Good Practice Note

Environment & Social Framework for IPF Operations

Gender



Good Practice Notes (GPNs) are produced to help World Bank staff in providing implementation support to Borrowers in meeting the requirements of the Environmental and Social Framework (ESF). They are written in a style and format that is intended for all staff and development partners to use. GPNs are advisory in nature and are not World Bank policy nor are they mandatory. They will be updated according to emerging good practice.

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Afshan Khawaja (OPSSP) led the overall preparation of this Good Practice Note with a team consisting of Colin Scott (OPSSP), Aki Tsuda (OPSSP) and Ian White (OPSSP). It has benefited from input and feedback from the World Bank Gender group, Social Development and Environment & Natural Resources Global Practice Groups, Regions and LEGEN. It was peer reviewed by Zishan Karim (SAFU2), Karla Gonzalez Carvajal (IECT1) and Mohammed Dalil Essakali (SARDE). This Note was also informed by workshops with social impact assessment experts hosted by the World Bank in Vienna in June 2016 and Berlin in June 2017.

Abbreviations

CPF Country Partnership Framework

ESA Environmental and Social Assessment

ESCP Environmental and Social Commitment Plan

ESF Environmental and Social Framework

ESP Environmental and Social Policy

ESS Environmental and Social Standards (ESS1–10)

GBV Gender-based violence

GPN Good Practice Notes

IPF Investment Project Financing

SCD Systematic Country Diagnostic

SEA Sexual Exploitation and Abuse

SEP Stakeholder Engagement Plan

SH Sexual Harassment

TORs Terms of Reference

Glossary

Disadvantaged or vulnerable Refers to those who may be more likely to be adversely affected by the project impacts and/or more limited than others in their ability to take advantage of a project's benefits. Such an individual/group is also more likely to be excluded from/unable to participate fully in the mainstream consultation process and as such may require specific measures and/or assistance to do so. This action will take into account considerations relating to age, including the elderly and minors, including in circumstances where they may be separated from their family, the community or other individuals upon which they depend.

Gender

Refers to the social, behavioral, and cultural attributes, expectations, and norms associated with being male or female. The social definitions of what it means to be female or male vary among cultures and change over time. Males and females are not homogeneous groups, but are stratified by race, ethnicity, and disability, which together with income level, geographic location, and migratory status, can lead to multiple overlapping layers of vulnerability and discrimination. Gender equality refers to how these factors determine the way in which women and men relate to each other and to the resulting differences in power between them. Gender is relevant to ESF requirements throughout the project cycle including scoping, assessment, implementation and stakeholder engagement.

Gender-based Violence (GBV) An umbrella term for any harmful act that is perpetrated against a person's will and that is based on socially ascribed (i.e. gender) differences between males and females. It includes acts that inflict physical, sexual or mental harm or suffering, threats of such acts, coercion, and other deprivations of liberty. These acts can occur in public or in private (IASC 2015). Women and girls are disproportionately affected by GBV across the globe.

Mitigation hierarchy

A systematic and phased approach to addressing the risks and impacts of a project.

Sexual Exploitation and Abuse (SEA)

Sexual Exploitation is defined as any actual or attempted abuse of position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. In Bank financed operations/projects, sexual exploitation occurs when access to or benefit from a Bank financed Goods, Works, Non-consulting Services or Consulting Services is used to extract sexual gain. Sexual Abuse is defined as the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Sexual Harassment (SH)

Unwelcome sexual advances, requests for sexual favors, and other unwanted verbal or physical conduct of a sexual nature. SH differs from SEA in that it occurs between personnel/staff working on the project, and not between staff and project beneficiaries or communities. The distinction between SEA and SH is important so that agency policies and staff training can include specific instructions on the procedures to report each. Both women and men can experience SH.

Introduction

This note explains how the Environmental and Social Framework (ESF) at a project level supports the World Bank's work to close gaps between men and women, girls and boys and enhance women's leadership and voice. Under the ESF, the World Bank has strengthened its commitment to promoting gender equality and inclusion in Investment Project Financing (IPF) operations. This Good Practice Note (GPN) should be read in conjunction with the ESF, including the Environmental and Social Policy, the Environmental and Social Standards (ESS1-10), the accompanying Guidance Notes, and the Bank Directive on Addressing Risks and Impacts on Disadvantaged or Vulnerable Individuals or Groups.

The Bank's overall approach to gender is guided by the World Bank Group's Gender Strategy¹ (FY16-23) and OP4.20: Gender and Development². The Gender Strategy is backed up by a number of country and sector-level instruments such as regional gender action plans, country diagnostics (and in some regions, with country action plans and platforms), and Global Practice (GP) Gender Strategy Follow Up Notes. These are illustrated in Figure 1.

The World Bank Group's Gender Strategy sets out different actions to achieve real-world results, by identifying and implementing operations that narrow opportunity and outcome gaps between males and females (Note: males and females are not homogeneous, and disparities between women or between men, such as between poor and non-poor women, or younger and older women, or urban and rural men, for example, are considered as a gender gap.) It aims further to address constraints cited in many economies as impediments to closing these gaps, such as occupational sex segregation, with women and girls often streamed into lower-paying, less secure fields of study and work; high rates of unpaid work by women; lack of safe, affordable transportation; high prevalence of gender-based violence (GBV) and, more specifically, of Sexual Exploitation and Abuse (SEA)/Sexual Harassment (SH) in workplaces; lack of clear land and housing ownership and tenure security, wherein women's rights tend to be informal so that they are at greater risk of being displaced from land and other asset ownership; and inadequate investment in and prioritization of care services, from early childhood to old age. The strategy sets out to help countries address challenges such as maternal mortality while also considering emerging challenges such as ageing populations, climate change, fragility, conflict, and violence, and slowing economic growth.

The WBG Gender Strategy also reinforces OP4.20: "Gender and Development", which aims to assist member countries in formulating and implementing their gender equality and development goals. To this end, the Bank has developed tools for assessing how well it is helping clients close relevant gender gaps within and across sectors in the countries in which it has an active assistance program. The Bank's Country Partnership Framework (CPF) draws on and discusses the findings of a recent gender assessment and other diagnostics. Further, in sectors and thematic areas where the CPF has identified key gender gaps, the Bank's assistance to the country incorporates measures designed to address them. Projects in these

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¹ World Bank Group Gender Strategy (FY16-23): Gender Equality, Poverty Reduction and Inclusive Growth. (2015). The strategy builds on the conceptual framework of the World Development Report 2012: Gender Equality and Development (World Bank 2011), which posits that households, markets, and institutions, and the interactions between them, influence gender equality and economic development. The framework focuses on three domains of gender equality: human endowments, notably health and education; economic opportunity, as measured by participation in economic activities and access to and control of key productive assets; and voice and agency, as expressed in freedom from violence, the ability to have voice and influence in governance and political processes, and the ability to exercise control on key decisions such as marriage, sexual activity, and child-bearing.

² OP 4.20: Gender and Development

sectors and thematic areas are designed to take into account the gender gaps that can be addressed by the project.

The ESF's Vision for Sustainable Development stresses the importance of gender equality in the Bank's work on inclusion, empowering all people to participate in, and benefit from, the development process. Provisions on gender under the ESF therefore work both (i) on *improving access* to services and benefits such as education, health, social protection, infrastructure, affordable energy, employment, financial services and productive assets, and (ii) action to *remove barriers* against those who are excluded from the development process in relation to the projects the Bank supports through IPF operations.

Drawing upon the significant body of work on gender in the World Bank, this note is specifically aimed at addressing gender gaps in the context of the ESF focusing at the project level and the identification and mitigation of risks and impacts through the process of environmental and social assessment (ESA). The assessment and mitigation of the risks of gender-based violence (GBV) in projects are covered in a specific Good Practice Note.³ Discrimination based on a person's real or perceived sexual orientation or gender identity (SOGI) is addressed in a separate Good Practice Note.⁴

This note explains how throughout the project cycle the ESF can contribute to sound project design to close different types of gender gaps, guided by thorough environmental and social assessment and stakeholder engagement early in project preparation, strong stakeholder engagement, and a continued attention to monitoring relevant actions throughout the lifetime of the project.

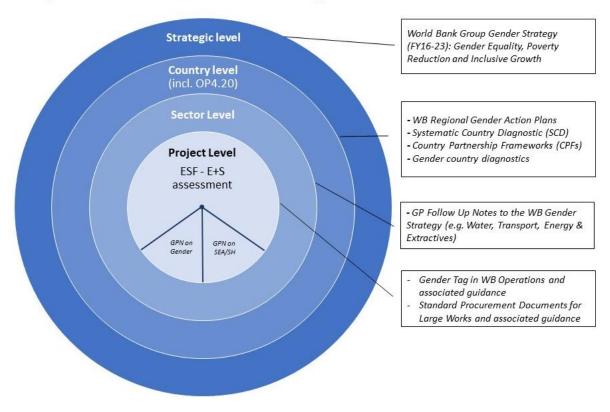


Figure 1: The ESF within the World Bank's approach to Gender

³ <u>Good Practice Note: Addressing Gender Based Violence In Investment Project Financing involving Major Civil Works</u> (Sept 2018).

