

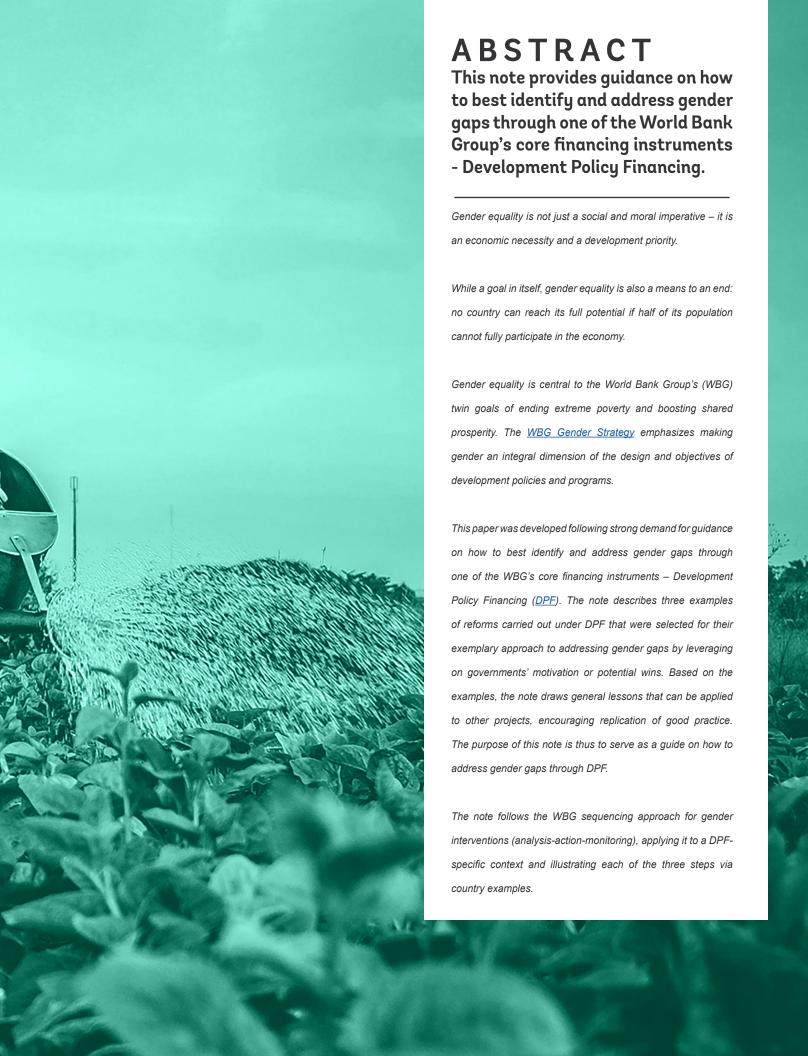
MACROECONOMICS, TRADE AND INVESTMENT

## **EQUITABLE GROWTH, FINANCE & INSTITUTIONS INSIGHT**

Integrating a Gender Equality Lens: Drawing Lessons from Three Good-Practice Development Policy Operations







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### >>> ACKNOWLEDGEMENTS

This note was prepared by Marina Elefante and Anja Robakowski of the World Bank Group's Equitable Growth, Finance and Institutions (EFI) practice group. The document benefited greatly from inputs and insights by task team leaders and team members of the referenced projects -Andrew Blackman, Samantha Constant, Alvaro Gonzalez, Marco Hernandez, Nato Kurshitashvili and Ana Maria Oviedo. Thanks also go to Kathleen Beegle, Tazeen Hasan, Andy Kotikula and Andrea Kucey from the Gender Group for their comments.







### >>>

### Integrating a Gender Equality Lens: Drawing Lessons from Three Good-Practice Development **Policy Operations**

### INTRODUCTION

Gender equality is not just a social and moral imperative - it is an economic necessity and a development priority. While a goal in itself, gender equality is also a means to an end: no country can reach its full potential if half of its population cannot fully participate in the economy. Studies show that gender equality has strong and positive impacts on GDP1, employment, entrepreneurship, and female labor force participation (FLFP). It has been estimated that advancing women's equality could add as much as US\$12 trillion to the global economy by 2025<sup>2</sup>. Equality of opportunities for men and women is also linked to positive development outcomes, including larger investments in health and education<sup>3</sup>.

Gender equality is central to the World Bank Group's (WBG) twin goals of ending extreme poverty and boosting shared prosperity. The WBG Gender Strategy emphasizes making gender an integral dimension of the design and objectives of development policies and programs and recommends addressing gender gaps through interventions in key areas such as jobs, assets, human endowments, voice and agency. In this context, the purpose of this note is to serve as a guide on how to address gender gaps through Development Policy Financing (DPF).

While systematic inclusion of gender-related activities into WBG operations may be challenged as donor-driven and not sufficiently reflecting clients' national priorities<sup>4</sup>, DPF has the potential to effectively address gender gaps — it allows customizing lending design to support reforms that are adapted to country circumstances and development priorities because of its absence of policy prescription and its adaptability to both sectoral and multi-sectoral policy reforms. DPF has the further advantage of monitoring and encouraging sustainability of reforms through sequencing and conditional disbursements. DPF frequently focuses on complex sectoral reforms that governments have spelled out under an overarching reform program and can serve as an effective instrument for policy dialogue, as it allows for an interactive process of communication with clients to advance policy concerns while assessing the room for influencing development outcomes. In that regard, DPF is especially adaptable to holistically address crosscutting issues, such as gender. DPF can be successfully used to achieve system reforms that can reduce gender gaps by engaging a wider range of government actors in the gender area, including Ministries of Education, Justice, Finance, and Labor. Finally, the condensed timeline

https://eige.europa.eu/qender-mainstreaming/policy-areas/economic-and-financial-affairs/economic-benefits-gender-equali-

McKinsey Global Institute 2015

Women, Business and the Law 2020

https://www.oecd.org/dac/peer-reviews/Final%20publication%20version%20of%20the%207%20Lessons%20mainstreaming%20cross%20cutting%20issues.pdf

for reforms implemented under DPF helps to create momentum that accelerates processes and encourages multi-sectoral dialogue and coordination.

