

# **Mainstreaming Gender in the Governance of Transboundary Waters**

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## Introduction

This paper reviews the concepts of gender and gender mainstreaming in the context of water and governance. The paper first sets out the basic definitions of these concepts and terms. The paper next examines how the gender mainstreaming (GM) of water has been carried out by major multi-lateral agencies and organizations engaged in international development. Current literature is reviewed in the field to illustrate the conclusion that while there has been extensive scholarly and practitioner focused work on gender and governance, and gender and water, this theoretical and practical work has not addressed the issue of GM of international transboundary waters.

## The Concept of Gender

Gender refers to the different roles, rights, and responsibilities of men and women and the relations between them. Gender does not simply refer to women or men, but to the way their qualities, behaviours, and identities are determined through the process of socialization. Gender is generally associated with unequal power and access to choices and resources. The different positions of women and men are influenced by historical, social, religious, economic and cultural realities. These relations and responsibilities can and do change over time. The use of the term gender also recognizes the intersection of women's experience of discrimination and violation of human rights not only on the basis of their gender but also from other power relations that result from race, ethnicity, caste, class, age, ability/disability, religion, and a multiplicity of other factors.<sup>1</sup>

Women and men are defined in different ways in different societies; the relations they share constitute what is known as gender relations. However, there is no known society where men and women have equal power relations. Gender relations constitute and are constructed by a range of institutions such as the family, legal systems, or the market. Gender relations are hierarchical relations of power between women and men and always tend to disadvantage women. These hierarchies are often accepted as 'natural' but are socially determined relations, culturally based, and subject to change over time. Gender relations are dynamic, characterized by both conflict and co-operation, and mediated by other points of stratification, including caste, class, age and marital status or position in the family. Sex differences such as the ability to give birth are biologically determined and are different from socially prescribed gender roles.<sup>2</sup>

Recognizing this, a gender analysis refers to a systematic way of looking at the different impacts of development on women and men. Gender analysis requires separating data by sex and understanding how labour is divided and valued. Gender analysis must be done at all stages of the development process; one must always ask how a particular activity, decision, or plan will affect women differently from men.<sup>3</sup> Given that women tend to be the most vulnerable and the most marginalized, if the analysis is about poverty eradication, for example, increasing the empowerment of the poor also would increase the empowerment of women.

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<sup>1</sup> This section is adapted from *Resource Guide: Gender in Water Management*. Version 2.3 March 2009. UNDP and GWA. The Gender and Water Alliance, [www.gwa.org](http://www.gwa.org), is the leading coalition of gender and water scholars and practitioners, although there are other member groups such as the Gender and Water Network, and other regional networks in Africa, Europe, Central Asia and Asia. However the GWA has worked most closely with institutions such as the GEF and the UNDP in developing training materials.

<sup>2</sup> *Resource Guide*. Ibid. p.10.

<sup>3</sup> Ibid. p.11.

## **The History of the Concept of Gender**

The first approach in development was termed “Women and Gender” and evolved over the past few decades. Until the early 1970s, development policies addressed the needs of poor women entirely in the context of their role as wives and mothers. Known now as the ‘welfare’ approach, the focus was on mother and child health, childcare, and nutrition. It was assumed that the benefits of macroeconomic strategies oriented towards modernization and growth would trickle down to the poor, and that poor women would benefit as the economic position of their husbands improved. Women were just seen as passive recipients of benefits. In the water sector, water and sanitation services were defined in the context of health care and hygiene, which were seen as women’s responsibilities. Women were only seen to be concerned with water at that most basic level.

From the 1970s and 1980s, the Women in Development (WID)<sup>4</sup> approach aimed to integrate women into the existing development process by targeting them, often in women-specific activities. Women were also usually passive recipients in WID projects, which often focused on making women more efficient producers and increasing their income. Although many WID projects did improve health, income, or resources in the short term, they did not transform unequal relationships, nor were they sustainable. A common shortcoming of WID projects was that they did not consider women’s multiple roles and functions in society.

From the late 1980s on, the Gender and Development (GAD)<sup>5</sup> approach was developed with the objective of removing disparities in social, economic, and political balances between women and men as a pre-condition for achieving development that was more ‘people centred’. Much of the work in the water sectors today is informed by this approach. However, there are many perspectives in this approach and no one blueprint for enabling equality and equity in water resources management. Both WID and GAD approaches are still in use. In recent years, a gender and empowerment approach has attempted to transform existing gender relations by stressing women’s self-empowerment, although ‘empowerment’ is also not specifically defined.

## **Gender Mainstreaming**

Gender mainstreaming<sup>6</sup> is defined as: “...the process of assessing the implications for women and men of any planned action, including legislation, policies or programs, in any area and at all levels. It is a strategy for making the concerns and experiences of women as well as of men an integral part of the design, implementation, monitoring and evaluation of policies and programs in all political, economic and societal spheres, so that women and men benefit equally, and inequality is not perpetuated. The ultimate goal of mainstreaming is to achieve gender equality.”

GM has been the primary methodology for integrating a gender approach into environment and development efforts. In practice, GM means being deliberate in giving visibility and support to both women’s and men’s contributions individually, rather than assuming that both groups will benefit equally

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<sup>4</sup> Ibid. p. 15.

<sup>5</sup> Ibid. p. 17

<sup>6</sup> Definition provided by the UN Economic and Social Council (ECOSOC) in 1997. See <http://www.ilo.org/public/english/bureau/gender/newsite2002/about/defin.htm>

from gender-neutral development interventions. Policies and programs that ignore the differential impact on gender groups are often gender-blind and potentially harmful for human development. Within a project context, GM commonly includes identifying gaps in equality through the use of sex-disaggregated data, developing strategies and policies to close those gaps, devoting resources and expertise for implementing such strategies, monitoring the results of implementation, and holding individuals and institutions accountable for outcomes that promote gender equality.<sup>7</sup>

Gender equality does not mean that women and men will become the same, but rather implies equal treatment of women and men in laws and policies<sup>8</sup>, and equal access to resources and services within families, communities and society at large. To achieve this goal, a two-pronged approach of GM is often required: 1) systematically analyzing and addressing in all initiatives the specific needs of both women and men; and 2) targeted interventions to enable women and men to participate in – and benefit equally from – development efforts.<sup>9</sup> A full understanding of gender roles within a society, and consideration of women’s and men’s specific interests, needs, and priorities is necessary to achieve and sustain the goals of any project. Gender equality is not solely a women’s issue; in fact, it seeks to tailor activities to the beneficiaries of the project from both sexes. Gender equality should serve to the advantage of both men and women and cannot be achieved without the full engagement of both.<sup>10</sup>

Gender mainstreaming is the process of assessing the implications for women and men of any planned action, including legislation, policies and programmes in all areas and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres, so that women and men can benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality *by transforming the mainstream*<sup>11 12</sup>.

