

SECTION

3

GENDER EQUALITY INTEGRATION IN PPPs

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.

“

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.⁴³

Although this section provides examples of solutions successfully used to address certain gender issues within PPP or infrastructure projects more generally,⁴⁴ 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.⁴⁵

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.

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

⁴⁴ See also sections 1 and 2.

⁴⁵ *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.

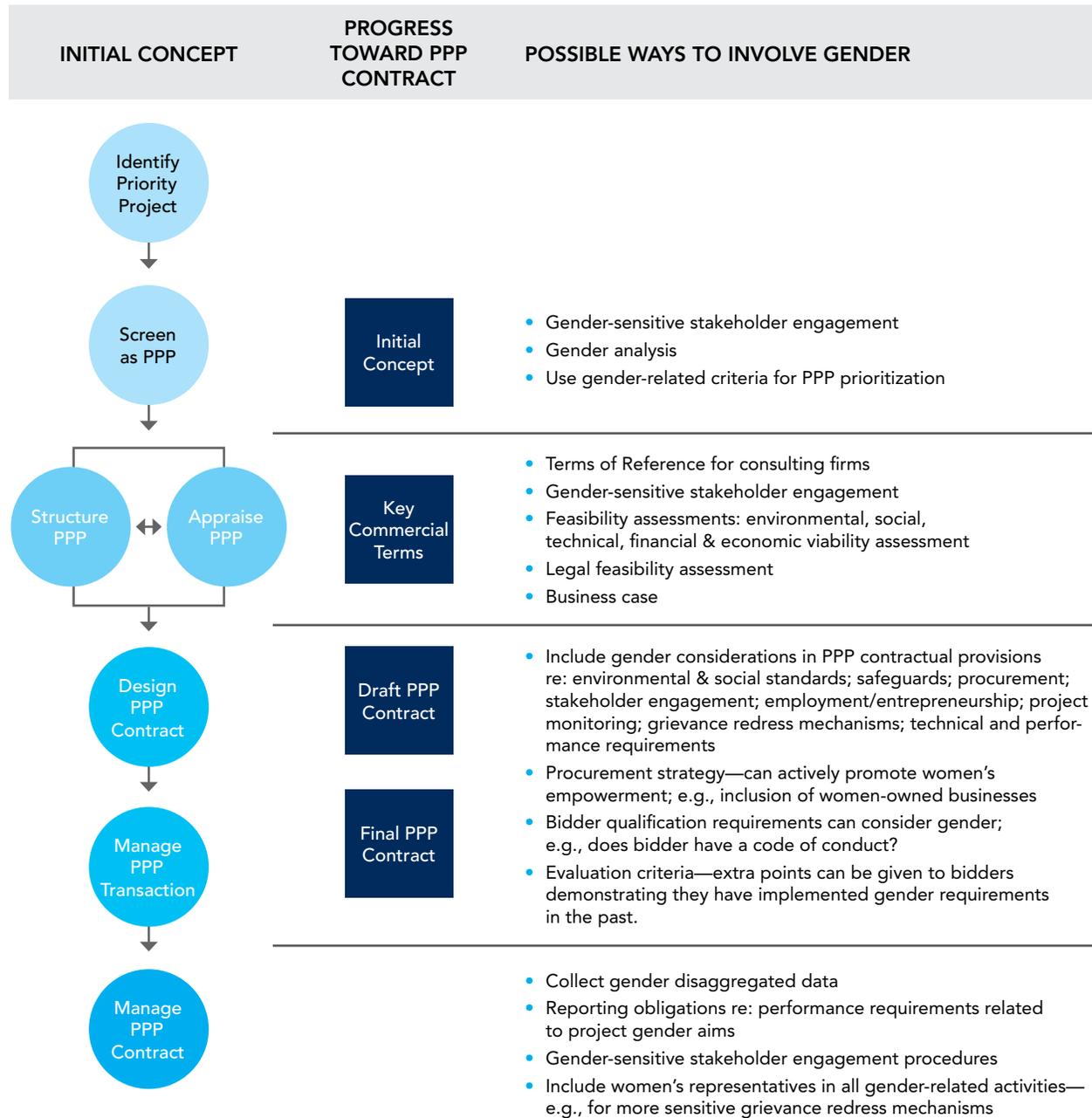
For a more gender-responsive approach, the following activities should be considered:

- 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;⁴⁶ and
- Outreach to men and women (for example, through social surveys and household interviews).⁴⁷

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.⁴⁸ This analysis requires the collection of sex-disaggregated baseline data from existing resources, as well as data collected through further research.⁴⁹

An analysis undertaken at this stage⁵⁰ 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.⁵¹

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.⁵²

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).

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, Cledean; 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;⁵³
- 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.

⁵³ 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.⁵⁴

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.

⁵⁴ 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.⁵⁵

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.⁵⁶

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.

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

⁵⁶ 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.⁵⁷

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.⁵⁸

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.⁵⁹ 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.⁶⁰ 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.

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

Guide to Getting Started in Local Procurement , IFC, 2011	SheWorks: Putting Gender Smart Commitments into Practice , IFC, 2016	Women's Empowerment in the Global Value Chain: A Framework for Business Action to Advance Women's Health, Rights, and Wellbeing , Business for Social Responsibility (BSR), 2016
Incorporating Small Producers into Formal Retail Supply Chains: Sourcing Readiness Checklist , University of Michigan, 2016	Unlocking Markets for Women to Trade and Empowering Women through Public Procurement , International Trade Centre (ITC), 2016	The power of procurement: How to source from women-owned businesses , UN Women, 2017
Global Supplier Diversity & Inclusion Reaching the Gold Standard , WEConnect International, 2017	The Business Case for Global Supplier Diversity and Inclusion , WEConnect International, 2017	Unlocking Opportunities for Women and Business—Tool 2: Women-Owned Businesses and the Supply Chain , 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.⁶¹ 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).⁶²

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 conduct⁶³ 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.

⁶² 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).

⁶³ 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,⁶⁴ 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.⁶⁵ Although KPIs usually focus on project performance and service quality, rather than socio-economic objectives⁶⁶ 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.

⁶⁴ PPP contracts are, for example, concession agreements, implementation agreements, or BOT agreements.

⁶⁵ See for example, WBI 2004, IFC, 2012, as well as Gender Review 2016.

⁶⁶ IFC, 2012.

Table 4: External Tools and Guides with Sample Indicators

Sector	Tool
Energy	<i>Examples of Assessments, Actions, and Monitoring and Evaluation (M&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:⁶⁷

- **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:

⁶⁷ 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.⁶⁸
- 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.

⁶⁸ 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"> 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)? 2. Has sex-disaggregated data been collected? 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? 4. Have gender-related prioritization criteria been developed and applied? 	<ol style="list-style-type: none"> 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? 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? 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&S impact assessment, economic, financial, legal, technical feasibility assessment? 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? 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? 	<ol style="list-style-type: none"> 10. Will procurement strategy allow for more equal gender outcomes? 11. Are gender-related qualifications required from potential bidders? 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) 13. Do bid evaluation criteria contain gender-related goals? 14. Are concrete gender commitments included in PPP contract? 15. Are obligations from ESIA, resettlement plans, etc. included in PPP contract? 16. Are anticipated gender activities reflected in the KPIs? 17. Are gender-specific elements of project reflected in outputs, and measurable in terms of gender-sensitive KPIs? 18. Is collection of sex-disaggregated data addressed in contract? 19. Is obligation to establish a gender-sensitive grievance redress mechanism addressed in contract? 20. Does the contract contain additional obligations related to gender-sensitive stakeholder engagement (e.g., interview with project-affected men and women)? 	<ol style="list-style-type: none"> 21. Is sex-disaggregated data collected? 22. Does private partner report on performance against the sex-disaggregated baseline data? 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)? 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)?

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,⁶⁹ 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.⁷⁰ 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,⁷¹ 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?⁷²
- 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?

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;⁷³
- 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 Committee⁷
- 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

⁷³ 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).
- *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.