This note was developed following strong team demand for guidance on how to best identify and address gender gaps

through DPF. It describes three examples of reforms in DPF that were selected for their exemplary approach to addressing gender gaps by leveraging on governments' motivation or potential wins. Based on the examples, the note draws general lessons that can be applied to other projects, encouraging replication of good practice.

### >> SUMMARY

This note illustrates how to incorporate policy reforms to address gender gaps into DPF, using example interventions that have shown promising early results and contain replicable elements.

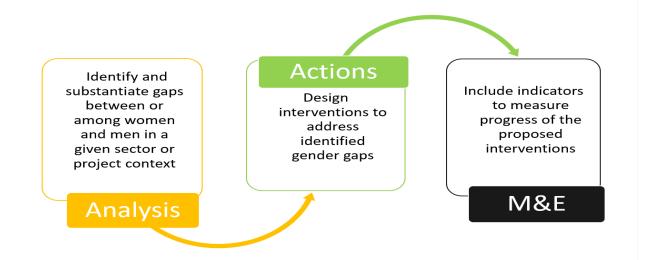
## >>> WHAT IS DEVELOPMENT POLICY FINANCING?<sup>5</sup>

DPF supports a country's program of policy and institutional actions that promote growth and sustainable poverty reduction. It provides general budget financing that is subject to the borrower's own implementation processes and systems. The Bank makes the funds, which can be extended as loans, credits, or grants, available to the client upon (a) maintenance of an adequate macroeconomic policy framework; (b) satisfactory implementation of the overall reform program; and (c) completion of a set of policy and institutional actions agreed between the Bank and the client. DPF is generally provided through a programmatic series of successive Development

Policy Operations (DPOs). Each operation in the series must be approved separately by the Board. The first operation in the series describes the indicative sequencing of future policy actions and expected end-of-program results. "Prior actions" are policy and institutional actions critical to achieving the objectives of a program supported by a DPO and must be met for each operation before disbursement.

This note follows the WBG Gender Tag<sup>7</sup> sequencing of 'analysis-action-monitoring' (Figure 1), applying it to a DPF-specific context and illustrating each of the three steps using project examples, drawing on Albania's <u>Gender Equality in Access to Economic Opportunities DPF (P160594)</u>, Tonga's <u>Third Inclusive Growth DPO (Ensuring Fundamental Labor Rights for Women and Men) (P159263)</u>, and Jordan's <u>Second Equitable Growth & Job Creation Programmatic DPF (Addressing Harassment in the Public Transport System and the Workplace) (P168130)</u>.

FIGURE 1 - Gender Tag Dimensions: Gender Gap Analysis, Actions, and Indicators



<sup>5. &</sup>lt;a href="https://www.worldbank.org/en/projects-operations/products-and-services#DPF">https://www.worldbank.org/en/projects-operations/products-and-services#DPF</a>

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> > >

<sup>6.</sup> OPCS maintains a Development Policy Actions <u>Database</u> (non-public, for WBG staff only) that provides information on prior actions associated with DPF. The data is searchable by theme and may provide teams with pointers on designing gender elements within DPOs.

<sup>7.</sup> Gender Tag Good Practice Note (Internal, For Bank Staff Only)

Albania's DPO supports the government's efforts to enhance gender equality in access to economic opportunities, with a focus on (i) improving gender equality in access to assets through the recognition of ownership of immovable property; (ii) removing constraints to women's ability to enter the labor market through legislation on gender equality in several areas; and (iii) strengthening institutional arrangements for gender-informed policymaking and the monitoring of gender-related outcomes, through gender-responsive budgeting and the introduction of a gender equality index.

Tonga's DPO assisted the government in its efforts to create a more dynamic and inclusive economy by supporting

legislation that for the first time codifies basic labor rights and protections and reduces gender disparities.

Jordan's DPO supported the government's efforts to tackle the country's drastically low rate of FLFP by aiming at reducing gender segmentation and creating a more flexible and inclusive labor market and developing a more effective social safety net.

The following sections provide an overview of the analysis, design and monitoring and evaluation steps that have been adopted in each project.

### >> INTEGRATING A GENDER EQUALITY LENS: THE "WHY"

The three projects all built on strong client motivation for carrying out reforms that aim to reduce gender gaps.

In the case of Albania, fostering gender equality in access to economic opportunities was a key objective of the government's social and economic agenda. The team was able to leverage the government's strong motivation to rapidly adopt a series of reforms to make its economic, social and institutional framework more gender-equal, in compliance with regional standards with a view to European Union (EU) accession.

In Tonga, the entire reform program was embedded in a larger process of political change toward democracy. As the

country was shifting toward a more democratic constitutional monarchy, the team was able to successfully build on the government's new desire for openness, international recognition and legitimacy, as embodied by membership to the International Labour Organization (ILO), alignment of national laws to a set of internally recognized fundamental principles (the eight core ILO Conventions), and improvement in the country's ranking in global indexes, such as the World Bank's *Women, Business and the Law* dataset.

In Jordan, gender was identified as a key component of the government's reform program to stimulate growth and create jobs. The team was able to successfully launch a multipronged strategy to tackle drastically low rates of FLFP.

### >> INTEGRATING A GENDER EQUALITY LENS: THE "HOW"

### >>> STEP 1: CONTEXT AND ANALYSIS

### >>> CONTEXT

Albania: Albania is an upper-middle-income parliamentary democracy with a population of 2.8 million. Over the past three decades, Albania has undergone a rapid and profound transformation to open its economy and is now close to beginning EU accession negotiations. In this context, Albania's National Gender Equality Strategy and Action Plan 2016–20 seek to boost women's participation in political decision-making, reduce gender-based violence, and raise awareness of gender disparities.