⁴ Good Practice Note: Non-Discrimination: Sexual Orientation and Gender Identity (SOGI) (Oct 2019).

How does the ESF fit within the Bank's Approach to Gender?

Figure 1 depicts how the ESF fits within the World Bank's strategic, country and sector-level work to close gaps between men and women and enhance women's voice and agency. At the **strategic, country and sector level**, there are Bank strategies, policies and practices (see resources Annex 1) which also inform project-level actions.

At the **project-level**, provisions on gender in the ESF are focused on gender equality and inclusion, particularly in the context of addressing disadvantaged or vulnerable groups, including the risks of gender-based violence. The 2018 Good Practice Note on GBV provides guidance on management of risks of sexual exploitation and abuse (SEA)/sexual harassment (SH) that can arise in the context of IPFs that involve major civil works. The ESF also promotes project-level opportunities to close key gender gaps.

Box 1: How does the ESF, and provisions in the ESSs, relate to Gender Tagging?

- 1. The ESSs, and its provisions relating to gender, apply to the Borrower. The Bank has responsibilities under the ESF Policy and the Directive on Non-Discrimination defining its due diligence.
- 2. ESS provisions address gender inequality largely by identifying and addressing risks and impacts (a 'do no harm' approach); identifying positive (do good and deliberate) measures to close gender gaps in the four pillars of the WBG Gender Strategy may make the operation eligible for the tag (see below).
- 3. Gender tagging applies to Bank operations that close gender gaps in the four pillars of the WBG gender strategy through (i) analysis identify gender gaps in outcomes between men and women in a given project or sector; (ii) design devise interventions to address gaps between women and men, and; (iii) indicators in the results framework that measure closure of a gender gap (simply sex-disaggregating indicators is not sufficient to get the Tag see https://worldbankgroup.sharepoint.com/sites/Gender/Pages/Gender-Tag-11192018-173633.aspx).
- 4. These are complementary approaches although the ESF is Board approved policy, and gender tagging is an internal tool to help implement the WBG Gender Strategy through corporate reporting and for capturing best practice designs and outcomes. The two approaches connect in ESS1 Section B and Annex One whereby the Borrower may be required to conduct a gender analysis as one of the 'methods and tools' available in the ESA. If required, the gender analysis may be listed in the ESCP. The Gender Tag goes beyond a gender analysis to actions to close gender gaps and indicators that show progress.

What is the division of roles and responsibilities between the Bank and Borrower?

As throughout the ESF, the Borrower meets the requirements of standards (see below), while the Bank exercises its due diligence under the ESF, as set out in the ESP. The Bank will assist Borrowers in their application of the ESSs to projects supported through Investment Project Financing in accordance with the ESF. The success of the ESF implementation is highly contingent on the borrowers' understanding and buy-in of the issues addressed under the ESF including gender gaps. To this end, as necessary, Bank assistance will include technical training for Project Implementation Unit (PIU) staff on ESF requirements on gender and monitoring of the performance of the project throughout the project life.

What is the Bank Directive on "Addressing Risks and Impacts on Disadvantaged or Vulnerable Individuals or Groups"?

This World Bank Directive supports implementation of the ESF by establishing directions for Bank staff in respect of project-affected disadvantaged or vulnerable individuals or groups, including those at risk as a result of unequal gender norms and power relations. The Directive is relevant for the Bank's support for the Borrower in fulfilling ESF requirements throughout the project cycle including scoping, assessment, implementation and stakeholder engagement. More specifically, the Bank Directive is the instrument that establishes directions for Bank staff regarding due diligence obligations on gender in relation to vulnerable groups, including requiring the Bank staff to: (1) review TORs to identify risk groups; (2) review ESAs; (3) promote participation of vulnerable groups in consultations; and (4) seek advice of the Operational Environmental and Social Risk Committee (OESRC) in the event that the application of the directive may pose risks to individuals or communities or to cause harm.

How does the ESF address risks and impacts associated with Gender?

The ESF addresses gender risks⁵ both in the process and methodology for conducting an ESA and in the nature of risks and impacts to be identified and mitigated.

The following table summarizes the relevant requirements standard by standard under the ESF, with the focus on ESS1, 2, 4, 5, 7 and 10 where gender equality and inclusion plays a key role. For teams working at the project level, it is also important to review Annex 2 for a more detailed table with ESF Guidance Notes⁶, which provide additional gender-specific guidance for Borrowers on how to identify and respond to key gender gaps in IPF operations.

TABLE 1: GENDER AND THE ESF

ESS1. Assessment and Management of Environmental and Social Risks and Impacts

- Threats to Human Security through the escalation of personal, communal or inter-state conflict, crime or violence (ESS1 para 28 (b) (i)).
- Assess risks and impacts that project impacts fall disproportionately on the disadvantaged or vulnerable (which include inequalities between males and females) and any prejudice or discrimination toward such groups in providing access to development resources and project benefits. (ESS1 para 28 (b) (ii) and (iii))
- Ensure that projects do not inadvertently compromise existing legitimate rights for land and natural resource tenure and use (including collective rights, subsidiary rights and the rights of **women**) or have other unintended consequences, particularly where the project supports land titling and related issues. (ESS1 footnote 29)
- Implement differentiated measures so that adverse impacts do not fall disproportionately on **the disadvantaged or vulnerable**, and they are not disadvantaged in sharing any development benefits and opportunities resulting from the project. (ESS1 para 29)

⁵ Gender risks cover a range of sectors and issues. For instance, all women – regardless of race, ethnicity, income, etc. – may be at risk of gender-based violence. Not all women (or men) may be vulnerable to displacement from livelihoods as a result of a project action, but women are more likely than men to be in insecure economic activities. More women than men are likely to be vulnerable to displacement from key assets such as land and housing, since they tend not to have clear property rights. In most cultures, women more than men should a greater share of unpaid work so this is a risk to be aware of.

⁶ ESF Guidance Notes for Borrowers, World Bank, June 2018.

ESS2. Labor and Working Conditions

- Apply the principle of equal opportunity and fair treatment in the employment of project workers, so that there will be no discrimination with respect to any aspects of the employment relationship. (ESS2 para 13)
- Provide appropriate measures of protection and assistance to address the vulnerabilities of project workers, including specific groups of workers, such as women, people with disabilities, migrant workers and children of working age. (ESS2 para 15)
- Do not employ trafficked persons in connection with the project. **Women** and children are particularly vulnerable to trafficking practices. (ESS2 para 20 and footnote 15)

ESS4. Community Health and Safety

- Evaluate and address the risks and impacts of the project on the health and safety of the affected communities during the project life-cycle, including **the vulnerable**. (ESS4 para 5)
- Avoid or minimize the potential for community exposure to water-borne, water-based, water-related, and vector-borne diseases, and communicable and non-communicable diseases that could result from project activities, taking into consideration differentiated exposure to and higher sensitivity of vulnerable groups. (ESS4 para 15)
- Applying the concept of universal access in environmental design may increase women's safety and security. (ESS4, paras 7 and 9)

ESS5. Land Acquisition, Restrictions on Land Use and Involuntary Resettlement

- Ensure in the consultation process that women's perspectives are obtained and their interests
 factored into all aspects of resettlement planning and implementation. Addressing livelihood
 impacts may require intra-household analysis in cases where women's and men's livelihoods are
 affected differently. Women's and men's preferences in terms of compensation mechanisms, such
 as replacement land or alternative access to natural resources rather than in cash, should be
 explored. (ESS5 para 18)
- Documentation of ownership or occupancy and compensation payments in the names of both spouses or single heads of households as relevant, and other resettlement assistance, such as skills training, access to credit, and job opportunities, should be equally available to women and adapted to their needs. Where national law and tenure systems do not recognize the rights of women to hold or contract in property, measures should be considered to provide women as much protection as possible with the objective to achieve equity with men. (ESS5 footnote 18)
- Establish in the resettlement action plan the entitlements of affected persons and/or communities, paying particular attention to **gender** aspects and the needs of vulnerable segments of communities, and ensure that these entitlements are provided in a transparent, consistent, and equitable manner. The plan will incorporate arrangements to monitor the effectiveness of livelihood measures during implementation, as well as evaluation once implementation is completed. (ESS5 para 33)

ESS7. Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities

- Proactively engage with the relevant Indigenous Peoples to ensure their ownership and participation
 in project design, implementation, monitoring and evaluation and consult with them as to the
 cultural appropriateness of proposed services or facilities, and will seek to identify and address any
 economic or social constraints (including those relating to gender) that may limit opportunities to
 benefit from, or participate in, the project. (ESS7 para 14)
- Conduct the engagement process which includes stakeholder analysis and engagement planning, disclosure of information, and meaningful consultation, in a culturally appropriate and gender and inter-generationally inclusive manner. (ESS7 para 23)