In the area of water resources management, an uncoordinated and sectoral approach has resulted in environmental degradation from overexploitation of water resources, inappropriate allocations among competing uses, inequitable distribution of benefits and burdens, and inadequate operation and maintenance of infrastructure. Inadequate involvement of both women and men has hindered programmes and projects aimed at addressing sustainability in water resources management.<sup>13</sup> Community participation and management approaches have failed to address these issues, largely because communities are often seen as a collection of people with a common purpose. The reality is that a community is not a collection of equal people living in a particular geographic region. It is made up of individuals and groups who command different levels of power, wealth, influence and ability to express their needs, concerns and rights.

Communities contain competing interest groups. Where resources are scarce, there is

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<sup>7</sup> *Resource Guide*, op.cit. p. 17

<sup>8</sup> In the Canadian legal context, this refers to substantive equality and is the basis of the equality provisions of the Charter of Rights and Freedoms.

<sup>9</sup> Much of the information in this section is extracted from: UNDP, 2007, *Gender Mainstreaming: Key Driver of Development in Environment & Energy – Conceptual Overview*, New York.

<sup>10</sup> Ibid.

<sup>11</sup> ECOSOC, op.cit. Emphasis added.

<sup>12</sup> In feminist academic circles, Mary Daly coined the term “malestream” to indicate that the mainstream was male.

<sup>13</sup> *Resource Guide*. Op. cit. p.25

competition for supplies, and those at the lowest end of the power spectrum - poor women and men - will go without. Unequal power relations constantly place women in a disadvantaged position. Applying a gender analysis helps water sector agencies allocate their resources better to meet the needs of different women and men and marginalised groups. People-centred approaches do not always ensure that gender perspectives are taken into account. Thus, a deliberate strategy of GM is required to ensure that these issues that effect women and men are part of analysis, programme and project planning, implementation, and evaluation. More importantly, GM can assist in bringing about institutional and organizational change necessary to ensure gender equality as an on-going commitment.

Without specific attention to gender issues and initiatives, projects can reinforce inequalities between women and men and even increase gender disparities. Although many initiatives are thought to be ‘gender neutral’, this is rarely the case. Projects and programmes often bring new resources (training, tools, technology, etc.). Whether someone is male or female can influence whether he or she can take advantage of these opportunities. Programmes need to enable both women and men to benefit equally from water initiatives. Gaps between rich and poor women can often increase as a result of development interventions. An initiative can also serve to reinforce existing inequalities, even when there may be opportunities to help support people’s efforts to build more equitable societies and <sup>14</sup>economies. The importance of specific attention to gender and diversity issues is all the more critical given the generally low profile of these issues among many water professionals.

## **Governance and Gender**

*“Good governance means creating well-functioning and accountable institutions – political, judicial and administrative – which citizens regard as legitimate, in which they participate in decisions that affect their daily lives and by which they are empowered.”<sup>15</sup>*

The concept of governance is a vague term for often “messy, unpredictable and fluid processes”.<sup>16</sup> It is a slippery term with multiple definitions, depending on the agency using the term or the context in which it is used. Put simply, governance refers to decision-making by a range of interested people, or ‘stakeholders’<sup>17</sup>, including those in formal positions of power and those who are ordinary citizens. These decisions have a huge impact on the ways in which women and men lead their lives, on the rules they are expected to abide by, and on the structures that determine where and how they work and live. In theory, stakeholders articulate their interests, influence how decisions are made, who the decision-makers are and what decisions are taken.<sup>18</sup> Decision-makers are expected to be guided by this input, and accountable to the stakeholders for the decisions they make and the way they are implemented through the management of public affairs and public spending. The reality, however, is that not all stakeholders have the required power or leverage to influence decisions and hold decision-makers to account. This complexity is reflected in the different ways in which national and international agencies and institutions frame governance – what they see as the end-goals of governance. For example, the

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<sup>14</sup> *Resource Guide*. Op.cit. p 16.

<sup>15</sup> Koffi Annan, International Conference on Governance for Sustainable Growth and Equity, 1997.

<sup>16</sup> Institute on Governance, <http://www.iog.ca/page.asp?pageID=3&htmlarea=home>

<sup>17</sup> Stakeholders are those interested in the outcomes of decisions – they should be involved in shaping processes and decisions that affect them.

<sup>18</sup> <http://www.unescap.org>.

World Bank (The Bank) and the Asian Development Bank (ADB) emphasize efficiency of processes and resource management. The United Nations Development Programme (UNDP) conceptualizes governance by building on an understanding of governance rooted in social justice and rights – not referring to governance institutions as holders of power, but rather as enablers of equitable decision-making and accountability, and of greater citizen involvement.<sup>19</sup> CIVICUS<sup>20</sup> (World Alliance for Citizen Participation) brings the focus onto citizens and the need for a participatory approach to governance which is ultimately about achieving equitable power-sharing in governance processes. This means they share mutual responsibility for ensuring that the decisions are effective and for finding solutions if they are not.

According to the UN,<sup>21</sup> the term “governance” means ‘the process of decision-making and the process by which decisions are implemented (or not implemented)’. In other words, dealing with governance involves the analysis of the processes and systems by which a specific society or organization operates. Though government is one of the main actors of governance, it is far from being the only one; depending on the specific entity under study, other actors can include “influential land lords, associations of peasant farmers, cooperatives, NGOs, research institutes, religious leaders, finance institutions, political parties, the military, [... as well as the] media, lobbyists, international donors, multi-national corporations, etc.”<sup>22</sup>. Moreover, governance applies to several contexts: corporate governance, international governance, and national, regional or local governance.

Good governance is a form of governance that generally embodies the principles of accountability, transparency, inclusiveness, equity, responsiveness and the rule of law. Good governance embodies processes that are “participatory, consensus oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive, and [which follow] the rule of law”<sup>23</sup>. Good governance reassures us that corruption is minimized, the views of minorities are taken into account, and that the voices of the most vulnerable in society are heard in decision-making. It is also responsive to the present and future needs of society. Clearly, there is a close relation between good governance and respect for human rights. The International Finance Institutions (IFIs)<sup>24</sup> definitions include efficiency and effectiveness, as noted above.

Good governance is recognized as essential to poverty reduction efforts and respect for human rights, as well as conflict prevention, growth, and environmental protection. Definitions of “governance” range from a restricted view focusing on sound management of the economy, to a more expansive view that embraces political liberalization and problems of social inequality. According to the expansive definition, good governance implies *democratic* governance, meaning an agenda for participation, human rights, and social justice.