Tonga: Tonga is an upper-middle-income constitutional monarchy with a population of 108,000 dispersed across 36

of its 177 islands. Tonga's economic growth is low by global standards and it is adversely affected by frequent natural disasters and external price shocks. Traditionally a very conservative and patriarchal society, Tonga has been showing signs of openness and inclusion, notably, becoming an ILO member in 2016.

Jordan: Jordan is an upper-middle-income constitutional monarchy with a population of 10 million. Regional turmoil disrupting key trade routes, the Syrian refugee crisis, and lack of natural resources have all contributed to hamper Jordan's economic growth in the past decade. FLFP is low and, while educated, Jordan's young female population is mostly segregated into low-paying jobs.

### >>> ANALYSIS

In-depth research providing the analytical underpinnings of all three projects was a common success factor. As a first step, all three teams conducted extensive analysis, while relying on existing work as well as collaboration within the World Bank and with external development partners. A strong analytical basis is crucial to unearthing gaps, understanding underlying gender constraints as well as their root causes, and identifying potential gender entry points for reform. Relevant gender analysis can be found in the WBG's Systematic Country Diagnostics (SCDs), country gender assessments, Country Gender Action Plans or Regional Gender Action Plans and other WBG Advisory Services and Analytics products (e.g., Poverty and Job Assessments, Public Expenditure Reviews, Country Economic Memoranda). Recent gender analyses from reputable external sources can also be used. The WBG's Equitable Growth, Finance and Institutions (EFI) group has developed a guide8 to Gender Project Implementation that compiles a comprehensive list of resources to consult at analysis stage. Building on analysis results, teams can assess whether, and how, DPF can close the identified gaps under one or more of the four pillars of the WBG Gender Strategy.

### >>> ALBANIA

The design of the Albania *Gender Equality in Access to Economic Opportunities DPO* builds on a combination of strong analytical work on women's economic empowerment and technical assistance from advisory services. The team relied on extensive desk review to identify gender-based challenges and understand the root causes of constraints to economic opportunities. The desk review used several resources, including the Country Partnership Framework for Albania 2015–2019; the 2015 SCD, gender equality indexes including the World Bank's *Women, Business and the Law* index, the OECD SIGI index, and the European Institute for Gender Equality Index, gender statistics reports, technical papers, policy notes, and legal assessment tools.

### >>> IDENTIFYING GENDER GAPS

The data generated through the analysis highlighted considerable gender-based challenges:

While property laws are equal (Figure 2: Albania has a full score of 100 under the corresponding Women, Business and the Law Assets indicator), gender-based implementation gaps

resulted in married women being under-registered as joint owners of property.

Gender gaps were further observed in labor force participation, employment, and entrepreneurship. The FLFP rate was 16 percentage points lower than the male rate, and only 30 % of firms had female owners or administrators.

A gender wage gap was also observed, despite laws mandating equal remuneration for work of equal value and nondiscrimination in the workplace. Analysis attributed this disparity to gender segregation across fields of study and employment types and sectors.

The labor market gender gap was widest among women of prime childbearing age, partly because of a lack of early childhood education and care facilities. Large gaps were found in the quantity and quality of childcare, and the presence of children of any age in the home was associated with lower rates of labor force participation among women. The analysis found women were much more likely than men to be engaged in unpaid household labor, to be excluded from certain sectors, such as construction, where women represented just 2.9 % of the workforce, and to exit the labor force permanently and retire earlier.

> > > FIGURE 2 - Women, Business and the Law 2020: Albania

| WBL Index        | 91.3 |
|------------------|------|
| Mobility         | 100  |
| Workplace        | 100  |
| Pay              | 100  |
| Marriage         | 100  |
| Parenthood       | 80   |
| Entrepreneurship | 100  |
| Assets           | 100  |
| Pension          | 50   |

<sup>8.</sup> Internal WBG document available here.

### ANALYZING THE COSTS OF INACTION

To supplement the desk review on gender gaps, the team simultaneously carried out additional research analyzing the economic and social costs of excluding women while also highlighting the benefits of promoting equality in entrepreneurship and access to the labor market. The analysis estimated that Albania would lose 20 % of its per capita GDP every year due to its low female labor-force participation rate. the segregation of women in unpaid or poorly paid sectors, and the gender wage gap. The cost of not addressing genderbased challenges to women's economic participation in Albania was higher than the regional average in the Western Balkans, and higher than the European average of 11 %. More specifically, research showed that the gender gap in labor-force participation reduced Albania's annual GDP by an estimated 17 %, while the gender gap in entrepreneurship reduced the country's GDP by an additional 3 %. Limited labor market presence would cost Albanian women about 25 years of employment, on average, compared to the much lower average of 16 years among comparable workers in the EU.

#### TONGA

The design of the Tonga Ensuring Fundamental Labor Rights for Women and Men / Third Inclusive Growth DPO built on the World Bank's SCD for the eight small Pacific islands and is based on a solid analytical foundation, strong government ownership and collaboration with development partners, civil society groups and private sector entities. The team benefited from technical assistance from the ILO, which conducted a technical review, financed a capacity assessment and supported the establishment of a legal framework that protects labor rights and ensures a fair labor market. The review highlighted the need for extensive consultation through a tripartite process (government, employers and workers).

### **IDENTIFYING GENDER GAPS**

Lack of labor regulation disproportionately affects women. Analysis revealed that social and human development indicators in Tonga were amongst the strongest in the Pacific, but gender disparities adversely affected development outcomes for women. Women lacked some basic economic rights, including property rights, equal remuneration for work of equal value, maternity protection and protection from gender-based discrimination and sexual harassment in the workplace. Tonga lacks any form of labor regulation for the private sector, which means that workers lack key basic protections, including any kind of leave, non-discrimination, rights for fair dismissal and redundancy, and the prohibition of child labor. This disproportionately affects women, who often require flexible working conditions and maternity leave, and contributes to their reduced participation in the labor market. The Women, Business and the Law 2020 report revealed that Tongan women have about half the workplace rights of their male counterparts (Figure 3). Tonga ranked 150th out of 187 countries assessed and is the second lowest-performing nation of the 8 Pacific island countries assessed in the report.