- Assess and document Indigenous Peoples' resource use without prejudicing any Indigenous Peoples'
 land claim where the assessment of land and natural resource use will be gender inclusive and
 specifically consider women's role in the management and use of these resources. (ESS7 para 30 (d))
- Address the gender and intergenerational issues that exist among Indigenous Peoples through technical or financial support. (ESS7 para 35)

ESS10. Stakeholder Engagement and Information Disclosure

- Identify the disadvantaged or vulnerable. (ESS10 para 11)
- Describe in the Stakeholder Engagement Plan (SEP) the measures that will be used to remove obstacles to participation, and how the views of differently affected groups will be captured. Where applicable, the SEP will include differentiated measures to allow the effective participation of the disadvantaged or vulnerable. (ESS10 para 16)
- Provide stakeholders with access to the information on potential risks and impacts that might disproportionately affect **the vulnerable and disadvantaged** and describing the differentiated measures taken to avoid and minimize these. (ESS10 para 19 (c))
- Disclose information in relevant local languages and in a manner that is accessible and culturally appropriate, taking into account any specific needs of groups that may be differentially or disproportionately affected by the project or groups of the population with specific information needs (such as, disability, literacy, gender, mobility, differences in language or accessibility). (ESS10 para 20)

As indicated in the table, other ESSs, such as ESS3, 6 and 8, do not include explicit provisions on gender or disadvantaged/vulnerable groups. However, this does not mean that the areas covered under these ESSs are irrelevant to gender equality and inclusion. For example, poor management of resource efficiency and pollution prevention (such as water use or management of pesticides) or unsustainable use of living natural resources can disproportionately affect female stakeholders where women have a differentiated role in water collection or subsistent production. Restriction of access to cultural heritage sites may also have differentiated impacts where women have some livelihood/income opportunities with such heritage sites. The ESA process discussed below should address such impacts from a broader perspective.

What are the entry points for addressing gender gaps in the ESF?

Different stages of the project cycle - project identification, assessment of environmental and social risks and impacts, appraisal, implementation and monitoring - all provide opportunities for promoting gender equality and inclusion at the project level under five specific mechanisms:

- a. initial *scoping* of project risks and impacts, including those arising from gender inequality;
- b. **assessment** of environmental and social risks and impacts, and designing mitigation measures in a manner that identifies and—to the extent possible—minimizes gender gaps (including Environmental and Social Impact Assessment (ESIA), Environmental and Social Management Plan (ESMP), Resettlement Action Plan (RAP), Labor Management Procedures (LMP) and Stakeholder Engagement Plan (SEP) as set out in ESSs). A comprehensive gender analysis may be warranted;
- c. **engaging stakeholders** with specific needs and risks of gender inequality in meaningful consultation, information disclosure and responsive grievance redress throughout the project life (as set out in SEP);
- d. agreeing on key *commitments* relating to gender consideration in the Environmental and Social Commitment Plan (ESCP);
- e. **adaptive risk management and monitoring** of project outcomes relating to gender.

What should be done on gender at scoping phase?

The scoping phase allows for an initial understanding of potential project environmental and social risks and impacts that are typical for the type of project, location, and context. Scoping plays several roles with regard to inequalities that arise due to gender norms.

Key risks that are especially pertinent to women given gender norms include the following:

- a. Displacing women from assets, such as land/housing especially in cases where there is no clear ownership, tenure security, etc. and women's rights are informal;
- b. Displacing women from livelihoods or income or subsistence production for instance a road cutting across a field where women grow crops;
- c. Increasing women's unpaid work as a result of less access to services, employment, or income; and,
- d. Exposing women and girls to the risk of GBV and especially SEA/SH.

First, scoping identifies relevant project issues and affected stakeholders, including female stakeholders. It may also begin to identify potential barriers to project benefits or risks of potential harm from the project that need to be assessed, such as attitudes, norms, communication limitations, legal restrictions, or physical barriers that may result in the exclusion of women and girls—or, for that matter, any group that may be vulnerable, such as elderly men and elderly women; adolescent girls; or boys who are at risk of exposure to gang violence, drug and alcohol abuse.. Scoping also could pay attention to the role of men and boys in helping mitigate risks against women and girls, as gender gaps often result from and are exacerbated by power imbalances between males and females. The scoping process helps understand areas of potential risks and opportunities for further assessment.

How do you conduct the ESA in a manner that helps address gender gaps?

The ESA should be initiated as early as possible in order to identify issues and influence project design. The analysis of gender inequalities throughout the ESA process is guided by three principles underlying the ESF:

- a. the identification and management of the potential for increased vulnerability of women or men (and the intersections⁷ that create layers of disadvantage and vulnerability by age, race, ethnicity, income, geographic location, disability, refugee status, etc.) caused by the project;
- b. their ability to take advantage of project benefits and opportunities, including employment and;
- c. the need to include them in the information disclosure, consultation and grievance redress process in a meaningful way.

The ESA should identify opportunities to incorporate inclusivity measures in project design if risks and impacts relevant to gender equality have been identified as part of potential project impacts.

⁷ For example, women with disabilities are twice as likely to experience domestic violence or another form of GBV as other women and up to three times more likely to experience sexual assault by a stranger or acquaintance. The marital status – single, married, divorced, widowed, etc.- may contribute to their vulnerability as well. For example, in many countries, a widow is often dispossessed of all family money, property, and assets.

Sound mitigation measures can result in an inclusive project, and also raise awareness of stakeholders on gender gaps and the accommodating needs of vulnerable groups.

Mitigation of risks and impacts that are relevant to gender equality and inclusion may include differentiated measures for such individuals or groups in the application of project requirements or systems. The aim of addressing potential exclusion is to limit negative impacts from the project and enable persons regardless of gender to increase their ability to benefit from development projects.

What key questions should be asked in the ESA?

Starting with the scoping process and moving into the process of assessing risks and impacts, key questions to be asked to identify what risks and opportunities are associated with the project would include:

- 1. What are the potential social impacts? Are there impacts that would disproportionately affect persons based on their sex?
- 2. What measures would be needed so all those identified as disadvantaged have access to project benefits?
- 3. What implementation arrangements, including appropriate staffing, cost estimation/budgeting of relevant mitigation measures and monitoring indicators, should be designed for impacts on gender equality?

Depending on the project intervention, more specific questions on key areas will further help analyze risks and opportunities on gender gaps that are anticipated in the project. Examples of such questions are indicated below:

Participation

- 4. How are various roles divided according to gender and how are responsibilities and activities socially allocated to men and women in the project context?
- 5. Is participation in the project likely to be inclusive of all segments of the population? Are particular subgroups of men and women likely be excluded based on characteristics such as race, ethnicity, disability, income levels, etc.? What design features are needed to remedy?
- 6. Do any formal or informal barriers restrict women's participation in leadership and decision-making positions related to the project? How can the design ensure equal participation in such positions?
- 7. What strategy should the Borrower implement to ensure that men and women regardless of race, ethnicity, disability, income levels, etc. are included and meaningfully consulted in stakeholder engagement activities and that they can equally access project-related grievance mechanisms?
- 8. How can the Borrower ensure full and effective participation of persons regardless of sex throughout implementation?

Labor and working conditions

- 9. How is labor divided and valued between men and women in the project context?
- 10. Will the project negatively impact women's economic and work opportunity?
- 11. Does the project present any opportunity to increase women's labor market participation, productivity or earnings?
- 12. Will the project promote men and women into equal employment opportunities where occupational sex segregation exists in the labor market?

13. Will the project have an impact on women's burden of care duties and other unpaid work? Can the project help equalize this burden across the sexes?

Assets

- 14. Will the resettlement impact of the project on land and other assets be different for men and women? How will these impacts be mitigated or compensated?
- 15. Will the project provide additional measures to address different livelihood impacts by the project on men and women?

Other health and safety risks including GBV

- 16. What community and occupational health and safety hazards posed by project activities could disproportionately impact persons on account of their sex?
- 17. What is the legal, social, and epidemiological situation in project locations?
- 18. Does the project have the potential to increase exposure to SEA or other forms of risk to women, men, girls and/or boys? How can these risks be prevented or mitigated?
- 19. What is the current state of services in the project context and what mechanisms are in place to respond to cases of GBV?

What do Mitigation Measures look like?

The ESF adopts a mitigation hierarchy approach (ESS1, para 27) that aims to avoid risks and impacts, particularly when they fall disproportionately on disadvantaged or vulnerable individuals or groups. Table 2 shows some of the elements of assessing and mitigating gender impacts in accordance with the Mitigation Hierarchy, recognizing that the position of the mitigation measures in the Mitigation Hierarchy may vary depending on project context.