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<sup>19</sup> *Governance for Sustainable Human Development*, UNDP, 1997.

<sup>20</sup> [www.civicus.org](http://www.civicus.org)

<sup>21</sup> *What is Good Governance?* [www.unescap.org/huset/gg/governance.htm](http://www.unescap.org/huset/gg/governance.htm) (24 December 2006).

<sup>22</sup> Ibid

<sup>23</sup> Ibid

<sup>24</sup> World Bank, ADB, etc.

Participation by both men and women is a key cornerstone of good governance. Participation could be either direct or through legitimate intermediate institutions or representatives.<sup>25</sup> Women ought to benefit as much as men from governance reforms that focus on reducing corruption and increasing opportunities to participate in public decision-making.<sup>26</sup> But there is no such thing as gender-neutral governance reform. If governance reforms do not address the social relations that undermine women's capacity to participate in public decisions, they run the risk of reproducing gender biases and patterns of exclusion in the management of public affairs.

Gender-responsive accountability institutions must ensure that decision-makers answer to the women who are most affected by their decisions. This means that women must be entitled to ask for explanations and justifications—they must be legitimate participants in public debates, power-delegation processes, and performance assessments.

Gender sensitive governance is essential for gender sensitive delivery of basic services. Without it, services may be inadequately designed, and fail to address barriers that restrict women's access or lead to unintended adverse consequences for women and girls. Governance can hold the key to improved access to decision making, which, under a democratic system<sup>27</sup>, can be described as accountability and voice. 'Voice' has been described as political, decision-making, design, and consumer.<sup>28</sup> Decision making involved public participation in decisions about policy, planning, budgeting and programming. Participation may be direct through participatory mechanisms<sup>29</sup> or indirect through elected representation. Design involves public participation in the project design process that follows decision making. This can often exemplify technical decisions and participation that can be seen to be too "technical" for non-experts when it comes to hydrological or legislative issues around transboundary waters. The point must be stressed that a GM perspective is not about finding women to take up space on a committee, but for the perspective of women and gender to be mainstreamed throughout all the decision making processes, so that THE disparate impact on women will be measured and taken into account in the policy and technical decisions.

The counterpart to 'voice' is 'accountability'.<sup>30</sup> This involves administrative accountability at the decision making level as well as the service delivery level.<sup>31</sup> Promotion of gender equality in all forms of governance must be one of the performance indicators against which water resources management must be assessed. Indicators have been designed, particularly with regard to the MDGs<sup>32</sup> and pro-poor policies, to measure their 'empowerment check'.<sup>33</sup> Empowerment is a very vaguely defined term<sup>34</sup> meaning anything from psychological self help to countering marginalization in international development, suffice it to define it here as increasing the power of the poor to take greater control of their lives.

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<sup>25</sup> *Citizens as Partners - Information, Consultation and Public Participation in Policy-Making*, OECD. <http://portal.unesco.org>

<sup>26</sup> [http://www.unifem.org/progress/2008/whoFS\\_box1a.html](http://www.unifem.org/progress/2008/whoFS_box1a.html)

<sup>27</sup> Democratic as a process, not a nation state Democracy.

<sup>28</sup> *A Users Guide to Measuring Gender Sensitive Basic Service Delivery*, Unifem and UNDP, 2009. p.8

<sup>29</sup> *Ibid* p.8

<sup>30</sup> *Ibid* p. 9

<sup>31</sup> *Ibid* p. 9

<sup>32</sup> Millenium Development Goals

<sup>33</sup> *Claiming the MDGs: An Empowerment Framework*, UNDP Oslo Governance Centre. July 2008. p.16

<sup>34</sup> A quick glance at Wikipedia will confirm that.

The UNDP has designed a template for sector-based governance assessment, for example in the application of the empowerment framework to the water and sanitation sector.<sup>35</sup> All of these indicators can be adapted to provide measurement indicators for the TBW projects, such as those funded by the Global Environment Facility.

## **Governance and Water**

‘Water Governance’, writ large, refers to the range of political, social, economic, and administrative systems that are in place to develop and manage water resources and the delivery of water services at different levels of society. It comprises the mechanisms, processes, and institutions through which all involved stakeholders, including citizens and interest groups, articulate their priorities, exercise their legal rights, meet their obligations and mediate their differences.<sup>36</sup> There is a need to adopt a more cohesive global perspective on water governance, incorporating international water law, in conjunction with domestic law and organizational frameworks.<sup>37</sup>

However, Patricia Wouters argues in reviewing the Global Water Partnership definition of water governance,<sup>38</sup> that while there is no single definition of governance, there are identifiable common elements of ‘good governance’. Furthermore, the international water law approach to governance provides the range of rules to be applied to transboundary states in adaptable framework agreements. Our challenge then is to engender this process.

## **Gender, Governance and Water**

Since the 1990s, the international community has recognized and accepted that good governance plays a significant role in improving the livelihoods of people. Weak water management impacts negatively on poor men and women through unreliable services, limited access to services, and higher costs for inefficient and ineffective services which often subsidize the rich. Improved water governance can lead to equitable water resources development and access for all. Persistent development problems, as well as the current and predicted water crises, reflect failures in governance.<sup>39</sup> There appears to be a correlation between weak water governance, persistent poverty and inadequate access to water for vulnerable groups, leading to stunted development.

Good governance can have positive impacts on gender inequalities<sup>40</sup>, including:

- Ensuring that poor women and men’s human rights and fundamental freedoms are respected, allowing them to live with dignity.

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<sup>35</sup> Ibid p. 20

<sup>36</sup> [http://www.undp.org/water/about\\_us.html](http://www.undp.org/water/about_us.html)

<sup>37</sup> For a lively discussion of these issues see the special issue, Global Governance of Water: Trends, Processes, and Ideas for the Future, Claudie Pahl-Wostel (ed), *Global Governance: A Review of Multilateralism and International Organizations*, Vol 14, No 4, Oct-Dec 2008. Note the word *gender* is not cited in any of the articles.

<sup>38</sup> P Rogers and A Hall, *Effective Water Governance*, Global Water Partnership Technical Committee (TEC), Background Paper No 7, 2003, cited in P Wouters, *Global Water Governance Through Many Lenses*, in *Global Governance*, op.cit, p 529.

<sup>39</sup> UNDP, op.cit.

<sup>40</sup> Ibid.

