

**Filling Gender Policy Gaps:
Comments on the ADB Second Draft Safeguard Policy Statement
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The Asian Development Bank's (ADB) Bank Policy on Gender and Development (BP C2)¹ "requires explicit integration of gender considerations in all aspects of ADB operation" through systematic and comprehensive gender mainstreaming.² While the ADB's 2008 Second Draft Safeguard Policy Statement (SPS) references gender four times as often as the 2007 Safeguard Policy Statement Consultation Draft,³ Gender Action still finds significant gaps between the ADB's gender and new safeguard policies. Gender Action supports the ADB's integration of gender terminology into SPS sections on participation and consultation, grievance mechanisms, information disclosure, compensation, resettlement planning and impact assessment. Yet neither this terminology, nor the frameworks and mechanisms referenced therein, match the language and tools outlined by ADB Bank Policy (BP C2) or Operations Procedures (OP C2) on Gender and Development. Although BP and OP C2 provide relatively strong guidance for integrating gender into all ADB activities, such policy gaps weaken the ADB's ability to safeguard gender equality and women's rights.⁴ Gender Action suggests the ADB fill all gender policy gaps in the Second Draft SPS (2008) in order to uphold its commitments to gender justice.

The ADB's Commitment to Safeguard Gender Equality

The Bank Policy on Gender and Development (BP C2)⁵ mandates that the ADB address "gender considerations in ADB's macroeconomic, sector, strategy, and programming work, including studies on the impact of economic reform programs on women; undertaking gender analysis in projects; and ensuring the consideration of gender issues at all stages of the project cycle, including identification, preparation, appraisal, implementation, operation and maintenance, and monitoring and evaluation."

The ADB Operations Procedures on Gender and Development (OP C2)⁶ outline specific steps staff must take to comply with the above Bank Policy in ADB-financed projects, programs, policies and research classified as 'Gender and Development' (GAD). A gender or social development specialist should use the 'Gender Analysis Checklist for Initial Poverty and Social Analysis' (OP C2, Appendix 1) and 'Key Gender Considerations in Project Design' list (Ibid, Appendix 2) to develop a 'Project Gender Plan' (Ibid, Appendix 3) that outlines gender considerations for project preparation, design, implementation, monitoring and evaluation stages. Project Gender Plans should include specific targets for women's participation and access to project benefits, budget line items for GAD activities, GAD implementation plans, and gender-differentiated impact assessment strategies.

¹ ADB. 25 September 2006. Gender & Development in ADB Operations. OM Section C2/BP. http://www.adb.org/documents/manuals/operations/OMC02_25sep06.pdf.

² According to OM Section C2/BP, "Gender mainstreaming is to ensure that gender concerns and women's needs and perspectives are explicitly considered in all ADB operations, and that women participate in the decision-making process in development activities" (p.1).

³ While the SPS Consultation Draft (2007) included 5 gender references, the Second Draft SPS (2008) now includes 21 gender references. This change is a likely response to Gender Action's December 2007 'Comments on the ADB Consultation Draft of Safeguard Policy Statement' (Dennis).

⁴ See: 'Gender Justice: A Citizen's Guide to Gender Accountability at International Financial Institutions' (CIEL & Gender Action, 2007).

⁵ ADB. 25 September 2006. Gender & Development in ADB Operations. OM Section C2/BP. http://www.adb.org/documents/manuals/operations/OMC02_25sep06.pdf.

⁶ ADB. 25 September 2006. Gender & Development in ADB Operations. OM Section C2/OP. http://www.adb.org/documents/manuals/operations/OMC02_25sep06.pdf.

ADB SPS Improvements Not in Line with Gender Policy

The purpose of the Second Draft SPS (2008) is to enhance the clarity, consistency, cohesion and overall effectiveness of the ADB's safeguard policies, ensuring their relevance to clients' changing needs and new business opportunities. It is clear the ADB made a good faith effort to integrate gender into the previous SPS Consultation Draft (2007), which hardly referenced gender at all. Not only does the Second Draft SPS (2008) weave terms like "women's participation," "gender equity," "gender sensitive" and "gender responsive" throughout the document, the SPS highlights gender equity as one of five key "drivers of change" that will be crucial to long-term strategic development (p. 4).