Table 2: Applying the Mitigation Hierarchy to Gender Risks and Impacts		
Steps	Key Actions to be Taken	Examples of Actions
Anticipate & Avoid Risks and Impacts	 Identify stakeholders by gender with other relevant aspects (such as age, disabilities, displacement status, etc.) and design information disclosure and engagement processes to include them in a meaningful way, including identification of project impacts that can be anticipated and avoided. Identify and avoid potential hazards or exclusive design dimensions that may put specific groups at risk or subject to adverse impacts. Identify people who need additional support to participate in the consultation process. Consult with organizations which represent different social groups. 	 Collection of data disaggregated to track differentiated impacts by sex, age, and other characteristics. Prohibition of discriminatory recruitment criteria for project workers. Offering transportation and child care arrangements during consultations or avoiding time for work or household duties. Using facilitators that are aware of communication barriers and discrimination that women may face in certain settings.

Minimize or Reduce	 Identify options to reduce or minimize project impacts for specific social groups. Raise awareness about project risks and safety issues associated with the project sites and facilities, and road safety, paying particular attention to the needs of males and females who are young, elderly, and/or disabled, as well as their families. Consult with organizations which represent different social groups about how to minimize impacts. 	 Preferential employment of local workforce to minimize the labor influx and SEA risks. Awareness raising on the risk of traffic accidents and introduction of traffic calming measures. Issuance of title deeds, lease agreements and compensation in the names of both spouses or of single female heads of households as relevant to minimize differentiated displacement impacts.
Mitigate	 Introduce safety measures/accessibility options for residual impacts issues that cannot be avoided or minimized further. Provide information about the project in different ways that are readily accessible. Provide specific measures to mitigate impacts to households. Provide and communicate easy-to-follow grievance procedures for workers and community members who may be vulnerable or exposed to project induced risks. Allow anonymous complaints and protect confidentiality of complainants. 	 Inclusion of a balanced representation of women on OHS committees to help mitigate the risks on female project workers. Provision of project information in print, on the radio, simply written materials or graphics to mitigate the exclusion of illiterate stakeholders. Inclusion of women in grievance redress committees to help female stakeholders raise and address grievances.
Offset or Compensate	In resettlement actions, provide different and/or additional measures to address the differential economic challenges experienced by pertaining to gender including for the elderly and the young.	Additional assistance for vulnerable groups during physical relocation, particularly pregnant women, children, the elderly, and the disabled.

What do differentiated measures look like?

The ESA should highlight differentiated measures to be included in the project design to enable women and men to benefit from the project and mitigation measures (ESS1, para 29). It is important to note that incorporating avoidance and mitigation measures into the project design at an early stage can help with the project costs, and outreach and consultation methodologies, and can make a significant difference in

the inclusiveness of the project. The costs of building inclusivity into a project design are often significantly lower than anticipated. It should be also noted that the causes of gender gaps are complex and often tightly woven into the culture, norms, policies and regulations. Many issues cannot be easily addressed by an individual project. However, this presents an opportunity for the project to demonstrate the benefits of addressing issues relating to gender equality and inclusion from the outset. By communicating throughout the scoping and assessment process, stakeholders will be able to help identify practical actions that can be taken and to weigh priorities when alternatives are identified.

Stakeholder engagement: Who should be involved?

Along with conducting the ESA under ESS1, early and continuing stakeholder engagement under ESS10 is vital to addressing gender gaps. Stakeholder mapping should be sensitive to those who may experience societal barriers on the basis of their sex within the project area. The Stakeholder Engagement Plan (SEP) should identify those who need additional support to participate in consultations where this is a sensitive issue. The important thing is to identify vulnerable individuals and groups who may be affected by the project and to assess the impacts and mitigate these impacts in accordance with the ESS requirements. Depending on the potential significance of risks and impacts on such groups, independent third-party specialists may assist in the identification of such groups. Good practices to address gender gaps to effective consultations include the following. More guidance is found in the *Template for ESS 10 "Stakeholder Engagement Plan and Stakeholder Engagement Framework"*8.

- a. timing of consultations to avoid time for work or household duties;
- b. offering transportation and child care arrangements during consultations;
- c. preparing specific questions, such as to understand barriers to participate in the decisions related to the project, benefit from the project intervention, or any other sector-specific gaps;
- d. consulting men and women separately (in addition to jointly, where appropriate);
- e. engaging gender specialists to conduct consultations or using facilitators that are aware of communication barriers and discrimination that women may face in certain settings; and
- f. Consider special arrangements for women with disabilities.

The Bank's Due Diligence is Captured in the Environmental and Social Review Summary (ESRS)

As set forth in the ESP, the Bank's due diligence during project preparation and throughout the project life-cycle, is set forth in the ESRS. This document will lay out the potential risks and impacts the Bank team identifies and the array of measures and actions necessary for the project to be developed and implemented in accordance with the ESSs. The ESRS will request the Borrower to provide and information needed to close gaps that prevent the Bank from performing its due diligence and provide guidance to the Borrowers in developing measures consistent with the mitigation hierarchy to address the risks and impacts.

How does the ESA relate to ESCP?

The findings of the ESA and the Bank's due diligence as expressed in the ESRS are discussed with the Borrower and a summary of the key measures and actions to address potential environmental and social risks and impacts are included in the Environmental and Social Commitment Plan (ESCP). The ESCP

⁸ Template for ESS10: Stakeholder Engagement and Information Disclosure Stakeholder Engagement Plan and Stakeholder Engagement Framework (June 2018) http://pubdocs.worldbank.org/en/909361530209278896/ESF-Template-ESS10-SEP-June-2018.pdf

identifies key time-bound measures and actions required for the project to achieve compliance. For example, some of the measures could be Gender Action Plans, GBV Action Plans, additional data collection, or the hiring of gender/ GBV specialist before the project starts. The ESCP should include desired outcomes that are specific, measurable, achievable, realistic, and timely. When there is risk of exclusion of specific groups from project benefits, the ESCP should outline the mitigation measures to be taken to manage such risks and impacts with the responsible entity and the timeframe for implementation. The draft ESCP will be disclosed as early as possible, and before project appraisal.

How does the ESF address gender in FCV?

There are additional heightened risks and mitigations that are likely to be associated with applying the gender aspects of the ESF in FCV contexts, such as risk management from the presence of security personnel (both private and military/police), ensuring the safety of women engaged in project activities (e.g. construction), ensuring the safety of female community facilitators carrying to consultations, ensuring appropriate safety measures for female community health workers working on GBV issues or female teachers working in conflict areas, etc.

Other issues to consider include:

- i. Carrying out consultations with women in insecure contexts can be challenging without attracting attention and putting them at greater risk.
- ii. Third Party Monitoring (see Third Party Monitoring GPN⁹) may be able to address gender aspects through embedding appropriate expertise and capacity support. Pictures and signatures/thumbprints can be used to confirm female participation in consultations for example. However, it is challenging to know if there is meaningful participation from women given the Bank's limited ability to do spot checks and carry out supervision missions to project sites.
- iii. While addressing gender gaps in the project is critical, the project needs to carefully balance trying to mitigate against the impacts with ensuring project stakeholders (such as project-affected parties, project/government and even Bank staff) are not put at risk.

⁹ http://pubdocs.worldbank.org/en/578001530208566471/ESF-Good-Practice-Note-Third-Party-Monitoring.pdf

Box 2 provides an example of how the ESF is addressing gender gaps in an FCV context.

Box 2: Gender and the ESF in FCV: Somalia Urban Resilience Project Phase II (SURP II)

Somalia is emerging from a legacy of two and half decades of cycles of violent conflict and fragility. Somalia's socio-economic indicators remain among the lowest in the world for both males and females and gender disparities are stark. Women and girls, as well as minority groups and IDPs, confront multiple dimensions of disempowerment and discrimination across most categories of social, economic and human development. Gender inequality and exclusion are linked to the persistence of discriminatory norms and relations, and absence of key resources that collectively limit women's roles outside the domestic sphere and circumscribe their presence and participation in political and public decision-making fora.

The environmental and social assessment conducted under the project has identified disparities between men and women that may be exacerbated in the course of the project implementation, in areas such as exclusion from stakeholder engagement activities, priority in hiring, pay rates for similar work done, safe working environment, health and sanitary facilities in the work place and others. Building on the phase I project under World Bank safeguard policies, SURP II (P170922) proactively applies differentiated measures of the ESF to ensure the engagement of women in project activities and measure progress on these actions through the project's results framework. Relevant measures to be implemented include (i) involvement of female members in stakeholder engagement processes (including focus group meetings in consultation events and grievance redress committees); (ii) provision of job opportunities in subprojects' civil works and fair working conditions (including provision of maternity leave and nursing breaks where relevant, and sufficient and suitable toilet and washing facilities, separate from men and women workers); and (iii) provision of special assistance to female-headed poor households in mitigation of possible resettlement impacts.