- Introducing inclusive and fair rules, institutions and practices governing social interactions to improve outreach to the vulnerable, such as poor men and women, and the younger and older generations.
- Ensuring that women are equal partners with men in decision making over development, use, technology choice, financing, and other aspects of water management.
- Ensuring that the environmental and social needs of future generations are reflected in current policies and practices.
- Focusing water development policies toward eradicating poverty and improving the livelihoods of women and men.

Given that water is key to meeting most of the Millennium Development Goals, the solution is not only in developing new technologies and increasing supply, but also in managing the available resource effectively, efficiently and equitably. It also entails a rational assessment of the competing demands for water and equitable allocations based on a list of priorities that take into account the needs of all stakeholders. It is against this background that there has been a move towards water reforms aimed at improved water resources management. During the World Summit on Sustainable Development<sup>41</sup>, held in Johannesburg in 2002, world leaders set a target for all countries to develop IWRM and water efficiency plans by 2005. It is through the IWRM planning process, with multi-stakeholder consultations, that issues of equity, access and creation of an enabling environment can be addressed. The major challenge has been the meaningful involvement of women and men from the grassroots.

Water governance refers to the range of political, social, economic and administrative systems that are in place to regulate the development and management of water resources and provision of services at different levels of society. The involvement of women water users in stakeholder consultations and forums demands specific attention and approaches. The current tools used in multi-stakeholder consultations are mainly suited for an educated, literate group, and will require adaptation for use at the local level. Many women for example, in conservative social contexts, face cultural constraints that prevent them from speaking in public while poor women face economic constraints that do not allow them to voice their needs.<sup>42</sup>

Water has been classified as an economic good, and has a cost attached to its development, distribution, operation and maintenance. While the principle of paying for water is justified, and sometimes necessary, poor women are often not able to afford the tariffs that have been set. Access to safe and affordable water is also a basic human right and this right should also inform discussions on the economic value of water. It has been acknowledged that those who cannot pay should at least pay in kind — but for the poor there is an opportunity cost to this when their time could have been used for earning income. Often when free labour is required, women usually provide it, but if there is paid work it usually goes to men.

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<sup>41</sup> Ibid.

<sup>42</sup> *Resource Guide*. Op.cit. p. 31.

Good water governance designed to ensure effective water resources management that allows for decision making from all stakeholders, including poor women and men, should provide access to safe and affordable drinking water and basic sanitation for all, and meet water needs for improved livelihoods. It would also allow for the development of an enabling environment including supportive policies, legal instruments and fair pricing structures.

Effective gender-sensitive water management will require<sup>43</sup>:

- A conscious effort to consult with men and women during the planning processes. This can be achieved through the use of gender-inclusive participatory tools designed to engage grassroots women and men.
- A focus on gender should not only target civil society, but should also address all water management structures and institutions, recognizing the different constraints faced by men and women, and ensuring that there is equity.
- Capacity building at all levels is a critical component of water governance and for the incorporation of gender concerns.
- Issues of gender, governance and water management should not be viewed as women's issues only but should be recognized as broad issues of power relations, control and access to resources by disadvantaged groups, who may be women, children or men.
- The importance of social aspects of water management also needs to be taken into account. Women play a central role in managing water for social, hygiene, health and productive uses.

### **Gender and Integrated Water Resources Management (IWRM)**

The concept of IWRM has been defined as a 'process which promotes the coordinated development and management of water, land and related resources in order to maximize the resultant economic and social welfare in an equitable manner without compromising the sustainability of vital ecosystems'.<sup>44</sup> IWRM has become the 'holy grail' of water management policies, although some scholar/practitioners disagree with its fundamental premise.<sup>45</sup>

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<sup>43</sup> Adapted from above. Ibid.

<sup>44</sup> Sara Ahmed, Gender and IWRM in South Asia: The Challenge of Community Managed Alternatives, pp 185-201 in *Water First: Issues and Challenges for Nations and Communities in South Asia*, (ed) Kuntala Lahiri-Dutt and Robert Wasson, Sage, 2008.

<sup>45</sup> Stephen Brichieri-Colombi, *The World Water Crisis: The Failures of Resource Management*, I.B. Taurus, 2009. The author states that in the last decade, water resources planners have frequently signaled an impending water crisis. The message is that the world is running out of water and that only by careful planning and the adoption of integrated water resources management can catastrophe be avoided. Brichieri-Colombi challenges these perceptions and maintains that the crisis is one of resource management rather than availability: it arises because water resource planners advocate exploitation of rivers without due regard to social, environmental and geopolitical consequences. The author advances a new paradigm--water in the national economy--which will enable developing countries to meet future food and water demands without increasing abstraction from rivers and consequential riparian conflict.

The efficacy of IWRM derives from institutional frameworks with sufficient capacity to manage water resources. It is assumed that the institutions will be accountable and transparent. However, there is little attention to gender concerns in the water governance structures or processes. This problem needs to be addressed and constraints to mainstreaming gender in water institutions identified. Institutions are grounded in norms, culture, market systems and policies that often perpetuate gender inequalities.<sup>46</sup> Poor women and men's practical and locally important knowledge is rarely recognized or tapped, and many lack the skills necessary for participating in committees. For most poor women and men, time is a valuable resource and its use in meetings has to be balanced with their domestic and income generating activities. Power relations also influence the way water is allocated and the choice of technology. An irrigation pipeline is generally associated with productive use of water, and men have more influence than women over the utilization of the resources. A hand-dug well on the other hand is generally associated with women's domestic use of water. While this use can be considered productive, and provides benefits to women and men, it may not be given a priority. The decision-making mechanisms and politics associated with water allocations have different implications for men and women.

The natural environment shapes the way poor women and men access water and the way they relate to water management structures. Frequent droughts or perennial scarcity of water means that the poor often do not have access to water or have to use poor quality water. Women and men in marginalized areas lacking in infrastructure, and removed from the central government will access water through different local systems, rather than through organized services provided by governments. This further implicates their level of participation in decision-making compared to those who are more centrally located.<sup>47</sup>

Community management has been identified as a mechanism for ensuring effective water governance at the local level, especially for common property resources. It is often assumed that the local institutions are inclusive and take care of fair distribution of resources. However, in reality, communities consist of different categories of men and women in different positions of power aiming to improve their own situations. Effective water governance needs to incorporate a differentiated analysis of community and community management.<sup>48</sup> IWRM offers an opportunity to create a paradigm shift in water resources management. The global environmental crisis, growing poverty in urban and rural areas, and continued gender inequalities all point to the need for a different governance approach to water use and management. Applying this approach requires cohesion among the different institutions, policy, and regulatory frameworks and deliberate measures that take account of environmental sustainability and an intersectional analysis.<sup>49</sup> Gender in this context is not a sufficient point of analysis without also considering intersecting identities of race, class, caste, ethnicity, age, ability, and geographical location.

