank immediately.
18. Managers failing to address ESHS or OHS incidents, or failing to report or comply with the GBV provisions may be subject to disciplinary measures to be determined and enacted by the Company's CEO, Managing Director or equivalent highest-ranking manager. Those measures may include:
  - i. Informal warning
  - ii. Formal warning
  - iii. Additional training
  - iv. Loss of up to one week's salary
  - v. Suspension of employment (without payment of salary), for a minimum period of one month up to a maximum of six months
  - vi. Termination of employment
19. Ultimately, failure to effectively respond to ESHS, OHS, and GBV cases on the work site by the company's managers or CEO may provide grounds for legal actions by authorities.

*I do hereby acknowledge that I have read the foregoing Manager's Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to ESHS, OHS, and GBV requirements. I understand that any action inconsistent with this Manager's Code of Conduct or failure to act mandated by this Manager's Code of Conduct may result in disciplinary action.*

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

## Individual Code of Conduct

### Implementing ESHS and OHS Standards Preventing Gender-Based Violence

I, \_\_\_\_\_, acknowledge that adhering to Environmental, Social, Health and Safety (ESHS) standards, following the project's Occupational Health and Safety (OHS) requirements, and preventing Gender-Based Violence (GBV) is important.

The Company considers that failure to follow ESHS and OHS standards, or to partake in activities constituting GBV—be it at the work site, the work site surroundings, workers' camps, or in the surrounding communities—constitute acts of gross misconduct and are therefore grounds for sanctions, penalties or potential termination of employment. Prosecution by the police of those who commit GBV may be pursued if appropriate.

I agree that while working on the project I will:

1. Consent to a police background check
2. Attend and actively partake in training courses related to ESHS, OHS, and GBV as requested by my employer
3. Wear my personal protective equipment (PPE) at all times when at the work site or engaged in project-related activities
4. Take all practical steps to implement the contractor's environmental and social management plan (C-ESMP)
5. Implement the OHS Management Plan
6. Adhere to a zero-alcohol policy during work activities, and refrain from the use of narcotics or other substances that can impair faculties at all times
7. Treat women, children (persons under the age of 18), and men with respect regardless of race, color, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status
8. Not use language or behavior towards women, children or men that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate
9. Not sexually exploit or abuse project beneficiaries and members of the surrounding communities
10. Not engage in sexual harassment of work personnel and staff—for instance, making unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature is prohibited; for example: looking somebody up and down; kissing, howling or smacking sounds; hanging around somebody; whistling and catcalls; in some instances, giving personal gifts
11. Not engage in sexual favors—for instance, making promises of favorable treatment (e.g., promotion), threats of unfavorable treatment (e.g., loss of job) or payments in kind or in cash, dependent on sexual acts—or other forms of humiliating, degrading or exploitative behavior
12. Not use prostitution in any form at any time
13. Not participate in sexual contact or activity with children under the age of 18, including grooming or contact through digital media—mistaken belief regarding the age of a child is not a defense; consent from the child is also not a defense or excuse

14. Not have sexual interactions with members of the surrounding communities unless there is the full consent<sup>102</sup> by all parties involved, including relationships involving the withholding or promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex (including prostitution)—such sexual activity is considered “non-consensual” within the scope of this Code
15. Consider reporting through the GRM or to my manager any suspected or actual GBV by a fellow worker, whether employed by my company or not, or any breaches of this Code of Conduct

**Regarding children under the age of 18, I will:**

16. Bring to the attention of my manager the presence of any children on the construction site or engaged in hazardous activities
17. Ensure that another adult is present when working in the proximity of children wherever possible
18. Not invite unaccompanied children unrelated to my family into my home, unless they are at immediate risk of injury or in physical danger
19. Not use any computers, mobile phones, video and digital cameras or any other medium to exploit or harass children or to access child pornography (see also “Use of children’s images for work related purposes” below)
20. Refrain from physical punishment or discipline of children
21. Refrain from hiring children for domestic or other labor below the minimum age of 14 unless national law specifies a higher age, or which places them at significant risk of injury
22. Comply with all relevant local legislation, including labor laws in relation to child labor and World Bank’s safeguard policies on child labor and minimum age
23. Take appropriate caution when photographing or filming children (See Annex 2 for details)

**Use of children’s images for work-related purposes**

When photographing or filming a child for work related purposes, I must:

24. Assess and endeavor to comply with local traditions or restrictions for reproducing personal images before photographing or filming
25. Obtain informed consent from the child and a parent or guardian of the child before photographing or filming; in addition, I must explain how the photograph or film will be used
26. Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner—children should be adequately clothed and not in poses that could be seen as sexually suggestive
27. Ensure images are honest representations of the context and the facts
28. Ensure file labels do not reveal identifying information about a child when sending images electronically

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102 **Consent:** refers to when an adult makes an informed choice to agree freely and voluntarily to do something. There is **no** consent when agreement is obtained through the use of threats, force or other forms of coercion, abduction, fraud, manipulation, deception, or misrepresentation; the use of a threat to withhold a benefit to which the person is already entitled, or; a promise made to the person to provide a benefit. In accordance with the United Nations Convention on the Rights of the Child, the World Bank considers that consent cannot be given by children under the age of 18, even if national legislation of the country into which the Code of Conduct is introduced has a lower age. Mistaken belief regarding the age of the child and consent from the child is not a defense.

## Sanctions

I understand that if I breach this Individual Code of Conduct, my employer will take disciplinary action which could include:

1. Informal warning
2. Formal warning
3. Additional training
4. Loss of up to one week's salary
5. Suspension of employment (without payment of salary), for a minimum period of one month up to a maximum of six months
6. Termination of employment
7. Report to the Police if warranted

*I understand that it is my responsibility to ensure that the environmental, social, health and safety standards are met; that I will adhere to the occupational health and safety management plan; that I will avoid actions or behaviors that could be construed as GBV. Any such actions will be a breach this Individual Code of Conduct. I do hereby acknowledge that I have read the foregoing Individual Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to ESHS, OHS, GBV issues. I understand that any action inconsistent with this Individual Code of Conduct or failure to act mandated by this Individual Code of Conduct may result in disciplinary action and may affect my ongoing employment.*

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_





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