Also, while incidence of GBV in Somalia is a significant contextual and project-related challenges, SURP II addresses potential GBV risks with relevant mitigation measures as recommended in the GBV Good Practice Note (such as the use of codes of conduct; community sensitization to raise awareness of potential risks; hiring of GBV experts for the project implementation and monitoring; collaboration with relevant service providers; and establishment of GRM with procedures and channels to enable safe, confidential and ethical reporting of GBV incidents).

These differentiated measures are included in project's environmental and social documentation (ESMF, RPF, LMP and SEF), which implementation is committed by the Borrower in the ESCP.

How do procurement practices support ESF requirements on Gender?

The Bank's updated Standard Procurement Documents for Large Works¹⁰ have been launched and are publicly available. The documents include updates to link with and help make it consistent with the ESF.

¹⁰https://projects.worldbank.org/en/projects-operations/products-and-services/brief/procurement-new-framework#SPD

The Standard Procurement Documents include the following provision on non-discrimination and equal opportunities:

The Contractor shall not make decisions relating to the employment or treatment of Contractor's Personnel on the basis of personal characteristics unrelated to inherent job requirements. The Contractor shall base the employment of Contractor's Personnel on the principle of equal opportunity and fair treatment, and shall not discriminate with respect to any aspects of the employment relationship, including recruitment and hiring, compensation (including wages and benefits), working conditions and terms of employment, access to training, job assignment, promotion, termination of employment or retirement, and disciplinary practices.

Special measures of protection or assistance to remedy past discrimination or selection for a particular job based on the inherent requirements of the job shall not be deemed discrimination. The Contractor shall provide protection and assistance as necessary to ensure non-discrimination and equal opportunity, including for specific groups such as **women**, people with disabilities, migrant workers and children (of working age).

These also include new requirements on **Sexual Exploitation and Abuse (SEA)/Sexual Harassment (SH)**. Borrowers will now use these documents to request bids for the largest IPF projects financed by the Bank. The bidding document defines SEA/SH as:

Sexual Exploitation is defined as any actual or attempted abuse of position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. In Bank financed operations/projects, sexual exploitation occurs when access to or benefit from a Bank financed Goods, Works, Non-consulting Services or Consulting Services is used to extract sexual gain.

Sexual Abuse is defined as the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Sexual harassment (SH) is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature by the Contractor's Personnel with other Contractor's or Employer's Personnel.

The procurement bidding document also includes the specific requirements for SEA/SH prevention, a code of conduct, reporting, etc. These bidding documents will now be used by Borrowers to ensure these obligations are imposed on contractors and will give legal effect to the Bank's SEA/SH prevention agenda with Contractors and their Personnel. The Bank is continuing to update the other procurement related documents and to complete the translations into French and Spanish.

In summary, these and other requirements in the bidding documents, coupled with the project specific "Works Requirements/Specification" tell the bidder/contractor what is legally required. This suite of documents then forms the basis of the final enforceable legal contract.

How to monitor implementation and outcomes?

As part of the environmental and social assessment process, the project should plan the monitoring of project performance and commitments. If the project is assessed to exacerbate gender inequalities, this adverse impact will be required to be taken into account in designing the monitoring plan.

The project is monitored throughout its lifetime through reporting, site visits, and information from third parties, such as through grievances and civil society. Communication with vulnerable stakeholders, such as women with a disability is important during project implementation and monitoring to understand whether the assessment was correct in its prediction of project impacts and whether the mitigation measures and agreed actions have worked as planned. To the extent possible, monitoring indicators should be disaggregated to track differentiated impacts by sex, age, and other characteristics.

In addition, grievances received through the project's grievance mechanism and worker grievance mechanisms provide data about issues of concern and how they were handled. Interviews with workers may provide more information, as even if anonymity is ensured, women/minority workers may be reluctant to raise formal complaints. Where sexual abuse or harassment is a high risk a specific grievance mechanism to address such violations may be necessary.

Based on the results of the monitoring, amendments may be made to management plans or commitments to the Bank. Under the ESF, adaptive risk management recognizes the dynamic nature of the project development and implementation process, as well as the rapidly changing environments in which the Bank operates. In addition to reflecting changing needs that arise as part of the monitoring process, changes in project design, unforeseen events, or regulatory or political changes might require a change in the original environmental or social approach, including those regarding gender equality and inclusion.

What are the key messages from this note?

The ESF is a part of the Bank's work to help close gender gaps, bringing added value at the project level. The ESA early in project preparation is a vital point of entry for addressing gender equality both in influencing project design and identifying mitigation measures. Project design that can effectively address gender gaps will depend upon an open, continuous and inclusive stakeholder engagement between the Borrower and project stakeholders.

ANNEX 1: Resources

World Bank Group

Strategic Level

- World Bank Group Gender Strategy (FY16-23): Gender Equality, Poverty Reduction and Inclusive Growth - The first WBG-wide gender equality strategy, with strengthened focus on outcomes and results by strengthening the country-driven approach and building evidence on what really works https://openknowledge.worldbank.org/handle/10986/23425
- World Development Report 2012: Gender Equality and Development
 https://siteresources.worldbank.org/INTWDR2012/Resources/7778105-1299699968583/7786210-1315936222006/Complete-Report.pdf
- IDA 19 Special Theme: Gender and Development
 http://documents.worldbank.org/curated/en/620151563778375509/pdf/IDA19-Second-Replenishment-Meeting-Special-Theme-Gender-and-Development.pdf

Country Level

- Women, Business and the Law https://wbl.worldbank.org/
- Resource Guide on Addressing Gender Equality in Systematic Country Diagnostics (SCD) (2018)
 https://worldbankgroup.sharepoint.com/sites/wbsites/scd/Sitepages/Detail.aspx/Documents/mode
 =view? Id=244&SiteURL=/sites/wbsites/scd
- Guidance on gender in Country Partnership Frameworks (CPFs) (2015)
 https://worldbankgroup.sharepoint.com/sites/Gender/Documents/Guidance%20Notes/Gender%20
 and%20CPF%2010%2021%2015.ppt?Web=1
- Country Gender Diagnostics Good Practice Note (2013)
 http://documents.worldbank.org/curated/en/592501468155728764/Good-practice-note-country-gender-diagnostics
- Regional Gender Action Plans summarize key gender gaps and objectives at the regional level, as reflected in the CPFs, and how these objectives will be achieved. Africa (FY18-22) / East Asia & the Pacific (FY18-24) / Europe & Central Asia (FY18-23) / Latin America & the Caribbean (FY16-19) / Middle East & North Africa (FY18-23) / South Asia (FY16-21)
- Progress Towards Gender Equality in the Middle East and North Africa Region (2017), https://openknowledge.worldbank.org/handle/10986/28965

Sector Level

Gender Strategy Follow-Up Notes - Global Practices and the IFC are preparing follow-up notes to the new WBG Gender Equality Strategy, outlining key gender gaps and how to close these, and identifying good practices and areas for further investment:

IFC (FY17-19)
 https://worldbankgroup.sharepoint.com/sites/Gender/Knowledge%20Base/Gender%20Strategy%2
 Olmplementation%20Plan%20FY17-19%20Oct%202016.pdf

• Food and Agriculture

http://documents.worldbank.org/curated/en/207211487843624375/pdf/112972-WP-P160179-PUBLIC-GFADRFollowUpNoteWBGGenderStrategy.pdf

• Trade & Competitiveness (FY17-20)

https://worldbankgroup.sharepoint.com/sites/Gender/Knowledge%20Base/TC%20Gender%20Practice%20Note%20FINAL.pdf

Poverty (FY16-23)

https://worldbankgroup.sharepoint.com/sites/Gender/Knowledge%20Base/GPVDR%20Gender%20Follow%20Up%20Note.pdf

• Health, Nutrition, and Population

 $\frac{https://worldbankgroup.sharepoint.com/sites/Gender/Knowledge%20Base/HNPGP%20Follow%20Up%20Note%20Gender%20Strategy.pdf}{}$

Social Protection and Jobs (FY18-23)

https://worldbankgroup.sharepoint.com/sites/Gender/Sitepages/Detail.aspx/Documents/mode=view? Id=366&SiteURL=/sites/gender

• Energy & Extractives

https://worldbankgroup.sharepoint.com/sites/Gender/Sitepages/Detail.aspx/Documents/mode=view? Id=368&SiteURL=/sites/Gender

Transport

https://worldbankgroup.sharepoint.com/sites/Gender/Documents/Strategies%20and%20Policies/Gender Transport%20and%20ICT%20Note.pdf

Environment and Natural Resources (FY19-21)

https://worldbankgroup.sharepoint.com/sites/Gender/Sitepages/Detail.aspx/Documents/mode=view? Id=371&SiteURL=/sites/Gender