Certain key principles of IWRM have been outlined by the Gender and Water Alliance:<sup>50</sup>

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<sup>46</sup> *Resource Guide*. op.cit. p. 30.

<sup>47</sup> An emerging challenge in governance is the issue of the rights of girls and boys. In sub-Saharan Africa, the HIV/AIDS pandemic has created a rise in the number of child-headed households. Decision-making in governance has always assumed that there will be adult men (and sometimes women) as heads of households. Children heading households are under age and unable to express their choices in public because of their young age and low socioeconomic status. Water governance needs to take account of the needs and roles of girls and boys in water services provision.

<sup>48</sup> *Resource Guide*. op.cit. p. 32.

<sup>49</sup> *Ibid.* p. 12

<sup>50</sup> *Ibid.*

**a) Water should be treated as an economic, social, and environmental good.**

Freshwater is valuable and limited. Water supply services and infrastructure are economic activities, while at the same time, access to basic water supply is a fundamental human right. Water use for sanitation and domestic purposes, which tends to be the responsibility of women, should be incorporated into the assessments of economic values of the use of water. Women often have no rights to land and water, and development efforts may negatively affect their livelihoods.

While it is desirable for water supply to be paid for, it is also important to take into account people's ability to pay. Women's interests and gender relations are often overlooked. If charges for domestic water supply have to be paid, both men and women should be involved in determining the rates. Even though women often do not have control over cash, they are still expected to pay for water and sanitation, more than men, because they are the main users and it is considered their responsibility. A gender and social equity analysis of demands is required.

Access to basic amounts of water supply as a social good and human right needs to be included in policies and planning. Increased charges for water should not apply to meeting basic human needs and should not reduce water minimum consumption for cooking and hygiene.

**b) Water policies should focus on the management of water and not just on the provision of water.**

Governments and local stakeholders should be key actors in water management.

The private sector can play a role in providing water supply services for greater efficiency. National governments need to retain responsibility for oversight of water quality and for regulating and monitoring private providers. The government is also responsible for ensuring that the water supply needs of the whole population are met. Companies solely interested in making a profit will not be concerned about low income households, domestic water users and those who use water sources and water catchments for their basic necessities of life. Women are heavily represented in these categories.

With increased privatization, capacity building of local communities becomes more important, and it should be ensured that women and men benefit equally from capacity building initiatives.

**c) Governments should facilitate and enable the sustainable development of water resources through the provision of integrated water resources policies and regulatory frameworks.**

Holistic water management is needed because actions taken in one water sector have an impact on water availability, quantity and quality in another. Such impact is different for men and women, between and even within households, and according to sex, age and status.

At higher levels coordination within countries and ministries is necessary, including coordination at sub-national levels, and women's interests and rights need to be taken into account.

**d) Water resources should be managed at the lowest appropriate level.**

Participation by all stakeholders leads to better water management. Because of women's traditional roles in water resources management, they have knowledge which should be included in planning and practice.

The lowest level is most important to ensure that decisions are supported by those who implement water projects on the ground. These are often women. Female-headed households tend to have less bargaining power in communities than male-headed households. A specific effort to include them is needed.

**e) Both women and men should be recognized as central to the provision, management and safeguarding of water.**

Campaigns to reduce water wastage should target men and women and especially industries and institutions that waste water.

Women's skills and knowledge are crucial for the effective and efficient management of water.

More attention is needed to control pollution and to improve water quality and sanitation for the benefit of women who collect domestic water and to improve health.

'Gender and IWRM' has become the norm for analyzing water usage, and governance, from a gender perspective. These local and domestic issues of water can serve as instructive when discussing the benefits of the more ephemeral issues of institutional and legal frameworks for international transboundary waters. Case studies can be adapted for transboundary purposes to show the importance of benefits to the community. Negotiators of transboundary agreements, legislation and frameworks must be trained to see the connection between the end users of water and the frameworks for agreements they negotiate, whether they be representatives of national governments, basin councils, or multi-lateral institutions.

Involving both women and men in integrated water resources initiatives can increase project effectiveness and efficiency. Participation by both women and men improves project performance and improves the likelihood of sustainability. In other words, a project is more likely to achieve what planners hope it will achieve if women and men (both rich and poor) are active participants and decision makers.<sup>51</sup>

**Gender and Water, Sanitation and Health (WASH)**

Sanitation has been characterized by Sara Ahmed as the 'Cinderella Slipper', disappearing at the midnight of planning, policy making, budgeting and implementation of water supply.<sup>52</sup>The vital role of

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<sup>51</sup> For three key studies see, *Voice and Choice for Women - Linkages on Demand, Gender and Poverty from 44 Water Schemes in Asia and Africa*, A research project of the UNDP/World Bank Water and Sanitation Programme. 2001; D. Narayan. *Contribution of People's Participation: Evidence from 121 Rural Water Supply Projects*. Washington, D.C.: The World Bank, 1995; Wijk-Sijbesma, C.A. van, Mukherjee, N. and Gross, B., *Linking Sustainability with Demand, Gender and Poverty. A Study in Community-Managed Water Supply Projects in 15 Countries*. World Bank and IRC International Water and Sanitation Centre, January 2001.

<sup>52</sup> Ahmed, Op cit, p. 199.

women in water, sanitation and hygiene (WASH) interventions is undeniable. Though women's involvement in the planning, design, management and implementation of such projects and programmes has proven to be fruitful and cost-effective, the substantial benefits of this approach are not properly recognized.<sup>53</sup> One result is that, all too often, women are not as centrally engaged in water and sanitation efforts as they should be.<sup>54</sup>

Lack of basic sanitation and safe water is an acute problem for the women and girls who live in poor and overcrowded urban slums and in the rural areas of the developing world. Many of them have to wait to relieve themselves until dark, sometimes confronting the fear and the reality of harassment and sexual assault. When crises hit and personal safety and security are diminished, even fetching water becomes risky for fear of assault. In many countries, school attendance by girls is lower and drop-out rates are higher in schools that have no access to safe water and no separate toilet facilities for boys and girls. There is a growing body of evidence that demonstrates the crucial importance of WASH, not only to human health, but also for the economic and social development of communities and nations around the world.