Gender Action cautions, however, that these gender references could prove weak if not substantiated by ADB GAD policies and tools. While adding gender-sensitive language is a positive step, the Second Draft SPS fails to back this gender terminology with specific checklists and plans outlined by the ADB's own GAD Bank Policy and Operations Procedures (BP/OP C2). There is no mention, for example, of the 'Gender Analysis Checklist for Initial Poverty and Social Analysis' or the 'Project Gender Plan Format,' despite the inclusion of similar plans and frameworks for environmental, involuntary resettlement, and indigenous peoples concerns. In fact, the Second Draft SPS (2008) fails to reference GAD Bank Policy (BP C2) and Operations Procedures (OP C2) altogether. Finally, the gender terminology is not consistent between the ADB's Second Draft SPS (2008) and GAD policies (BP/OP C2). These gaps may lead to GAD policy evaporation, undermining the ADB's public commitment to gender equality and women's rights:

- **Environmental Safeguards:** While the first SPS Consultation Draft (2007) entirely lacked gender considerations, the Second Draft SPS (2008) explicitly calls for women's participation in all stages of consultation, an examination of disproportionate and differential environmental impacts on men and women, and a gender responsive grievance redress mechanism.⁷ Beyond gender-specific language, however, this section does not reference ADB gender tools or policies that would enable project managers to implement such gender commitments. There is no mention of Project Gender Plans, and the 'Outline of an Environmental Impact Assessment Report'⁸ fails to incorporate gender considerations. Without substance to ground new gender language, ADB gender safeguards remain weak and ineffective.
- **Involuntary Resettlement (IR) Safeguards:** The IR safeguards section is highly more gender sensitive in the new Second Draft SPS (2008) document. Whereas the SPS Consultation Draft (2007) merely required gender disaggregated social impact assessments, the Second Draft SPS (2008) integrates gender concerns into resettlement planning, community consultation, information disclosure and grievance mechanisms.⁹ The language used to mandate gender considerations, however, does not clearly match the language selected, defined and used in the ADB GAD policies. Terms like "gender concerns" and "gender-inclusive" are not defined within the "definitions" section of ADB GAD Bank Policy (BP C2). As a result, the IR gender safeguard requirements are vague and vulnerable to loose interpretation.

Furthermore, while the IR section requires that "women get adequate compensation for their lost property,"¹⁰ many women lack legal titles to land and household assets. To redress this inequity, the section only asks that borrowers/clients "pay particular attention to the needs"¹¹ of the landless. Such a weak clause will not protect women's economic rights in the face of borrowers/clients looking to maximize profits and minimize costs.

⁷ Second Draft SPS (2008): <http://74.125.45.132/search?q=cache:1l6BUfv-Qg0J:www.adb.org/Documents/Policies/Safeguards/2nd-Draft-SPS.pdf+second+draft+SPS+ADB&hl=en&ct=clnk&cd=5&qI=us&client=firefox-a>. Pages: 17, 38, 39.

⁸ Ibid, pages: 47-49.

⁹ Ibid, pages: 18, 51-52, 54, 56-58.

¹⁰ Ibid, page: 52.

¹¹ Ibid, page: 54.

- **Indigenous Peoples (IP) Safeguards:** The Second Draft SPS (2008) IP safeguards extend beyond gender sensitive social impact assessments to integrate gender into project consultations, grievance mechanisms and Indigenous Peoples Plans.¹² This IP section primarily uses the term “gender sensitive,” which is clearly defined by the ADB GAD policies. This section could be strengthened by referencing the ADB GAD Bank Policy and Operations Procedures (BP/OP C2), as well as gender checklists, tools and plan formats contained therein.

