



Powered by Women

Business Case for Gender Diversity and
Equality in Nepal's Hydropower Sector

IN PARTNERSHIP WITH



Norwegian Ministry
of Foreign Affairs



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Cover photo:

Rural Nepali family enjoys internet and mobile phone connectivity made possible by increased access to electricity.

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This report is the outcome of a research undertaken between late 2019 and early 2020 that included consultations with 20 companies associated with the hydropower industry in Nepal.

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Acronyms

ADB	Asian Development Bank
AEPC	Alternative Energy Promotion Centre
BPC	Butwal Power Company
CBS	Central Bureau of Statistics
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CEO	Chief Executive Officer
DOED	Department of Electricity Development
ED	Executive Director
EHS	Environmental, Health, and Safety
EIA	Environmental Impact Assessment
FMO	Nederlandse Financierings-Maatschappij voor Ontwikkelingslanden
FWLD	Forum for Women, Law and Development
GBV	Gender-Based Violence
GDI	Gender Development Index
GESI	Gender Empowerment and Social Inclusion
GEWE	Gender Equality and Women's Empowerment
GII	Gender Inequality Index
GGGI	Global Gender Gap Index
GRB	Gender Responsive Budgeting
HDI	Human Development Index
HPL	Himal Power Limited
HR	Human Resource
IEC	Information, education, communications
IFC	International Finance Corporation
ILO	International Labour Organization
IFRC	International Federation of Red Cross and Red Crescent Societies
IPPAN	Independent Power Producers' Association, Nepal
IPV	Intimate Partner Violence
IRENA	International Renewable Energy Agency
kWh	kilowatt-hours
MOFE	Ministry of Forests and Environment
MW	Megawatt
NAWHRD	National Alliance of Women Human Rights Defenders
NEA	Nepal Electricity Authority
NHPC	National Hydro Power Company
NPC	National Planning Commission
NRREP	National Rural Renewable Energy Programme
NWEDC	Nepal Water and Energy Development Company
SDGs	Sustainable Development Goals
SEA	Sexual Exploitation and Abuse
STEM	Science, Technology, Engineering, and Math
UGC	University Grants Commission
UN	United Nations
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund

Executive Summary

Nepal aims to graduate to middle-income status by 2030 and is relying on electricity sourced from hydropower to contribute towards realizing the Sustainable Development Goals (SDGs). With an installed capacity of 1,115 megawatt (MW) (as of February 2020) to cater to the needs of 30 million people, Nepal hopes to add 15,000 MW to the grid and increase per capita consumption to 1,500 kilowatt-hours (kWh) over the next 10 years (National Planning Commission (NPC) 2016).

As of February 2020, over 250 projects are in the pipeline (19,600 MW) with 216 hydropower projects (7,680 MW) at various stages of construction (“License” 2020), indicating immense potential for thousands of men and women to be employed in the sector’s supply chain. Despite such potential, however, this labor-intensive sector has seen a shortfall in workers, primarily due to the continuous outflow of migrant workers over the past two decades and a lack of female talent to fill the gap. In the current COVID-19 context, it is challenging to calculate the full impact on migrant workers with recent trends suggesting a likely reversal, at least in the short to medium term. However, with women making up more than half (54.5 percent)¹ of the country’s population, there is an opportunity for them to become a central force in this sector to support the country’s economic development.

Various constraints, nonetheless, continue to impede women’s entrance into this traditionally male-dominated sector. Against this backdrop, this study explores existing gender barriers and identifies opportunities for making the business case for gender diversity and equality within companies in the hydropower sector. There is substantial scope for firms to stimulate efforts to further reinforce the principles of fairness, justice and equity in the workspace, and in the communities in which they operate, and in the process contribute towards sustainable and gender inclusive development.

METHODOLOGY

The findings are informed by primary data sourced from interviews and focus group discussions with over two dozen executives of 20 companies and almost 250 employees. Participants in interviews included the chief executive officer (CEO), executive director, executive managing director, executive chairperson, hydropower project in-charge, and human resource (HR) manager of the participating companies. Focus group discussions explored opportunities and challenges for women to join the sector. Secondary data was sourced from a literature review of national and international sources on gender diversity including a review of policies and practices on gender equality in Nepal and gender-based violence (GBV) (see Annex 2). The research uses four key entry points: women in leadership; women as employees; women in non-traditional jobs; and women as community stakeholders. The 20 companies² that participated in the study included 17 hydropower companies, one engineering firm, one construction firm, and an umbrella association that represents 236 hydropower developers. The 17 hydropower companies are developing hydropower projects with a cumulative capacity of 919.72 MW.³ These are either already operating or are at various stages of construction. The study sample represents the total number of companies that expressed an interest in participating in the research, which was supported by the Independent Power Producers’ Association, Nepal (IPPAN), an umbrella association.