### > > > FIGURE 3 - Women, Business and the Law 2020: Tonga

| WBL Index        | 58.8 |
|------------------|------|
| Mobility         | 100  |
| Workplace        | 25   |
| Pay              | 75   |
| Marriage         | 100  |
| Parenthood       | 0    |
| Entrepreneurship | 75   |
| Assets           | 20   |
| Pension          | 75   |

#### JORDAN

The design of Jordan's Second Equitable Growth and Job Creation Programmatic DPO builds on a solid basis of analytical work by the World Bank and development partners. Research revealed a highly segmented labor market, across sectors, regions, nationalities, and gender. Slow economic growth had resulted in elevated unemployment and a declining labor force participation rate. Unemployment patterns consistently showed high unemployment among females. The SCD and Country Partnership Framework had shown that to improve the quality of economic growth the country needed to facilitate the access of the existing pool of highly skilled women to the labor force.

### >>> IDENTIFYING GENDER GAPS

Analysis revealed that FLFP in Jordan was among the lowest in the world at 14 % (ILO 2018), even less than the already low Middle East average of 19 %. Women only generate 18 % of GDP in the Middle East (compared to the world average 37 %) and by increasing FLFP across sectors to the levels of men, GDP would rise to 47 % in the region. The team identified multiple factors causing low rates of FLFP, including lack of flexibility and part-time jobs, limited job growth, concerns around safe transportation, high commuting costs, inadequate transport infrastructure, and lack of appropriate social safety nets.

Social norms matter in FLFP decisions. A study led by teams from the World Bank's Social, Urban, Rural and Resilience in the Middle East and North Africa (MNA) and the Mind, Behavior and Development units measured the extent to which social norms and beliefs around gender influence women's access to and participation in the labor market in Jordan. The study confirmed that 60% of non-working women want to work, but important constraints for women still exist. These are: lack of adequate childcare options, hiring and wage discrimination, beliefs and expectations about women working in mixed gender environments, especially fears about harassment, as well as widespread gender stereotypes about women's role as primary caregivers. More specifically, the study revealed how intra-household expectations matter in FLFP-related decisions. Men are the ultimate decision makers in the household, including deciding for women on whether to accept a job offer or not. The results of the study highlighted the need for a focus on gender in the DPO and informed its contents.

Gender-based legal differences affect women's ability to participate in the labor force. Research revealed gender-based differences in laws and regulations in multiple areas, including interaction with institutions, access to the labor market, traveling, being formally considered as head of household, or choosing where to live, as reflected in the economy's poor performance under the WB Women, Business and the Law index (Figure 4). Under the first DPO of the programmatic series, the Ministry of Labor carried out a Legal Review of the Labor Market Framework: Tackling Gender Segmentation to Promote Inclusive Job Growth in Jordan<sup>9</sup> to identify causes of gender segmentation in the labor market. The review highlighted considerable differences in laws by gender. The existence of gender-based differences in access to certain

jobs was identified among the causes of gender segmentation in the labor market. Restrictions on types of jobs and hours where women can work were originally conceived to protect women in industries deemed too dangerous for them, but ultimately affected women's ability to choose when and where to work.

> > > FIGURE 4 - Women, Business and the Law 2020:

| WBL Index        | 40.6 |
|------------------|------|
| Mobility         | 0    |
| Workplace        | 0    |
| Pay              | 75   |
| Marriage         | 20   |
| Parenthood       | 40   |
| Entrepreneurship | 75   |
| Assets           | 40   |
| Pension          | 75   |

# >>> STEP 2: DESIGN - LINKING ANALYSIS TO PROJECT ACTIONS

### >>> LESSONS

Pertinent lessons on how to successfully reduce gender gaps through DPF can be drawn from the three projects. Key lessons include:

### >>> CLIENT ENGAGEMENT

The design of a DPO is the culmination of an ongoing process of engagement between the WBG and its clients. A common underlying success factor in the design of the three projects was constant engagement with key government counterparts. The teams identified champions of reform at the highest level of government, including Ministries of Finance, Labor, and Transport.

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<sup>9.</sup> Non-public document available for WBG staff only here.

### >>> TAKING ADVANTAGE OF EXISTING MOMENTUM

In Albania, the team was able to design actions to close gender gaps that were in line with the government's strong motivation to liberalize its economic, social and institutional framework to comply with regional standards with a view to EU accession.

Similarly, in Tonga, the team was able to embed the entire labor reform program in a larger process of political change toward democracy. The government's interest in joining the ILO provided the right platform to start discussions about reform of the labor market. The election in 2014 of the first commoner Prime Minister, a pro-democracy progressive and internationalist, provided another change of perspective and an impetus to design a medium-term inclusive development strategy for the government. The former Prime Minister, now deceased, pursued his vision of a modern Tonga founded on equality and elaborated a roadmap for gender equality while providing the highest level of support for the labor reform. With the Prime Minister's leadership providing the authorizing environment, key foundational government strategies included gender issues, which enabled multilateral development partners to engage in a long-term dialogue about gender across a broad spectrum of development topics. Consistent, high-level leadership in the Ministry of Labor, Commerce, and Industries was also crucial to maintaining the labor reform on the policy agenda over many years. In this context, the team was able to effectively leverage the strong relationship the WBG had at the time with the government, and the right political environment to push for reform.

### >>> ALIGNING WITH GOVERNMENT STRATEGIES

In Jordan, the team was able to design actions to address multiple gender gaps by aligning with the government national priority to address exceptionally low rates of FLFP. The DPO was designed around government's priorities as reflected in a five-year reform matrix. Gender-related cross-cutting objectives under the matrix included more flexible labor markets and increased FLFP and social protection.