Climate (FY18-23)

https://worldbankgroup.sharepoint.com/sites/Gender/Sitepages/Detail.aspx/Documents/mode=view? Id=374&SiteURL=/sites/Gender

• Social, Urban, Rural and Resilience (FY16-23)

https://worldbankgroup.sharepoint.com/sites/gender/SitePages/Detail.aspx/Documents/mode=view? Id=369&SiteURL=/sites/gender&search=yes&val=&SiteScope=ThisSite

Water

https://worldbankgroup.sharepoint.com/sites/Gender/Sitepages/Detail.aspx/Documents/mode=vie w? Id=373&SiteURL=/sites/Gender

• IFC. 2019. Understanding Gender-Based Violence Through the Lens of Haitian Garment Workers.

https://www.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/gender+at +ifc/resources/understanding-gender-based-violence

World Bank (2019) Women in Water Utilities: Breaking Barriers.

https://openknowledge.worldbank.org/handle/10986/32319

Project Level

 Good Practice Note on Addressing Gender-Based Violence in Investment Project Financing involving Major Civil Works (2018)

http://documents.worldbank.org/curated/en/399881538336159607/Environment-and-Social-Framework-ESF-Good-Practice-Note-on-Gender-based-Violence-English.pdf

 Managing the Risks of Adverse Impacts on Communities from Temporary Project Induced Labor Influx (2016) http://pubdocs.worldbank.org/en/497851495202591233/Managing-Risk-of-Adverse-impact-from-project-labor-influx.pdf

Other Institutions

Strategic Level

- ADB (Asian Development Bank). 2013. Gender Equality and Women's Empowerment Operational Plan, 2013-2020. https://www.adb.org/documents/gender-equality-and-womens-empowerment-operational-plan-2013-2020
- EBRD (European Bank for Reconstruction and Development). 2015. Strategy for the Promotion of Gender Equality 2016-2020. https://www.ebrd.com/gender-strategy.html
- IADB (Inter-American Development Bank). 2014. Gender Action Plan 2014-2016. http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=39376297
- ILO (International Labour Organization) and Gender Equality. ILO's relevant resolutions and policy and strategy on gender equality and mainstreaming https://www.ilo.org/gender/Aboutus/ILOandGenderEquality/lang--en/index.htm
- FAO (Food and Agricultural Organization of the United Nations). Regional Gender Equality Strategy and Action Plan for Europe and Central Asia 2019-2022. http://www.fao.org/3/ca4521en/ca4521en.pdf

Country Level

- ADB Country Gender Assessments. https://www.adb.org/themes/gender/country-gender-assessments
- AfDB Country Gender Profiles. https://www.afdb.org/en/documents/project-operations/country-gender-profiles/gender
- AfDB. 2019. Indicators on Gender, Poverty, the Environment and Progress toward the Sustainable Development Goals in African Countries
 https://www.afdb.org/en/documents/document/indicators-on-gender-poverty-the-environment-and-progress-toward-the-sustainable-development-goals-in-african-countries-2019-109567
- EBRD. 2019. Gender-Responsive Investment Climate Reform in Tajikistan: A Toolkit for policymakers and advocates. file:///C:/Users/WB458289/Downloads/gender-tajikistan.pdf
- FAO Country Gender Assessments. http://www.fao.org/gender/resources/country-assessments/en/

Sector Level

- ADB Sector Gender Checklists and Toolkits provide a "how to" integrate gender equality and women's empowerment objectives in a range of sectors. https://www.adb.org/themes/gender/checklists-toolkits
- AfDB (2016). Empowering Women in Africa through Access to Sustainable Energy A desk review of gender-focused approaches in the renewable energy sector.

- https://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/AfDB-Gender and Energy Desk Review-EN-2016.pdf
- AfDB (2018). Inclusive Climate-Smart Finance Reaching those most in need.
 https://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/AfDB_Inclusive_Climate-Smart_Finance.pdf
- EBRD. 2016. Gender Mainstreaming in District Heating Projects in the Commonwealth of Independent States: A Toolkit. <u>file:///C:/Users/WB458289/Downloads/gender-mainstreaming-district-heating-english.pdf</u>
- EBRD. 2016. Safe transport for all: Issues and operational lessons from the Egyptian National Railways. file:///C:/Users/WB458289/Downloads/724-gender-case-study-enr.pdf
- ReCAP. 2019. Guidelines for Mainstreaming Gender in Rural Transport.
 http://www.research4cap.org/Library/Tanzarn-2019 GuidelinesforMainstreamingGenderinRural%20Transport-ReCAP-GEN2157A-190618.pdf

Project Level

- ADB Gender Action Plans (GAP) The project-specific GAP is a tool used by ADB to ensure "gender mainstreaming" is tangible and explicitly visible in project design and implementation.
 https://www.adb.org/projects/documents/documenttype/Gender%20Action%20Plans/doctype/Gender%20Action%20Plans
- IADB. Operational Policy On Gender Equality In Development. 2010.
 http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=35428399

ANNEX 2: Gender and the ESF by ESS

GENDER AND THE ESF WITH RELEVANT GUIDANCE NOTES

ESS1. Assessment and Management of Environmental and Social Risks and Impacts

- Assess risks and impacts that project impacts fall disproportionately on the disadvantaged or vulnerable
 (*which include gender) and any prejudice or discrimination toward such groups in providing access to
 development resources and project benefits.
- Ensure that projects do not inadvertently compromise existing legitimate rights for land and natural resource tenure and use (including collective rights, subsidiary rights and the rights of **women**) or have other unintended consequences, particularly where the project supports land titling and related issues.
- Implement differentiated measures so that adverse impacts do not fall disproportionately on the
 disadvantaged or vulnerable, and they are not disadvantaged in sharing any development benefits and
 opportunities resulting from the project.

ESS1 Guidance Note

- From the socioeconomic perspective, the Borrower should ensure that baseline information is accurate and up-to-date, as rapidly changing situations, such as in-migration of people in anticipation of a project or lack of data on **disadvantaged and vulnerable groups** within a community, can affect the efficacy of social mitigation measures.
- The risks and impacts identification process should use accepted social development methods to identify
 disadvantaged or vulnerable individuals or groups within the project-affected parties, where possible
 collecting data on a disaggregated basis. The Borrower should assess potential impacts, including differentiated
 impacts, on these individuals and groups and propose specific, and if necessary separate, measures in
 consultation with them to mitigate the potential risks and impacts.

ESS2. Labor and Working Conditions

- Provide appropriate measures of protection and assistance to address the vulnerabilities of project workers, including specific groups of workers, such as women, people with disabilities, migrant workers and children of working age.
- Do not employ trafficked persons in connection with the project. **Women** and children are particularly vulnerable to trafficking practices.

ESS2 Guidance Note

- Discrimination can occur in the workplace in various ways. For example, recruitment of project workers may impose requirements that are not necessary for a job but may result in excluding a specific group. It can relate to decisions on how much to pay a project worker, for example, a female or migrant project worker. Discrimination can also occur in training and development, where selection may be based on criteria that are discriminatory. It can relate to termination of employment, where a specific group may be disproportionately affected, for example, based on considerations relating to age or gender. Finally, it can arise with respect to inappropriate treatment or harassment of project workers related, for example, to gender, age, disability, ethnicity, or religion.
- The Borrower identifies measures that support equal opportunities for **women** and men, with emphasis on equal criteria for selection, remuneration, and promotion, and equal application of those criteria. There should be measures to prevent harassment of project workers, including **sexual harassment**, in the workplace. If migrant workers are engaged by the project, the Borrower implements appropriate measures to prevent any discriminatory treatment of them.
- Many project workers are able to undertake different kinds of employment regardless of specific vulnerabilities, but there may be circumstances where measures may need to be taken to provide protection and assistance, for example, for women while they are pregnant. It is important that women be protected from dismissal and other forms of prejudice in employment on the grounds of pregnancy, maternity leave, or marital status.

- The grievance mechanism will be accessible to all direct and contracted workers, taking into account their different characteristics, for example, **female** workers, migrant workers, or workers with disabilities.
- Some OHS risks may be specific to female workers. It is recommended to include a balanced representation of women on OHS committees to help design policies and practices responding to the needs of female project workers.
- Issues to be taken into account in assessing how to apply ESS2 in a proportionate manner include consideration of the age, **gender**, and specific vulnerability of the individual or group of community workers in relation to the nature of the project's risks and impacts, and the project activities to be conducted by those workers.

ESS4. Community Health and Safety

- Evaluate and address the risks and impacts of the project on the health and safety of the affected communities during the project life-cycle, including **the vulnerable**.
- Avoid or minimize the potential for community exposure to water-borne, water-based, water-related, and vector-borne diseases, and communicable and non-communicable diseases that could result from project activities, taking into consideration differentiated exposure to and higher sensitivity of vulnerable groups.