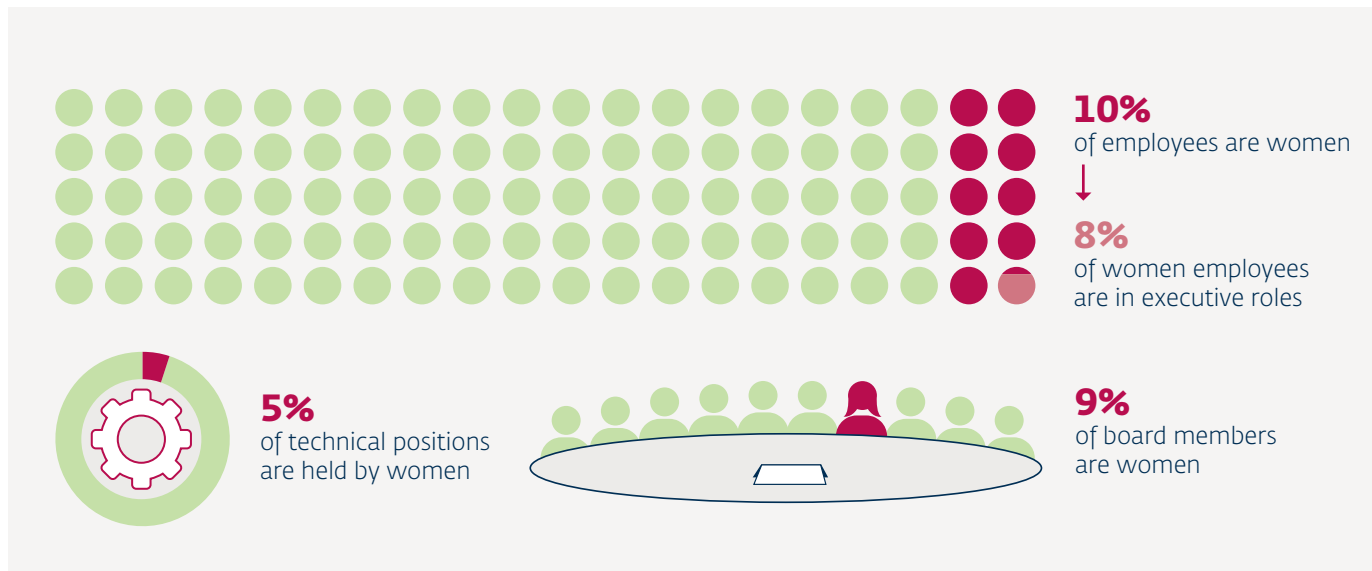
This study seeks to understand the role of women in the hydropower sector, their contribution to business productivity and opportunities and challenges to make the business case for gender diversity and equality in the sector, which presents a unique opportunity for energy companies operating in this landscape to proactively take the lead in initiating positive change in the broader economy.

¹ World Bank Group 2019a. Nepal Gender Brief. https://data.worldbank.org/indicator/SP.POPTOTL.FE.ZS?locations=NP&name_desc=true

² Governed by the Companies Act, the private sector here includes both private limited and public limited companies (listed and unlisted). Companies with government ownership are referred to as public sector companies.

³ Nepal’s current hydropower project portfolio includes 7,680 MW of projects under construction and 2,600 MW with generation licenses. In the pipeline are projects with a cumulative capacity of 17,000 MW, but these are at very early stages and only have survey licenses.

Figure 1: Facts and figures



FACTS AND FIGURES⁴

- Ten (10) percent of total employees (155 out of 1,535) are women. Only 8 percent are employed in executive roles (13 out of 155 women).
- Five (5) percent of technical positions (35 out of 625) are held by women.
- Nine (9) percent of women (12 out of 132 board members) sit on company boards.

KEY FINDINGS

- Women’s representation on corporate boards is extremely small in comparison to men. Out of 132 board members from 20 companies,⁵ only 12 (9 percent) are women. Although Nepal’s Companies Act 2006⁶ calls for “*at least one female director in the boards of public companies with one or more female shareholders,*” only three out of ten public companies have women on their boards. Interviews with senior management revealed diverse reasons for women’s absence. The top three reasons cited were a lack of asset ownership and financial empowerment that hinder women from becoming shareholders, a lack of qualifications, and a lack of previous experience in business.