## >>> ENGAGING IN MULTI-STAKEHOLDER POLICY DIALOGUE

An effective consultative process is always crucial in successful DPO design.

The reform program supported by the Albania Gender Equality in Access to Economic Opportunities DPF benefited from a broader multi-stakeholder policy dialogue supporting gender equality in the Western Balkans. In 2018, as part of the Western Balkans Gender Equality in Access to Economic Opportunities Program, six Western Balkan countries — Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia, and Serbia — issued a communiqué committing to improve access to economic opportunities for women and girls by promoting better access to jobs and assets and more effective monitoring of progress on gender equality. These commitments were aligned with ongoing efforts by other development partners, including the Agence Française de Développement, the German Agency for International Cooperation, UNICEF, UN Women, USAID, and the EU, to support the gender equality agenda in the Balkans. The team also conducted thematic workshops with representatives from academia, the private sector, and civil society. These consultations were instrumental to identifying policy areas and prior actions.

### >>> CLIENT BUY-IN

In Albania and Tonga, the teams relied not only on research highlighting existing gender gaps, but also on analysis showing the staggering costs of inaction. The data generated through this analysis proved especially useful in further motivating the governments toward gender reform.

In Albania, Tonga and Jordan, the teams were also able to design reforms that would close gender gaps by leveraging on the governments' desire to advance in the World Bank's *Women, Business and the Law* ranking.

#### **ENGAGING GENDER EXPERTISE**

Gender specialists can make critical contributions to identifying gender gaps and designing actions to close them. The WB's designated regional and thematic gender leads are a crucial in-house resource<sup>10</sup>. Engaging with them early in the project cycle allows teams to identify reform areas, leverage existing gender analytics and benefit from the experience of a wider network of gender experts.

In Jordan, for example, the World Bank's regional gender coordination team for the MNA region played a significant role in leveraging existing research in support of the DPO's strong focus on gender, including the results of the legal review conducted by the Ministry of Labor, the World Bank's study on social norms in Jordan, data from Jordan's Central Bureau of Statistics, abundant civil society research, and consultation with the Women, Business and the Law team.

The MNA gender coordination team was also instrumental in identifying key actors and strategically involving crossthematic expertise. By reaching out to gender focal points in the Country Management Units and WBG global practices, the regional gender coordination team was able to engage specialized expertise in gender and transport that was crucial in addressing the major transport-related gender-based barriers to FLFP in Jordan.

In addition, the Jordan DPO was designed at the time of the launch of the Mashreg Gender Facility (MGF). The MGF, a bank-facilitated inter-agency initiative, supports governmentled efforts to identify and address constraints to women's economic participation and improve women's access to economic opportunities. The MGF works directly with the government of Jordan to support the country's commitment to increasing FLFP rates, and it has been instrumental in the implementation of the DPO.

### >>> DIVERSIFYING INTERVENTIONS

In designing actions to close gender gaps, the teams adopted two different sets of interventions:

1. Actions directly targeting existing gender inequalities. In Jordan and Tonga, legal and regulatory reform was designed to remove constraints to the types of jobs women can do. In Albania, legal and regulatory reform was designed to remove barriers to women's ownership and control of property.

actions 2. Broad-based with the potential disproportionately benefit women and narrow existing gender disparities. In Jordan, the adoption of the first Code of Ethics and Professional Conduct to be included in service agreements with transport operators, regulating behavior of passengers, drivers and operators' conduct in public transport was designed in response to data showing that 47 % of women had reportedly turned down job opportunities due to fear of harassment in the transport sector. Reforms of the public transport sector may have a greater impact on women, who more often rely on public transport. Similarly, reform to regulate part-time work in Jordan aimed at raising demand for labor among women, who more often opt for more flexible work schedules.

### >>> CONSIDERING THE NON-INTENDED **CONSEQUENCES OF REFORM**

Reforms in areas such as childcare or maternity leave need to be designed taking into account potential backfires, including whether these kinds of protections become a disincentive to hiring women of childbearing age. Reform of the Labor Law in Jordan made it mandatory for all establishments with more than 20 parents, not just mothers, to have childcare on their premises or to provide vouchers for private childcare. The adoption of neutral language addresses this challenge.

### >>> CHOOSING THE MOST APPROPRIATE REFORM **INSTRUMENT**

In Tonga, the more contentious elements of the employment relations reform were left to implementing regulations. This was the necessary trade-off to make sure the bill reached the finishing line. In addition, the team anticipated a possible risk that the introduction of labor protections could deter employers from hiring new workers. To mitigate this risk, authorities proposed a staged approach to implementation.

In Jordan, concerns around safe transportation, particularly related to sexual harassment, were identified as crucial constraints in women's decisions to accept or decline jobs. However, because of the high sensitivity of the topic, the team quickly realized that legal reform would have faced strong resistance and required a long timeframe for adoption. By proposing to address the issue of sexual harassment in a Code of Conduct instead, the team was able to successfully win the government's approval.

<sup>10.</sup> Internal WBG listing available here.

### >>> PROJECT ACTIONS: DETAILS

### >>> ALBANIA

The Albania Gender Equality in Access to Economic Opportunities DPF is the first World Bank lending program to be designed with a core operational focus on gender [see a short video here]. The program development objectives focus on (i) improving women's access to assets, (ii) enhancing labor market opportunities for women, and (iii) strengthening institutional arrangements for gender-informed policy making.