ESS4 Guidance Note

- Some groups within a community may be particularly vulnerable to health and safety risks from a project because of, for example, their age, health, level of education, occupation, socioeconomic conditions, status, gender, and/or disability. Identifying individual groups considered to be vulnerable is an important part of the environmental and social assessment, and enables inclusive measures to be incorporated into projects to avoid harm to vulnerable groups and improve project performance. Attention should be given to the health and safety risks posed by the influx of workers or people providing support services into an area as a result of the project. Risks related to labor influx are known to be potentially highest for large infrastructure projects in remote areas.
- Where an assessment identifies risks, for example Gender-Based Violence (GBV) or Sexual Exploitation and
 Abuse (SEA) of children, or communicable diseases, which may arise from the interaction of project workers
 with local communities, the environmental and social documents for the project describe such risks and
 measures to address them.
- High-risk locations may include areas of high social risk such as armed conflict or criminal activity, where
 functioning electricity for lighting, communications, or road infrastructure may be a structural element that is
 critical for community health and safety, particularly for women and children and other vulnerable groups.
- Management systems that address the safety of services are important because without adequate protection
 measures the provision of such services can present dangers for communities. Such systems address the
 community health and safety risks posed by project services, for example, risks associated with service
 providers, which may use their service for the purpose of financial, sexual, or other exploitation, particularly of
 vulnerable groups such as women, children, and the elderly.
- Health risks from project activities may differ within communities, depending on various factors that can
 contribute to vulnerability, including age, gender, status, physical or mental illness or disability, poverty or
 economic disadvantage, or dependence on unique natural resources. For example, households that rely on
 water directly from natural sources may be more at risk of water-borne and water-based diseases than those
 that receive water from a distribution network. Health risks may also place a disproportionate burden on
 women, who are often responsible for family health care.
- Understanding how community members may be exposed to project-related hazardous, materials taking into
 account the different activities and use of resources by members of the community, in particular those most
 vulnerable to exposure, helps to identify appropriate mitigation measures. For example, women and children
 may be particularly susceptible to exposure to contaminants in water when carrying out domestic activities, or
 children may be affected by contaminated soils, water, or hazardous waste while at play.

ESS5. Land Acquisition, Restrictions on Land Use and Involuntary Resettlement

• Ensure in the consultation process that women's perspectives are obtained and their interests factored into all aspects of resettlement planning and implementation. Addressing livelihood impacts may require intrahousehold analysis in cases where **women**'s and men's livelihoods are affected differently. **Women**'s and men's

- preferences in terms of compensation mechanisms, such as replacement land or alternative access to natural resources rather than in cash, should be explored.
- Issue documentation of ownership or occupancy and compensation payments in the names of **both spouses** or single heads of households as relevant, and other resettlement assistance, such as skills training, access to credit, and job opportunities, should be equally available to **women** and adapted to their needs. Where national law and tenure systems do not recognize the rights of **women** to hold or contract in property, measures should be considered to provide **women** as much protection as possible with the objective to achieve equity with men.
- Establish in the resettlement action plan the entitlements of affected persons and/or communities, paying particular attention to **gender** aspects and the needs of vulnerable segments of communities, and will ensure that these are provided in a transparent, consistent, and equitable manner. The plan will incorporate arrangements to monitor the effectiveness of livelihood measures during implementation, as well as evaluation once implementation is completed.

ESS5 Guidance Note

- As with any other activity involving project-affected persons, a grievance mechanism is in place to allow
 consideration of, and timely response to, grievances raised by land donors (and other persons affected by the
 transfer of land). In terms of vulnerable people or communities, women users of land to be donated, or in the
 case of collective or community lands to be donated, users of those lands, may be at risk of being passed over
 in the decision-making process, unless they are consulted.
- It is important that affected disadvantaged or vulnerable individuals or groups have a voice in consultation and planning processes. This may involve special efforts to include those who are particularly vulnerable to hardship because of physical or economic displacement. Depending on the project context, this may be people living below the poverty line, the landless, the elderly, the disabled, or **female** and child-headed households. Community engagement in this case may include dedicated focus groups, and members of disadvantaged or vulnerable groups should be included among the representatives of affected communities.
- Women frequently suffer disproportionately when resettlement is badly planned or executed, as they are often a disproportionately large number of the poor; have more limited access to resources, opportunities, and public services than men; and as a result, rely more heavily on informal support networks within their existing communities. The resettlement planning process needs to consider the situation of women and to adapt the engagement process as necessary to ensure that women have a role in decision making. A comprehensive planning process includes identification of: (a) women's means of income generation and livelihoods, including non-formal activities such as gathering natural resources, or trading and bartering services and wares; (b) women's social and economic networks, including extended family ties; and (c) women's ownership of affected assets, including land and crops, in order to appropriately compensate them.
- The census identifies affected persons, and includes pertinent demographic (age, gender, family size, births, and deaths) and related social and economic information (ethnicity, health, education, occupation, income sources, livelihood patterns, productive capacity, and so forth).
- Where legally permissible, the resettlement plan includes measures to ensure that documentation of ownership or occupancy, such as title deeds and lease agreements, and compensation (including the bank accounts established for payment of compensation), are issued in the names of **both spouses** or of single **female** heads of households, as relevant to each situation. In circumstances in which national law and local customary tenure systems do not give **women** equal opportunities or rights with regard to property, alternative steps are taken to ensure that access of **women** to security of tenure is equivalent to that of men and does not further disadvantage women.
- Replacement housing should, as appropriate, be of sufficient quality to protect inhabitants from weather
 conditions and environmental hazards and provide for their physical safety; and housing structures should
 provide adequate space, taking into account household size and the number of women and children.
- The resettlement plan provides for transitional relocation assistance to people who are physically displaced.
 Such assistance may include transportation, food, shelter, and social services that are provided to affected persons during the relocation to their new site. Additional measures may be necessary for vulnerable groups during physical relocation, particularly pregnant women, children, the elderly, and the disabled.

ESS 7. Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities

- Proactively engage with the relevant Indigenous Peoples to ensure their ownership and participation in project
 design, implementation, monitoring and evaluation and consult with them as to the cultural appropriateness
 of proposed services or facilities, and will seek to identify and address any economic or social constraints
 (including those relating to gender) that may limit opportunities to benefit from, or participate in, the project.
- Conduct the engagement process which includes stakeholder analysis and engagement planning, disclosure of
 information, and meaningful consultation, in a culturally appropriate and gender and inter-generationally
 inclusive manner
- Assess and document Indigenous Peoples' resource use without prejudicing any Indigenous Peoples' land claim
 where the assessment of land and natural resource use will be gender inclusive and specifically consider
 women's role in the management and use of these resources.
- Address the **gender** and intergenerational issues that exist among Indigenous Peoples through technical or financial support.

ESS7 Guidance Note

- A targeted social assessment for the purposes of ESS7 should consider differentiated gender impacts of project
 activities and impacts on potentially disadvantaged or vulnerable groups within the community of
 IP/SSAHUTLC.
- The consultation with the affected IP/SSAHUTLC is conducted in a **gender**-inclusive manner, so that the interests of both genders are considered in all aspects of project planning and implementation.
- Particular attention should be given to groups within affected IP/SSAHUTLC that may be disadvantaged or
 vulnerable, such as women, youth, the poor, and persons with disabilities. Addressing any limitations on their
 participation in the FPIC process helps to ensure that their interests and concerns are adequately considered
 and addressed as part of the process to establish FPIC.
- The social assessment should consider differentiated **gender** impacts of project activities and impacts on potentially disadvantaged or vulnerable groups within the community of IP/SSAHUTLC.
- The Indigenous Peoples Plan includes measures for ensuring IP/SSAHUTLC receive social and economic benefits that are culturally appropriate and **gender** sensitive and steps for implementing them. If necessary, this may call for measures to enhance the capacity of the project implementing agencies.

ESS10. Stakeholder Engagement and Information Disclosure

- Identify the disadvantaged or vulnerable.
- Describe in the Stakeholder Engagement Plan (SEP) the measures that will be used to remove obstacles to participation, and how the views of differently affected groups will be captured. Where applicable, the SEP will include differentiated measures to allow the effective participation of **the disadvantaged or vulnerable**.
- Provide stakeholders with access to the information on potential risks and impacts that might disproportionately affect the vulnerable and disadvantaged and describing the differentiated measures taken to avoid and minimize these.
- Disclose information in relevant local languages and in a manner that is accessible and culturally appropriate, taking into account any specific needs of groups that may be differentially or disproportionately affected by the project or groups of the population with specific information needs (such as, disability, literacy, gender, mobility, differences in language or accessibility).