- The number of women employed in leadership positions in companies is low. Leadership positions denote roles where women lead departments or projects with decision-making authority. Out of 20 companies, five are led by female executives, of whom four are also company promoters/ investors. A further three companies employ women as department/project leads. Women generally occupy mid-level positions with a higher concentration in junior-level positions.
- Women’s overall participation as employees in the sector is low. Out of 1,535 employees in 20 companies, only 155 (10 percent) are women. Typically, companies have four functional departments: Administration/HR; Finance/Accounts; Engineering/Technical; and Social/Environment. Most women are employed in Administration/HR (22 percent) and Finance/Accounts (20 percent). Experts note the prevalence of a high gender pay gap,⁷ an absence of gender-friendly workplaces and a lack of childcare facilities⁸ that may discourage women from joining the formal labor market.
- Very few women are employed in non-traditional jobs in the hydropower sector – positions that are not traditionally held by women, including as engineers, project managers, geologists, hydrologists, technicians,

⁴ The gender data in this study is exclusively based on interviews with 20 companies. As such, this may not construe or reflect an accurate gender composition of the hydropower workforce in Nepal.

⁵ Of the 20 companies, 9 are private limited, 10 are public limited (of which 5 are unlisted while 5 are listed on the Nepal Stock Exchange) and one is an umbrella association.

⁶ The Companies Act 2063 (2006) Nepal Government. <http://www.ocr.gov.np/images/pdf/the-companies-act%202006-english.pdf>.

⁷ Sujana Dhungana, CBS report brings to fore huge gender pay gap, The Himalayan Times, 19 June 2019. <https://thehimalayantimes.com/nepal/central-bureau-of-statistics-report-brings-to-fore-huge-gender-pay-gap/>.

⁸ Elisha Shrestha, Despite robust legal provisions, pregnant women still find it difficult to get maternity leave, 13 February, 2020, The Kathmandu Post. <https://kathmandupost.com/national/2020/02/13/despite-robust-legal-provisions-pregnant-women-still-find-it-difficult-to-get-maternity-leave>.

construction supervisors, electricians, heavy equipment operators, masons, drivers, and security guards. Out of 625 employees in technical/engineering jobs, only 35 women (5 percent) are employed in technical positions. Other women in non-traditional jobs include one plant manager and three security guards. Gender stereotyping, remoteness of hydropower project sites and a lack of women in science, technology, engineering, and math (STEM) education are factors cited for the lack of gender diversity in the sector. Staff retention is also cited as a key challenge by companies that have employed women in non-traditional positions.

- Although there is huge scope for women to be employed in non-traditional jobs at various phases of the hydropower development project cycle, most companies are yet to initiate any credible efforts to realize this. Concerns around initial investment costs and uncertainty over whether there will be a pay off in the short- to medium-term appear to be inhibiting factors.
- There is considerable willingness among companies (especially those led by women) to initiate training and employment opportunities specifically aimed at women. A lack of robust planning, however, is likely to present challenges around effectively transforming ‘intent’ into action on the ground.
- A lack of access to formal finance for women-headed businesses was raised as a key challenge for women entrepreneurs in the sector.
- There is little consideration for gender in environmental and social impact assessments carried out by projects. Although the National Hydropower Environmental Impact Assessment Manual 2018⁹ outlines gender requirements, companies are either not aware of the need or value of mainstreaming gender in their assessments and plans.
- Although there is some recognition by companies of the risks of GBV for both staff and communities in project areas, there are no policies or mitigation measures in place to guide corporate personnel, project staff and/or contractors. Studies indicate that despite a reasonably comprehensive legal framework in Nepal to criminalize



Photo: World Bank

A woman weaves a blanket as her child looks on. Many women with young children are faced with a double burden of working and tending to childcare duties at the same time.

various forms of GBV (see section 2.2 on page 4 for details), significant barriers impede implementation.¹⁰

Risks for GBV are even higher in infrastructure projects like hydropower where there is an influx of project workers and/or involuntary resettlement and these can be compounded in environments where communities face marginalization and multiple forms of discrimination.

- The majority of companies stated that women employees are more honest, focused and productive than men and that gender diversity fosters a good working environment and discipline in the workplace, which is good for business. Most companies, however, did not have any gender-related policies in place with only five having ad hoc procedures.

⁹ Ministry of Forests and Environment (MoFE) 2018. Hydropower Environmental Impact Assessment Manual. http://mofe.gov.np/downloadfile/Hydropower%20Environmental%20Impact%20Assessment%20Manual_1537854204.pdf.

¹⁰ International Federation of Red Cross and Red Crescent Societies (IFRC) 2017. Nepal Country Case Study: Effective law and policy on gender equality and protection from sexual and gender-based violence in disasters.