The **first pillar** supports policies that address implementation gaps in enforcing the ownership rights of married women to joint immovable property. According to the Albanian Family Code, all property acquired during marriage is by default legally co-owned by both spouses. However, the team found that unequal implementation of the law had resulted in the exclusion of women's names from many property titles, with only 30% of women being registered on the property title. compared to men. The team adopted a behavioral economics approach in considering gender social norms as the reasons behind poor implementation of the existing equal legislation. In analyzing the process for property registration, it became apparent that one potential gap rested in the discretionary power of the notaries, who would have the power of not including the wife's name when registering a married couple's immovable property. Working closely with the Chamber of Notaries, the team identified the necessary legal amendments and regulatory reforms to ensure equal implementation of the law and automatize the process of marital property registration.

Prior Action 1: Notary Law 110/2018, dated December 20, 2018 and published in the Official Gazette on February 13, 2019 mandates notaries to recognize the co-ownership of immovable property obtained during marriage under the community of property regime by: (a) verifying the marital status of the parties involved in the transfer of immovable property; (b) duly recognizing in notarial documents coownership of immovable property obtained during marriage: and (c) ensuring that acts of inheritance do not violate the coownership of immovable property obtained during marriage. Under the new law, notaries have access to an electronic archive of notarial acts, which records the marital information of the parties. If parties cannot afford the cost of the registration process, the law provides for fee waivers.

**Prior Action 2:** Order of the Director of the Borrower's State Cadaster Agency 1150, dated June 3, 2019 and published in the Official Gazette on June 11, 2019 mandates registration offices to correct errors in immovable property records to include the names of spouses that are presumed to be coowners. Registration offices are now required to ensure that immovable property files accurately reflect the information provided in family or marital certificates when the properties were acquired, including the presumption of the spouse as co-owner.

Prior Action 3: Decision by the Council of Ministers No. 110, dated March 6, 2019 and published in the Official Gazette on March 15, 2019 and Ministerial Order No. 226, dated March 25, 2019, to provide for the establishment and funding of legalaid providers in support of ownership and co-ownership in immovable property titles. The provision of legal aid to women is expected to accelerate the registration of properties with female owners or co-owners, particularly among low-income groups.

The **second pillar** supports reforms aimed at eliminating constraints on women's economic participation. Actions under the second pillar are designed to embed principles of gender equality and non-discrimination in public procurement processes. leverage public procurement policies to increase women's participation in government contracting and promote the equal treatment of women employees. Reforms supported under the second pillar are also intended to remove barriers to employment that disproportionately affect women. including lack of childcare options and short school days, and constraints on access to networks and labor market information among disadvantaged groups. While public procurement has been a successful instrument for enforcing labor regulations, including the minimum wage and mandatory social security contributions, the team had found that women had been mostly excluded from this market because of gender segregation by sector, lack of access to information on bids and challenges in understanding procedures and meeting eligibility requirements.

Prior Action 4: The Public Procurement Authority amended standard bidding documents for public procurement tenders valued at about \$73,000 or more by mandating firms to declare that all collective and individual contracts relevant to the tender comply with (a) non-discrimination and genderequality laws for recruitment, hiring, benefits, and other employment conditions for both collective employment and individual contracts; and (b) principles of non-discrimination, including equal remuneration for work of equal value. To verify firm compliance with labor legislation, the Public Procurement Agency cooperates with the Labor Inspectorate and has issued instructions to all firms about discriminatory practices under Albanian labor law, and guidelines on how to prepare codes of conduct to promote gender equality in the workplace.

Prior Action 5: a) The budget-transfer rule for municipal preschool budgets shifted from teacher-based to studentbased financing. This reform alters the way resources are allocated to the preschool system and is expected to reduce the student-teacher ratio, enhancing quality of early childhood education. b) A pilot after-school enrichment program for students in grades 1-9 has been launched to provide an alternative childcare option that increases women's ability to take full-time jobs, which is particularly important in light of limited part-time employment options in Albania (Law 99/2018, dated December 3, 2018 and published in the official gazette on December 21, 2018; Ministry of Finance Instruction, dated January 17, 2019; and Ministerial Order 760, dated November 16, 2018).

Prior Action 6: The Employment Promotion Law No. 15/2019, dated March 13, 2019 and published in the Official Gazette on April 3, 2019 enhances the delivery of employment services, such as intermediation, counseling, job-brokering and job-matching services, to vulnerable groups that have difficulty accessing the labor market, including young women, single mothers, parents of children with disabilities, members of households receiving government income support, ethnic minorities, and victims of human trafficking and gender-based and domestic violence. The law further provides childcare subsidies for women registered as unemployed in the national employment services database to expand labor-market opportunities for vulnerable women.

The third pillar supports actions to improve the monitoring of gender-equality indicators, with the purpose of informing gender reform. The 2016 Organic Budget Law mandated public institutions to adopt gender-responsive policies and budgeting processes. The number and combined budget share of programs using gender-responsive budgeting (GRB) rose steadily. However, monitoring of results has been inconsistent.

Prior Action 7: Ministerial Guideline 22, dated June 30, 2018, and Ministerial Order 527, dated July 25, 2019 and published in the Official Gazette on July 28, 2019 (a) established procedures to monitor gender-related public spending by local governments; and (b) integrated genderresponsive budgeting into the Albanian Financial Management Information System to better monitor gender-related policies and programs. The government also created a mechanism for quantifying gender gaps through key performance indicators (KPIs) that are specific, attainable, relevant, timely, and measurable. In 2018, the Ministry of Finance and Economy issued a Standard Budget Preparation Instruction that includes an annex mandating the use of GRB by designating at least one policy objective linked to gender gaps and the relevant KPIs. Budget institutions must now collect and maintain sexdisaggregated data to inform the preparation of Medium-Term Budget Program proposals and evaluate the implementation of the annual budget.

#### TONGA >>>

Tonga's Ensuring Fundamental Labor Rights for Women and Men DPO (Third Inclusive Growth DPO) supported reforms for a more dynamic and inclusive economy. The nation's first Employment Relations Bill (ERB), which codifies basic labor rights for the first time in Tonga, has been under preparation on an on-and-off basis since 1982, and the latest draft of the bill currently under review in Parliament is the seventh version.