Since 1990, over one billion people have gained access to improved drinking water and sanitation services. However, there are still 2.6 billion people who do not have sanitation facilities, and 1.1 billion people are still using water from unimproved sources. It is usually the women and girls who suffer most.<sup>55</sup> Poor hygiene, sanitation and water exacerbate poverty by reducing productivity and elevating health costs. Safe water sources near homes reduce the drudgery of fetching water, mostly by women and girls, who disproportionately bear the burden of this time-wasting activity, several hours each day. Research has shown that this has been severely exacerbated by climate change.<sup>56</sup>

If women are placed at the centre of decisions about water supply, sanitation and hygiene promotion programmes and activities, how does this benefit the wider community? There is evidence to show that water and sanitation services are generally more effective if women take an active role in the various stages involved in setting them up, from design and planning, through to the ongoing operations and maintenance procedures required to make any initiative sustainable. As well as dealing with these technical and practical issues, women have an important role in educating their families and the community about hygienic practices. Again, evidence suggests that their involvement makes these ventures more likely to succeed.

The effects of both improved service provision and better knowledge about hygiene are felt throughout the wider community, most obviously through improved general health and quality of life. There are more subtle effects of these measures on the lives of women, such as greater confidence, increased capacity to earn money, and the fact that women are likely to be healthier, happier and have more time to concentrate on making the home a better place in which to live. Again, ultimately, what is

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<sup>53</sup> *For Her Its the Big Issue: Putting women at the centre of water supply, sanitation and hygiene*. UNICEF, GWA, Norwegian Ministry of Foreign Affairs, WASH Collaborative Council.

<sup>54</sup> Ibid.

<sup>55</sup> There is an integral link between sanitation, health, and maternal and child mortality rates, something which Stephen Harper appears not to have noticed in his bid to champion this issue at the G8.

<sup>56</sup> *Gender and climate change: mapping the linkages - A scoping study on knowledge and gaps*. June 2008

Prepared for the UK Department for International Development by Alyson Brody, Justina Demetriades and Emily Esplen, BRIDGE, Institute of Development Studies (IDS), UK.

good for women is good for the family and the whole community, who share the benefit from all these improvements.<sup>57</sup>

The results of involving women in the design and planning stages are multiple, from reducing corruption, increasing management transparency, better financial management and empowering women by example. A World Bank evaluation of 122 water projects found that the effectiveness of a project was six to seven times higher where women were involved than where they were not.<sup>58</sup>

Several case studies on WASH have been reproduced at Appendix C to this paper. These case studies can be used to exemplify that water governance is a holistic system stretching from the toilet past the home, around the communal drinking tap, through the hospital, to the transboundary river basin commission. This analysis is the challenge ahead of us.

## **Gender and Climate Change**

Gender and climate change is a burgeoning area of research and advocacy.<sup>59</sup> There are important gender perspectives in all aspects of climate change. Gender inequalities in access to resources must be taken into account in developing mitigation activities. Adaptation efforts should systematically and effectively address gender-specific impacts of climate change in the areas of energy, water, food security, agriculture and fisheries, biodiversity and ecosystem services, health, industry, human settlements, disaster management, and conflict and security.<sup>60</sup>

Women make up the largest number of the poor in communities that are highly dependent on local natural resources for their livelihood and are disproportionately vulnerable to and affected by climate change. Women's limited access to resources and decision-making processes increases their vulnerability to climate change. Women in rural areas in developing countries have the major responsibility for household water supply and energy for cooking and heating, as well as for food security, and are negatively affected by drought, uncertain rainfall and deforestation.<sup>61</sup> Because of their roles, unequal access to resources and limited mobility, women in many contexts are disproportionately affected by natural disasters, such as floods, fires, and mudslides. It will be increasingly important to identify gender-sensitive strategies for responding to the environmental and humanitarian crises caused by climate change.

Women are not only victims of climate change, but also effective agents of change in relation to both mitigation and adaptation. Women have a strong body of knowledge and expertise that can be used in climate change mitigation, disaster reduction and adaptation strategies. Women's responsibilities in households and communities as stewards of natural resources has positioned them well for livelihood

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<sup>57</sup> This was a key finding from the site visit to the EWA GEF project in Entebbe.

<sup>58</sup> *For her it's the big issue*, Op.Cit

<sup>59</sup> The GenderCC (Women for Climate Justice) is the global network of women and gender activists and experts from all world regions working for gender and climate justice. See <http://www.gendercc.net>.

<sup>60</sup> See generally the *Report of the Secretary-General on an overview of UN activities in relation to climate change A/62/644*.

<sup>61</sup> *Changing the Climate: Why Women's Perspectives Matter*. Women's Environment and Development Organization Information Sheet 2007, p2.

strategies adapted to changing environmental realities. Women tend, however, to be underrepresented in decision-making on sustainable development, including on climate change, and this impedes their ability to contribute their unique and valuable perspectives and expertise on climate change.<sup>62</sup>

Financing mechanisms must be flexible enough to reflect women's priorities and needs. The active participation of women in the development of funding criteria and allocation of resources for climate change initiatives is critical, particularly at local levels. Gender analysis of all budget lines and financial instruments for climate change is needed to ensure gender-sensitive investments in programmes for adaptation, mitigation, technology transfer and capacity building. Technological developments related to climate change should take into account women's specific priorities and needs and make full use of their knowledge and expertise, including traditional practices. Women's involvement in the development of new technologies can ensure that they are user-friendly, effective and sustainable. Women should also have equal access to training, credit and skills-development programmes to ensure their full participation in climate change initiatives.

Governments should be encouraged to mainstream gender perspectives into their national policies, action plans and other measures on sustainable development and climate change, through carrying out systematic gender analysis, collecting and utilizing sex-disaggregated data, establishing gender-sensitive indicators and benchmarks and developing practical tools to support increased attention to gender perspectives. Consultation with and participation of women in climate change initiatives must be ensured and the role of women's groups and networks strengthened.

A growing number of States are experiencing rising or even permanent water stress, and climate change consequences will increase the numbers of countries experiencing high variability in water resources availability including higher frequencies or intensities of floods and droughts. Competition over water can heighten tensions and even lead to open conflict. An assessment of past water-related conflicts shows that water scarcity, dam construction, water abstraction, and chronic and accidental water pollution by industry, as well as neglect or non-acceptance of existing treaty provisions, often lie at the root of water tensions. As growing populations, urbanization and economic development all require more water for agricultural, municipal and industrial uses, there are greater risks. This said, it is usually factors outside the water domain that are decisive in exacerbating tensions. Climate change is expected to add to pressures on transboundary water resources in many areas with fluctuations in water availability and water quality. It will magnify regional differences in the world's natural resources and assets and lead to an increased risk of inland flash floods and more frequent coastal flooding, droughts, etc. The necessity to adapt to climate change, however, will also offer new opportunities for cooperation in developing adaptation strategies. Indeed, history has often shown that the vital nature of freshwater is a powerful incentive for cooperation, and cooperation and shared benefits should be the focus of research and replication. Where conflict and human security are significant issues, a gender analysis of the role of women in peacebuilding<sup>63</sup> will be instructive. Reviewing the role of women in conflict negotiation and