KEY RECOMMENDATIONS

Based on the above findings, Nepal's hydropower sector could benefit from adopting targeted and tailored interventions to advance gender diversity and equality through policies and practices that have demonstrated net positive impacts on employees and businesses around the world. There is overwhelming literature and evidence that gender-sensitive and family-friendly policies such as childcare, respectful workplaces and flexible working hours contribute to boosting staff productivity, supporting business growth and in attracting and retaining talent (IFC 2019). In this context, the following entry points have been identified at the **corporate**, **project** and **community** level to help advance gender diversity, equality and staff productivity at the workplace in the hydropower sector.

At the **corporate** level these include:

- Developing an overarching HR policy that integrates and formalizes current ad-hoc benefits to improve gender equality to ensure clarity, consistency and equal treatment for all staff.
 - Integrating gender-sensitive policies such as flexible working hours and childcare to support working parents to balance their work and family responsibilities and thereby increase staff retention and reduce absenteeism and turnover.
 - Adopting a respectful workplaces program¹¹ that addresses workplace bullying and sexual harassment so that clear boundaries are set and both men and women can speak and act freely without fear of harassment or reprisals. This should include extending support to employees affected by sexual and domestic violence and preventing sexual abuse and exploitation connected to the workplace.
 - Adopting occupational health and safety guidelines¹² to address concerns around staff safety.

- Incorporating career development planning, mentoring and training activities into HR plans that are informed by gender, equality and social inclusion (GESI) principles. These plans should include tailored and targeted interventions, trainings on leadership and communications, webinars to support women's advancement into leadership positions in the company or at the project site, adoption of gender-sensitive recruitment processes, and support to companies to initiate on-the-job trainings for women employees, ensuring there is equitable access to such trainings and services.
- Setting mandatory or non-mandatory targets for diversity in board representation that is supported by robust recruiting efforts to attract talented women directors.
- Awareness building on gender bias and the importance of diversity for senior management, in the process identifying male and female personnel that will champion the *Powered by Women* initiative across the board.
- Identifying opportunities for leadership and communications trainings to boost women's representation in leadership in companies.

At the **project** level these include:

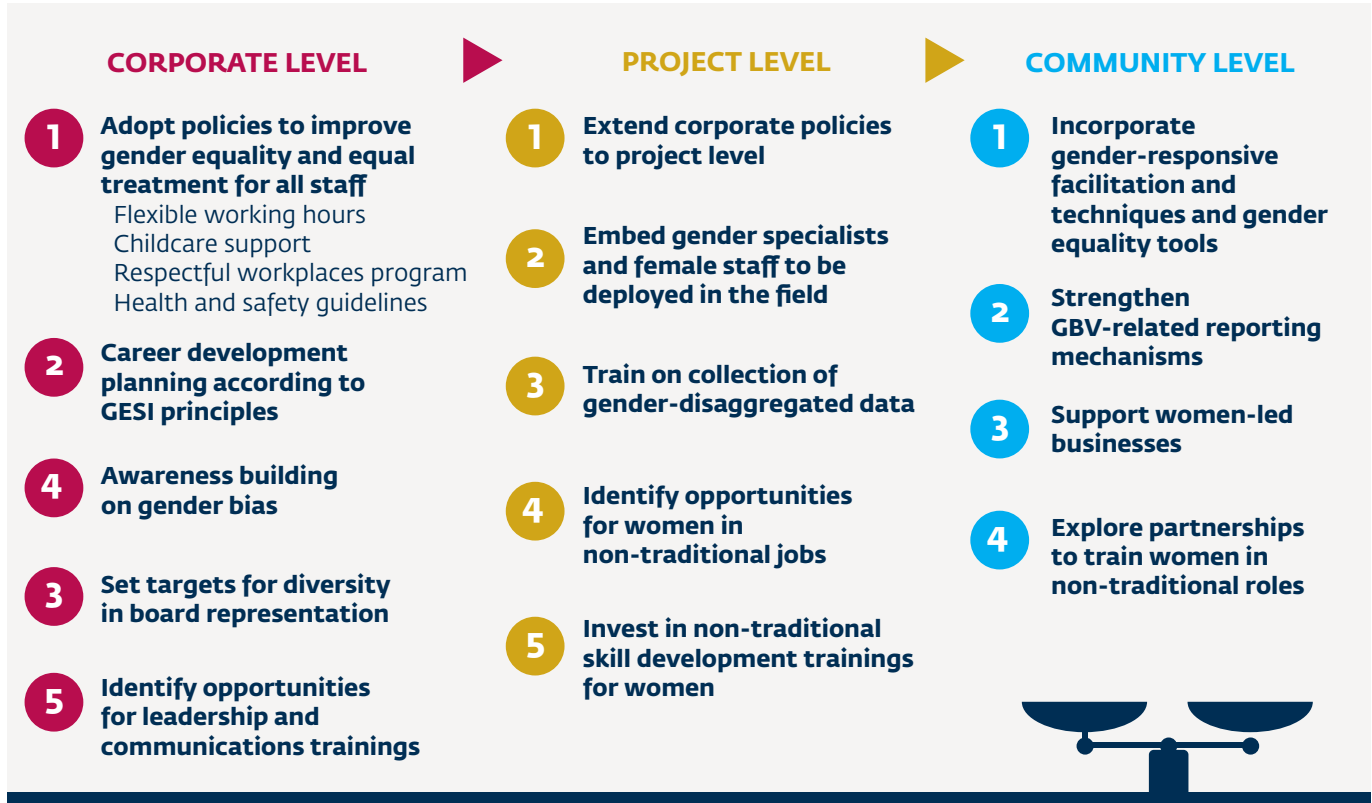
- Extending corporate policies to the project level and installing robust reporting, investigation and support mechanisms that are shared horizontally and vertically across the corporation. For example, the respectful workplaces program, which includes a code of conduct for companies and their staff, will integrate and address GBV-related concerns while the community health, safety and security guidelines will address project challenges around safety and security¹³ and the childcare policy will assist staff to balance work and family responsibilities.
- Embedding gender specialists and female staff within the environmental and social safeguards team to be deployed in the field and lead community consultations.