ESS10 Guidance Note

- The term "other interested parties" refers to individuals, groups, or organizations with an interest in the project, which may be because of the project location, its characteristics, its impacts, or matters related to public interest. For example, these parties may include regulators, government officials, the private sector, the scientific community, academics, unions, women's organizations, other civil society organizations, and cultural groups.
- Depending on the societal context, women, children, youth, and the elderly or other groups may need to be
 considered as stakeholder groups of their own, and separate consultation formats may be needed to capture
 suggestions and concerns.

- Various types of barriers may influence the capacity of disadvantaged or vulnerable groups to articulate their
 concerns and priorities about project impacts. These barriers can be linked to sociopolitical, societal conflict,
 educational, or practical factors. For example, barriers can exist for ethnic, linguistic, and religious minorities;
 low-income households; women; youth; persons with limited mobility; or persons with disabilities. An array of
 strategies can be deployed to mitigate these obstacles by focusing on issues of accessibility, communication,
 empowerment, and/or confidentiality.
- An inclusive engagement process should empower all relevant stakeholders to participate. This participation includes systematic engagement with, for example, **women**, children, youth, the elderly, people with disabilities, and other vulnerable or disadvantaged groups.

ANNEX 3: Bank Directive: Addressing Risks and Impacts on Disadvantaged or Vulnerable Individuals or Groups

SECTION I – PURPOSE AND APPLICATION

- 1. This Directive establishes directions for Bank staff regarding due diligence obligations relating to the identification of, and mitigation of risks and impacts on, individuals or groups who, because of their particular circumstances, may be disadvantaged or vulnerable, as described in paragraph 4 (b) of the World Bank Environmental and Social Policy For Investment Project Financing (E&S Policy) and paragraph 28 (b) of the Environmental and Social Standard 1: Assessment and Management of Environmental and Social Risks and Impacts (ESS1).
- 2. This Directive applies to the Bank.

SECTION II – DEFINITIONS

Capitalized terms and acronyms used in this Directive have the meanings set out: (a) in the Bank Policy entitled "World Bank Environmental and Social Policy for Investment Project Financing"; or (b) below.

- 1. "disadvantaged or vulnerable" refers to those individuals or groups who, by virtue of, for example, their age, gender, ethnicity, religion, physical, mental or other disability, social, civic or health status, sexual orientation, gender identity, economic disadvantages or indigenous status, and/or dependence on unique natural resources, may be more likely to be adversely affected by the project impacts and/or more limited than others in their ability to take advantage of a project's benefits. Such an individual/group is also more likely to be excluded from/unable to participate fully in the mainstream consultation process and as such may require specific measures and/or assistance to do so. This will take into account considerations relating to age, including the elderly and minors, and including in circumstances where they may be separated from their family, the community or other individuals upon whom they depend.
- 2. "due diligence" means the process conducted by the Bank pursuant to Section C of the E&S Policy.
- 3. "Environmental and Social Framework" means the World Bank Environmental and Social Framework that comprises a "Vision for Sustainable Development", the "World Bank Environmental and Social Policy for Investment Project Financing" and the "Environmental and Social Standards".
- 4. "environmental and social assessment" means the process conducted by the Borrower pursuant to Section B of ESS1.
- 5. "E&S Procedure" means the procedure entitled "Environmental and Social Procedure."
- 6. "OESRC" means the Operations Environmental and Social Review Committee of the Bank referred to in the Environmental and Social Procedure.
- 7. "Stakeholder Engagement Plan" or "SEP" means the plan developed in accordance with Environmental and Social Standard 10: Stakeholder Engagement and Information Disclosure (ESS 10).

SECTION III – SCOPE

- 1. The task team supports the Borrower's preparation and implementation of the project in accordance with, among other things, OP/BP10.00 *Investment Project Financing*, the relevant IPF instructions/procedures, the E&S Policy and the E&S Procedure. Where a project poses specific risks and impacts to individuals or groups who, because of their particular circumstances, may be disadvantaged or vulnerable, the task team approaches such risks and impacts as set out below.
- 2. The task team assists the Borrower in establishing arrangements for the undertaking and preparation of the environmental and social assessment of the project as required by ESS11, including by reviewing and providing its no-objection to relevant terms of reference (if any) prepared by the Borrower with respect to the assessment and, as and when appropriate, supports the Borrower in carrying out consultations with stakeholders.
- 3. The task team reviews the terms of reference for the environmental and social assessment to verify that, in accordance with paragraphs 28 (b) (ii) and (iii) and 29 of ESS1, the terms of reference:
 - (a) identifies (or requires the identification of) groups or individuals affected by the project that may be disadvantaged or vulnerable; and
 - (b) requires an assessment of project risks and impacts, and identification of differentiated mitigation measures, as they pertain to the disadvantaged or vulnerable individuals or groups that are identified.
- 4. As the Borrower is also required to engage with the different stakeholders as an integral part of the environmental and social assessment in accordance with ESS102, the task team reviews the Borrower's Stakeholder Engagement Plan (SEP) to verify that:
 - (a) the SEP identifies the disadvantaged or vulnerable individuals or groups as referred to in paragraph 1 of Section II;
 - (b) where applicable, the SEP includes differentiated measures to allow the effective participation of such individuals or groups; and
 - (c) the Borrower has engaged and consulted with such individuals and groups in accordance with the SEP.
- 5. The task team undertakes its due diligence of the project, with respect to disadvantaged or vulnerable individuals or groups, by (as applicable):
 - (a) reviewing the environmental and social assessment conducted by the Borrower to verify that it addresses the relevant project risks and impacts, including the (i) risk that project-related impacts fall disproportionately on individuals or groups who, because of their particular circumstances, may be disadvantaged or vulnerable; and (ii) risk of prejudice or discrimination toward individuals or groups in providing access to development resources and project benefits, particularly in the case of those who may be disadvantaged or vulnerable;

- (b) if appropriate in the context of a particular project, participating in the consultation activities of the Borrower, including with disadvantaged or vulnerable individuals or groups3;
- (c) considering the potential significance of risks and impacts on disadvantaged or vulnerable individuals or groups in order for the Bank to determine whether to require the Borrower to retain, or whether the Bank should retain, independent third party specialists to assist in the identification of such individuals or groups and assessment of the risks and impacts on them; and
- (d) reviewing information provided by the Borrower or through the Bank's own efforts about the project's risks and impacts on disadvantaged or vulnerable individuals or groups.
- 6. Through its due diligence, the task team ascertains whether: (i) the environmental and social assessment has properly identified the disadvantaged or vulnerable individuals or groups; and (ii) appropriate differentiated mitigation measures have been incorporated into project design and documented in relevant project documents so that adverse impacts do not fall disproportionately on the disadvantaged or vulnerable, and they are not disadvantaged in sharing any development benefits resulting from the project. This due diligence contributes to the Bank's decision making as to whether or not to proceed with the proposed project.
- 7. There may be circumstances in which the application of this Directive (including the identification of disadvantaged or vulnerable individuals or groups or differentiated mitigation measures) could expose such individuals or groups to risk of harm. In such circumstances the task team seeks the advice of the Operations Environmental and Social Review Committee (OESRC), which also considers any implications that such circumstance may have for the task team itself. The OESRC considers the project-specific circumstances and the risk of harm, and advises the task team as to whether or not to proceed with the project and, if so, on what basis. In cases where the project proceeds, the task team will comply with this Directive in the manner advised by the OESRC. The task team documents its good faith efforts to apply this Directive and the response of the Borrower to such efforts.
- 8. The task team ensures that the Environmental and Social Commitment Plan (ESCP) reflects in adequate detail the measures and actions agreed between the Bank and the Borrower to address risks or impacts on disadvantaged or vulnerable individuals or groups. The task team attaches the ESCP to the legal agreement and includes in the legal agreement any appropriate obligations to be met by the Borrower in relation to disadvantaged or vulnerable individuals or groups.
- 9. During the implementation support and monitoring phase, the task team monitors the Borrower's obligations with respect to disadvantaged or vulnerable individuals or groups.
- 10. The task team may engage independent third party specialists or consult with stakeholders to verify project monitoring information related to disadvantaged or vulnerable individuals or groups.

SECTION IV – EXCEPTION

None.

SECTION V – WAIVER

A provision of this Directive may be waived in accordance with Bank Policy "Operational Policy Waivers", April 7, 2014, Catalogue No. OPCS05.06-POL.01

SECTION VI – OTHER PROVISIONS

None.

Section VII - TEMPORARY PROVISIONS

None.

SECTION VIII – EFFECTIVE DATE

This Directive is effective as of the effective date of the E&S Policy.

SECTION IX – ISSUER

The Issuer of this Directive is President, World Bank.

SECTION X – SPONSOR

The Sponsor of this Directive is Vice President, Operations Policy and Country Services.

SECTION XI – RELATED DOCUMENTS

Review and Update of the Environmental and Social Framework, R2016-0145, IDA/2016-0198, dated July 20, 2016 and approved August 4, 2016.

Questions regarding this Directive should be addressed to the Sponsor.