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<sup>62</sup> The UN Secretary General, Ban Ki Moon's recent appointment of 19 men and 0 women to the Climate Change Financing Council makes a mockery of his statement on women's equality the week before at the UN Commission on the Status of Women. See <http://ipsnews.net/news.asp?idnews=50712>

<sup>63</sup> The role of women in peacebuilding encompasses a vast array of research, reports, organizations, and is too detailed to go into in this paper.

resolution should therefore be incorporated into case studies of climate change, water, governance, and security.<sup>64</sup>

In addition, women and men around the world play distinct roles in managing plants and animals, in use of forests, drylands, wetlands and agriculture. Moreover, gender roles are differentiated in collecting water, fuel, and fodder for domestic use, and in generating income. Due to their distinctive engagements with the natural environment, women's experience and knowledge are critical for environmental management.<sup>65</sup> Using a gender perspective and enabling the integration of women's knowledge of the environment will arguably increase the chances of increased environmental sustainability.

### **Building Capacity to Mainstream Gender**

Building the capacities of different stakeholders is essential for mainstreaming gender at all levels of the water sectors. Grassroots women often lack the capacity to participate in a meaningful way in the planning, implementation, and operation and maintenance of water resources, water supply and sanitation programmes. Water sector institutions are generally dominated by men at management levels. Well-directed capacity building programmes targeted for women are needed to alleviate this situation, while programmes targeted for men are needed to sensitize them to the specific needs of poor women.

However, capacity building needs to go beyond individuals. Capacity building as 'a process by which individuals, groups, institutions, organisations and societies enhance their abilities to identify and meet development challenges in a sustainable manner.'<sup>66</sup> In many countries, there is a need to strengthen institutional capacities in the water sectors. Many countries lack the capacity even to spend the budget allocated for water and sanitation programmes. In particular, institutional capacity building is needed for stakeholders in the water resources and sanitation sectors to translate policy intentions into concrete gender sensitive programmes.

The contemporary view of capacity building goes beyond the conventional perception of capacity building as training. It includes the creation of an enabling environment through policy frameworks, institutional reforms, and human resources development. The concept of GM in IWRM is gaining ground in the water sectors, raising the interest of government agencies, nongovernmental organizations, donors and technical support agencies for supporting gender approaches. Nonetheless, the understanding of the concept of GM and the capacity to implement it in policies and within national and local organizations is very slow and requires a lot of effort and time. Specifically, budget line items are not integrated into project design and therefore is usually simply an 'add on' with no resources.<sup>67</sup>

Many water professionals have an engineering education, with little experience in incorporating gender and social equity approaches in their work. Therefore, capacity building must provide concrete tools to

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<sup>64</sup> *Gender, Climate Change and Human Security: Lessons from Bangladesh, Ghana and Senegal.*

The Women's Environment and Development Organization (WEDO) with ABANTU for Development in Ghana, ActionAid Bangladesh and ENDA in Senegal. May 2008.

<sup>65</sup> UNEP, 2004. Op.cit.

<sup>66</sup> Faraj El-Awar. Programme Manager, Global Water Operators Partnerships Alliance, cited in *Resource Guide*. Op.cit. p.57.

<sup>67</sup> As was demonstrated by Nico Willemsse of the BCLME at the UBC GEF project's consultation in Entebbe Feb 2010.

integrate a gender perspective in their work, through using gender sensitive socio-economic surveys and training methods.

Across the developing world, women have less access to formal education than men. As a result, women are under-represented at the institutional level, and grassroots women find it difficult to participate in decision-making or to take up paid operation and maintenance tasks. Well-designed capacity building programmes are needed to rectify this. Capacity building targeted for women at the grassroots level should be seen as a process rather than a one-time effort. It requires well-designed training programmes to develop skills that do not require literacy, are based on the needs expressed by the women, and provided by well-trained gender-sensitive trainers. Too often, the wrong people are trained in operation and maintenance, and the women who are trained are not given practical on-the-job training. However, even when training programmes are well designed, the actual implementation of the training programmes needs to be given due attention. Programmes should be planned at a time and location convenient to women, and training material has to be appropriate and accessible for the trainees<sup>68</sup>. Like with parliamentary political representation, some water institutions mandate the quota of membership that must be women.<sup>69</sup>

Capacity building tools to enhance the mainstreaming of gender in IWRM can be used to assess the capacity of the staff and identify gaps where capacities need to be further developed. Institutional development tools<sup>70</sup> can assist institutions such as ministries, departments and NGOs, to develop tools for gender mainstreaming at the institutional level. These tools can be used to ensure that internal gender policies and strategies are reflected in recruitment, training programmes and the general practice of the institutions. Indicators should be developed to monitor progress towards achieving gender-related goals. Social capacity development tools<sup>71</sup> demonstrate how decentralization and empowerment of local communities can be beneficial for women and girls. They show that the opportunities given to women to participate actively in project management will enhance their capabilities to participate actively in project and community development.

## **International Law and Commitments**

Many governments and development agencies have, at least on paper, made commitments to support equality between women and men and to use a gender perspective in all programmes and projects, including, but not limited to, those related to water and the environment. International customary law can be used to strengthen arguments to ensure that GM is mandated for all water issues. Specific commitments include:

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<sup>68</sup> *Resource Guide*, op.cit. p. 103.

<sup>69</sup> In South Africa, to ensure proper maintenance of the water projects, Mvula Trust (mvulat.org.za) required that all water committees had to have at least 30 per cent women. The committee members received on-the-job training in maintenance, and had to be consulted when decisions were made on changes in design, location or technology. Mvula Trust is the largest Non-Governmental Organization supporting Water and Sanitation Development in South Africa whose leadership has been championed by the Deputy Minister of Water, Rejoice Mbudafhasi.