In designing the sequencing of the entire programmatic series, the team decided to include legal reform in the third operation, as opposed to the more traditional sequence of legislation first and follow-up through the programmatic series. The team's intuition was that the proposed reform would benefit from being embedded in the larger process of political change that had begun in Tonga with the 2010 constitutional reforms. By placing legal reform in the third year, the team could keep the bill on the reform agenda, encouraging a longer ongoing dialogue between the government, the private sector, workers, local communities, churches and development partners on different gender-related issues. This ensured a well-paced and incremental progress, and allowed for continuous adjustments to the bill, taking into account the country's slowly evolving social needs and the changing political climate. Indeed, the process for the adoption of the ERB has benefited from a concerted push by the government to consult with all stakeholders and adequately account for the views of all stakeholders, while also being supported by Tonga's joining of the ILO in 2016. Technical assistance from the ILO helped with the sixth and seventh versions of the bill.

Prior action: The Recipient's Cabinet approved for submission to Parliament the ERB. The bill guarantees fundamental rights and principles at work, labor protections in line with international legal standards, including freedom from discrimination, equal remuneration for work of equal value, freedom of association, prohibition of dismissal of pregnant workers, provision of nursing breaks, prohibition of forced labor, and a definition of sexual harassment in the workplace combined with a framework for the development and implementation of a National Code of Practice and workplace policies to prevent sexual harassment in the workplace. It provides 30 consecutive working days of maternity leave and guarantees new mothers returning to work the same or an equivalent position held prior to taking maternity leave, without loss of salary, wages, benefits or seniority.

Leaving the more contentious elements in the legislation to implementing regulations was instrumental in the submission of the ERB to Parliament. For example, the ERB provides the legal framework for future regulation to establish minimum wages, a policy which could potentially have negative consequences on the level of employment. Similarly, a specific definition of hazardous work is left to implementing regulations. In addition, the team anticipated a possible risk that the introduction of labor protections could deter employers from hiring new workers. To mitigate this risk, authorities proposed a staged approach to implementation. The bill therefore includes institutional controls and transitional measures that provide for a gradual implementation process, through the adoption of supporting regulations and transition periods. In adopting this approach, the team considered the constrained government capacity to enforce these reforms and the long history of failed attempts to pass labor reform in Tonga. The World Bank, in coordination with the Asian Development Bank and the Australian Department of Foreign Affairs and Trade, has provided guidance to the development of an implementation plan. The ERB is expected to close several gender gaps in the Tongan legal framework that are material to women's economic participation and to lead to a substantial improvement in the country's Women. Business and the Law index score. With the passage of the ERB, Tonga's WBL score would rise to over 76, above the 2018 global average (74.7) and the 2018 East Asia and Pacific regional average (70.7). These data were instrumental in demonstrating the supported legislation's expected impact to the government.

### >>> JORDAN

Jordan's Second Equitable Growth and Job Creation DPF is the second in a programmatic series of two DPOs supporting the government of Jordan's reform program to stimulate growth and create jobs. One of the three pillars of the DPF supports policy and institutional mechanisms for a more flexible and inclusive labor market, including for female workers, provides measures to stimulate labor demand, and helps develop a more effective social safety net system. Reforms under this pillar are designed to address the identified gap of extremely low FLFP rates and low demand for labor among women. Analysis had revealed the challenges of improving FLFP, including the difficulty of achieving substantial results with a single action or reform. In recognition of the multidimensional nature of factors contributing to low FLFP, the team took a holistic approach in designing prior actions tackling different variables that would impinge on FLFP. Prior actions were designed to expand women's employment options and improve their participation in the labor market by reducing labor market segmentation, removing legal and regulatory barriers for women to participate in the labor force, and strengthening social protection.

In February 2019, the government of Jordan, in collaboration with the World Bank and other development partners, developed a five-year reform matrix that prioritizes policy and institutional reforms for a more inclusive economy and sustainable growth. The government was eager to deliver early to show a strong implementation effort and ownership. Consequently, in the lead-up to the second DPF, the government had enacted a series of additional reforms with a view to supporting greater FLFP that made progress even beyond the DPF prior actions. These reforms included:

- Introduction of an anti-harassment Code of Conduct for public transportation, issued by the Ministry of Transport, to regulate behavior of drivers, operators, and passengers with clear rules against gender-based discrimination and sexual harassment, as part of an effort to remove one of the critical challenges facing women who work or would like to join the workforce. The Code of Conduct includes grievance redress mechanisms.
- Introduction of a Code of Conduct for Employers and Employees in the Workplace, issued by the Ministry of Labor, to be adopted by companies as part of their annual registration process. The Code of Conduct lists clear rules against gender-based discrimination and sexual harassment in the workplace. The Code of Conduct includes grievance

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redress mechanisms.

• Cabinet approval of bylaws to ease registration and licensing for investment in and operation of nurseries and parliamentary approval of an amendment to the labor law facilitating the opening of childcare services. The new instructions simplified and streamlined registration processes for nurseries to spur investment and expand the provision of childcare given high demand while also adopting quality standards. The establishment of new nurseries also creates new jobs, particularly benefiting women.

The first DPF of the programmatic series supported government action to make work more flexible with a view to attracting women and young workers into the labor force. The reform formalized part-time and temporary work contracts and guaranteed hourly minimum wage rates. The new regulations encouraged contracts other than full-time work, providing workers flexibility to work part-time, remotely, or to arrange their daily or yearly work schedule according to their needs.

Under the first DPF of the programmatic series, the Ministry of Labor carried out a review of the legal framework to identify causes of gender segmentation in the labor market, which confirmed gender-based legal differences that prevented women from performing some actions in the same way as men, including getting a job of their choice and working night hours. The second DPF supports reforms to the Labor Code to eliminate these gender differences, to continue addressing the distressingly low FLFP rate.