Conclusion and Recommendations

Much progress has been made to incorporate gender language into the Second Draft SPS (2008). Yet several improvements must be made to ensure these new gender considerations do not evaporate during project planning, implementation, monitoring and evaluation. Specifically, the ADB should close all gaps between its Safeguard Policy Statement and GAD policies. Only by strengthening and streamlining both policies can the ADB uphold its public commitment to women’s empowerment and gender equality.

To safeguard women’s rights and gender equality, the ADB should:

- Work with civil society and the ADB Gender and Social Development department to better integrate GAD Bank Policy (BP C2) and Operations Procedures (OP C2) into the SPS.
- Integrate the following ADB gender tools into the SPS: ‘Gender Analysis Checklist for Initial Poverty and Social Analysis’ (C2/OP, Appendix 1), ‘Key Gender Considerations in Project Design’ list (Ibid, Appendix 2) and ‘Project Gender Plan Format’ (Ibid, Appendix 3).
- Reference the following ADB gender guidelines in the SPS: ‘Country Strategy and Program,’ ‘Country Gender Assessment,’ ‘Gender Strategy,’ ‘GAD at the Project Level,’ ‘Implementation Arrangements,’ ‘Monitoring and Evaluation Arrangements.’¹³ All of these gender guidelines are absent from the Second Draft SPS (2008).
- Review and ensure gender language consistency between GAD Bank Policy (BP C2), GAD Operations Procedures (OP C2), and the SPS. The GAD Bank Policy (BP C2) clearly defines the terms “Gender Sensitivity,” “Gender Analysis,” “Gender Planning” and “Gender Mainstreaming.” The ADB SPS should limit gender language to these terms or define additional terms, like “gender responsive,” in order to maintain clarity and consistency among policies.
- Fully integrate gender considerations into the ‘Outline of an Environmental Impact Assessment Report,’ highlighting the link between gender equality and environmental protection.
- Require that borrowers/clients ensure project grievance mechanisms are gender sensitive and facilitate women’s and men’s use of grievance systems by requiring, for example, culturally sensitive gender awareness training for grievance mechanism staff and requiring the presence of women on project grievance mechanism staff. The ADB should require similar measures for project community liaison teams.
- Strengthen language on compensation measures for individuals and populations without legal titles to land or property. The SPS must mandate that women, indigenous peoples, and other marginalized groups without official property titles receive full compensation during resettlement processes.

¹² Ibid, pages: 19, 60, 62, 65-6, 67-8.

¹³ ADB. 25 September 2006. *Gender & Development in ADB Operations*. OM Section C2/OP. http://www.adb.org/documents/manuals/operations/OMC02_25sep06.pdf. Pages: 1-4.

- Move from a traditional gender mainstreaming to *transformative* gender mainstreaming model that accounts for gender policy evaporation. Since the Beijing Platform for Action established gender mainstreaming as the preferred method for achieving gender equality and women's rights in 1995, history has shown that mainstreaming often means evaporation. Without a centralized gender unit, focal point, or policy emphasis, gender continues to slip through the cracks. Such evaporation is exemplified by the absence of gender in the first ADB SPS Consultation Draft (2007) and the persistent gender policy gaps in the Second Draft SPS (2008). Thus, Gender Action encourages the ADB to adopt a "twin-track"¹⁴ gender mainstreaming approach that simultaneously integrates gender into all ADB activities while maintaining gender as a central, coherent policy focus. An SPS that follows a twin-track gender mainstreaming model would integrate gender throughout the document *and* highlight gender as its own safeguard section alongside the environment, involuntary resettlement and indigenous peoples.

¹⁴ For more information, see: European Commission, Development Policies
http://ec.europa.eu/development/policies/9interventionareas/humandev/humandevgender_en.cfm
Irish Aid, Gender Mainstreaming
<http://www.irishaid.gov.ie/article.asp?article=600>