<sup>70</sup> *Resource Guide*, op.cit. p. 110

<sup>71</sup> *Ibid.*

- The results of and follow-up to the International Drinking Water Supply and Sanitation Decade (1981-1990)<sup>72</sup> were discussed in consultations in New Delhi in 1990. Although these consultations were limited on the discussion of gender issues, there was a clear call for an increase in women’s decision-making and management of water resources.
- The *Dublin Statement* (1992),<sup>73</sup> endorsed by over 100 countries, recognizes that women play a central part in the provision, management, and safeguarding of water resources. It recognizes the pivotal role of women as providers and users of water and guardians of the living environment and for this reality to be reflected in institutional arrangements for the development and management of water resources.
- Principle 20 of the *Rio Declaration*<sup>74</sup> (1992) states, “Women have a vital role in environmental management and development. Their full participation is therefore essential to achieve sustainable development”. *Agenda 21* (1992)<sup>75</sup> contains a chapter on women and sustainable development (Chapter 24) and a chapter on water management (Chapter 18).
- The *Beijing Platform for Action*<sup>76</sup> (1995) highlighted environmental issues as one critical area of concern - “gender inequalities in the management and safeguarding of natural resources and in the safeguarding of the environment”. Three strategic objectives were agreed: (1) To involve women actively in environmental decision making at all levels; (2) To integrate gender concerns and perspectives in policies and programmes for sustainable development; and (3) To strengthen or establish mechanisms to assess the impact of development and environmental policies on women.
- Most countries are signatories to the Convention on Elimination of all Forms of Discrimination Against Women<sup>77</sup>(CEDAW) adopted by the UN in 1979.
- The Johannesburg Plan of Implementation of the 2002 World Summit on Sustainable Development (WSSD),<sup>78</sup> para 25(a), includes agreement by governments to: “... support capacity building for water and sanitation infrastructure and services development, ensuring that such infrastructure and services meet the needs of the poor and are gender sensitive.”
- In December 2003 the General Assembly proclaimed (resolution 58/217), the period 2005 to 2015 as the International Decade for Action, ‘Water for Life’<sup>79</sup>, and called for a focus on the implementation of water-related programmes and projects, “whilst striving to ensure women’s participation and involvement in water-related development efforts ...”.

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<sup>72</sup> <http://www.un.org/documents/ga/res/40/a40r171.htm>

<sup>73</sup> <http://www.un-documents.net/h2o-dub.htm>

<sup>74</sup> <http://www.un.org/documents/ga/conf151/aconf15126-1annex1.htm>

<sup>75</sup> <http://www.unep.org/Documents.Multilingual/Default.asp?documentID=52>

<sup>76</sup> <http://www.un.org/womenwatch/daw/beijing/platform/declar.htm>

<sup>77</sup> <http://www.un.org/womenwatch/daw/cedaw/>

<sup>78</sup> [http://www.un.org/esa/sustdev/documents/WSSD\\_POI\\_PD/English/WSSD\\_PlanImpl.pdf](http://www.un.org/esa/sustdev/documents/WSSD_POI_PD/English/WSSD_PlanImpl.pdf)

<sup>79</sup> [http://www.unesco.org/water/water\\_celebrations/decades/water\\_for\\_life.pdf](http://www.unesco.org/water/water_celebrations/decades/water_for_life.pdf)

- The Millennium Development Goals<sup>80</sup>, which have the same time frame as the ‘Water for Life’ Decade, include 2015 targets on gender equality and empowerment of women, as well as on safe water and sanitation.

- Regional protocols such as the SADC Gender Protocol<sup>81</sup>, while not enforced, can give strength to arguments to apply GM analysis to regional water agreements and processes.

## **Application to Transboundary Waters**

All the literature on gender mainstreaming of water focuses on integrated water resources management (IWRM). How do we apply this analysis to transboundary waters and institutional frameworks, the focus of this project?

As is well known in the field,<sup>82</sup> almost half of the world’s population lives in river and lake basins that comprise two or more countries, and over 90 per cent live in countries that share basins. The existing 263 transboundary lake and river basins cover nearly one half of the Earth’s land surface and account for an estimated 60 per cent of global freshwater flow. A total of 145 States include territory within such basins, and 30 countries lie entirely within them. In addition, about 2 billion people worldwide depend on groundwater, which includes approximately 300 transboundary aquifer systems. Aquifers not only contain quality water and represent a substantial hidden global capital, but also support land and water ecosystems. Their overexploitation can lead to serious problems such as groundwater depletion, saltwater intrusion in coastal areas and mobilization of toxic substances such as arsenic and fluoride. Pollution can also affect aquifers, and the populace relying on them. The transboundary basins and aquifers link populations of different countries and support the incomes and livelihoods of hundreds of millions of people worldwide. Wetlands such as lakes and floodplains which are also often shared by neighbouring countries provide invaluable ecosystem services to humans such as food provision and reduction of flood impacts and pollution. However, from the local to the basin-level, interactions are dominated by large - scale water-users, and the administrative, political or economic elite. This excludes the weaker segments of society - the poor, and especially women, whose multiple water needs for the welfare of their families and household economy are often blatantly overlooked.

Current efforts to create new legal frameworks and new water management institutions at the basin level call for genuine representation of all water users’ interests. Community-based integrated water management institutions and local water tenure arrangements should be linked to new basin -level institutions. Informing women in particular about new water management initiatives from the local to the basin level and effectively including them in the design of these new institutions, will be crucial. Devising

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<sup>80</sup> <http://www.un.org/millenniumgoals/>

<sup>81</sup> [www.sadc.int](http://www.sadc.int)

<sup>82</sup> Good Practices and Portfolio Learning in GEF Transboundary Freshwater and Marine Legal and Institutional Frameworks Project.

appropriate strategies to guarantee women's participation, strategies that take into account cultural and social traditions, will be vital in ensuring genuine community commitment.<sup>83</sup>

Differences between riparian countries – in terms of socio-economic development, capacity to manage water resources, infrastructure, political orientation and institutional as well as legal contexts – represent challenges to effective and coordinated development as well as to the joint management and protection of transboundary water resources. At the same time, these differences open up opportunities for capacity development and technical, social, legal and economic cooperation.

At the transboundary level, the formation of joint bodies with strong enforcement capacity, such as river, lake and aquifer commissions, is fundamental to ensuring cooperation between the various governmental entities and good management of shared resources. Enforcement can only be achieved if these bodies possess strong mandates and political support from the various Governments. Apart from States, a variety of actors – local stakeholders, non-governmental organizations, research institutions, private sector participants and donors – must all be involved. Success can be found in the interaction and cooperation between the different levels and stakeholders. Vertical and horizontal integration is a necessity, and the joint bodies are the framework where such integration takes place.

To be effective, joint bodies should engage in coordination and advisory functions, data collection, serve as a forum for the exchange of information on emerging issues such as planned uses of water and conducting studies on climate change impacts. Policy development and implementation must include formulating joint policies and strategies to implement the agreement(s). Dispute settlement procedures must be put in place, including monitoring and reporting on implementation. All of these processes are amenable to gender mainstreaming.

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<sup>83</sup> Jennifer Francies, *Integrating Gender Perspectives: Realizing New Options for Improved Water Management, Gender Implications*. Gender and Water Alliance, Scientific Unit for Development Policy, Institute for Economics, Technical University Darmstadt. 2008.

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