**Prior action:** Ministry of Labor Decision No. 2/2018 of December 30, 2018 amended Article 69 of the Labor Code by removing all gender-based job restrictions and allowing women to work in the professions and during times they choose to work, in line with international standards. The DPF-supported reforms are expected to increase the FLFP rate from 14 % in 2017 to 17 % in 2021. In addition, the annual average growth of formal, private, part-time female employment is expected to increase from 3.2 % (2014–16) to 3.5 % (2019–21).

As a next step, the team is working on amending the Social Security Law, which was also identified as unequal. The public pension system provides different incentives to retirement for men and women, which may contribute to the persistently low FLFP rates. At the same time, the Social Security Corporation is working to incorporate part-time and temporary jobs into the public pension system, which would support young and female workers. At present, neither employers nor employees must pay social security contributions for part-time or temporary employment, but this gap allows employers to split full-time jobs into several part-time ones and avoid paying social security contributions. This gap also leaves part-time employees without the opportunity to accumulate a public pension during their tenure as part-time workers.

The new regulation encourages contracts other than full-time work, providing workers flexibility to work part-time, remotely, or to arrange their daily or yearly work schedule according to their needs. Specific attention is paid to needs of employees with family responsibilities, workers with disabilities, and university students.

# >>> STEP 3: MONITORING & EVALUATION

Monitoring and Evaluation (M&E) refers to the regular, systematic collection and analysis of information to track the progress of program implementation against pre-set targets and objectives. Developing a good M&E framework helps clarify a project's objectives, links them with activities and resources, translates project outcomes into performance indicators, and sets targets. Monitoring provides information on where an intervention is at any given time (or over time) relative to targets and outcomes. It helps to focus, in particular, on efficiency and the use of resources. Monitoring provides records of progress towards achieving activities and results, and it signals problems to be remedied along the way.

As is the case for all operations, M&E is also an integral part of DPF. M&E can be a challenge for DPOs due to inherent attribution problems. Assessing the extent of policy and institutional change is also difficult. Using high-level country outcomes such as growth is controversial because they cannot be unequivocally attributed to the bank's intervention through a DPO. On the other hand, choosing indicators that are too output-oriented (identical with or similar to prior actions) is also problematic. Creating a set of relevant indicators in many cases is hampered by weaknesses in or unavailability

of country data, while arrangements to generate or collect data specifically for the M&E framework of DPOs may not always be feasible. The design of M&E for DPOs thus remains challenging.

Generally speaking, a good-practice results framework for a DPO<sup>11</sup> should include:

- A clear and concise presentation of objectives and outcomes
- High quality of prior actions (i.e., relevance, criticality, additionality, and monitorability and efficacy)
- Comprehensive reporting of results and their attribution to the project's inputs and activities.

Some of the potential pitfalls in designing M&E for DPF, such as shortcomings related to the clarity and statements of objectives and outcomes, are easy for teams to avoid. Others, such as the rigor of reform programs of borrowers and resulting quality of prior actions, require more sustained focus at an overarching institutional level.

In selecting individual indicators to monitor a project's progress toward closing gender gaps, project teams need to link indicators to specific project actions which, in turn, support the achievement of project development objectives. Indicators should be **SMART** (specific, measurable, achievable, relevant and time-bound). An EFI-wide set of indicators to track progress of gender-related project activities has been compiled for use by teams and reflects the types of interventions undertaken by EFI's practices.

The Albania, Tonga and Jordan teams designed appropriate result indicators to monitor progress in closing targeted gender gaps.

Examples of gender-related indicators used in the projects include:

<sup>11.</sup> The Quality of Results Frameworks in Development Policy Operations. World Bank Group. 2015

#### >>> ALBANIA

% of total records in the Albanian Digital Registry of Properties with a valid identification number and with the owner's female gender verified.

Baseline: 16.4 (2019) Target: 20 (2020)

% of bidders in public procurement tenders that submit a self-declaration related to nondiscrimination in the workplace.

Baseline: 0 (2019) Target: 85 (2020)

% of women, including those categorized as vulnerable, that have been employed through the National Employment Services.

Baseline: 39 (2018) Target: 45 (2020)

% of budget programs across all line ministries that comply with the review process established by the gender-responsive budgeting guidelines.

Baseline: 33 (2018) Target: 54 (2020)

% of Key Performance Indicators for gender-responsive budgeting programs that directly address documented gender gaps in the country.

Baseline: 64 % (2019)

Target: 75 % (2020)

### >>> TONGA

Number of basic labor rights (including equal remuneration for work of equal value, prohibition of gender-based discrimination, and right to maternity leave) enshrined in domestic legislation.

Baseline (2015): None of seven in place

Target (end FY20): Equal remuneration for work of equal value, prohibition of gender-based discrimination, and right to maternity leave) enshrined in domestic legislation. Three of the remaining four basic labor rights also enshrined in domestic legislation.

### >>> JORDAN

Female labor force participation rate

Baseline (2017): 14 % Target (2021): 17 %

Flexible work: Growth of formal, private, part-time, female workers (annual average)

Baseline (2014–16): 3.2 % Target (2019–21): 3.5 %

Employment: Growth of formal, private, full-time employment (annual average)

Baseline (2014–16): 3.1 % Target (2019–21): 3.3 %

### >> CONCLUSION

This note illustrated, following the three-step sequencing used by the WBG to integrate gender into projects, practical strategies and approaches to identify gender gaps and address them in DPOs. The three country examples described all leveraged governments' existing motivation that may or may not be present in other settings. However, more general lessons emerged, with the potential to be applied to future projects – these include generating client interest by aligning intervention design with existing government priorities, emphasizing inclusive stakeholder engagement, bringing in gender expertise and deploying both gender-specific and more broad-based actions.

The good-practice project examples in this note complement the ones compiled for EFI's Gender Project Implementation Guide<sup>12</sup>, and further project notes to support the design of effective gender elements in operations will be compiled over time.

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<sup>12.</sup> Internal WBG document available here.