¹¹ IFC 2019b. Respectful Workplaces: Exploring the Costs of Bullying and Sexual Harassment to Businesses in Myanmar. https://www.ifc.org/wps/wcm/connect/d54116ba-c277-47fa-aa53-f6a3f2fecof4/IFC_RespectfulWorkplaces_ENG_full_report.pdf?MOD=AJPERES&CVID=mCjOjxb.

¹² IFC 2007. Environmental, Health, and Safety (EHS) Guidelines <https://www.ifc.org/wps/wcm/connect/1d19c1ab-3ef8-42d4-bd6b-cb79648af3fe/2%2BOccupational%2BHealth%2Band%2BSafety.pdf?MOD=AJPERES&CVID=Is62x8I>.

¹³ IFC 2007. Guidance Note 4 Community Health, Safety and Security. https://www.ifc.org/wps/wcm/connect/c7f84508-d39e-43ec-9719-1873e91aa8e1/2007%2BUpdated%2BGuidance%2BNote_4.pdf?MOD=AJPERES&CVID=jqeAWoe.

Figure 2: Corporate level, project level and community level recommendations



- Training for company staff, environmental impact assessment (EIA) consultants and the government on the effective collection of gender-disaggregated data and gender mainstreaming in project assessments (EIAs) and in management plans or livelihood restoration plans that include opportunities for investment in developing STEM-related skills. The training will introduce requirements for gender-disaggregated data under the Hydropower EIA Manual and use of this data to inform project design.
- Identification of opportunities for more women in non-traditional jobs, such as engineers or technical managers, by learning from existing and/or regional/international experiences.
- Exploring opportunities to invest in non-traditional skill development trainings for women to be recruited as project staff (for example, security guards and public information officers, among others).

At the community level these include:

- Incorporating gender-responsive facilitation and techniques and gender equality tools¹⁴ during stakeholder engagement and data collection and advocating for women in roles such as village/committee representatives.
- Strengthening GBV-related reporting mechanisms, local referral mechanisms and increasing community awareness on GBV risks and responses.
- Supporting women-led businesses with customized training and advisory support to facilitate access to finance.
- Exploring partnerships (with technical institutions, government, non-governmental organizations) to train women in non-traditional roles to be absorbed by projects (for example, masons, carpenters, heavy equipment operators, mechanics, electricians, foremen, and welders).

¹⁴ Incorporating gender equality tools includes identifying and assessing the social, legal and cultural context for women; ensuring access for women to communicate issues to the project and for the project to effectively communicate issues to women; exploring benefits the project provides other than the project services; and ensuring project design incorporates gender needs and incentives for women participants to protect their interests.



Siblings bask in the mild winter sun at the entrance of their home in Dolakha.

Photo: International Finance Corporation.

1. Introduction

Hydropower development in Nepal is increasingly seen as a reliable, affordable and clean source of energy that can contribute significantly to the region's demands for electricity. A country known for abundant hydropower resources (43,000 MW of techno-economically viable potential), Nepal's economic growth agenda includes harnessing this potential, and maximizing revenue and the economic spin-offs generated by hydropower development.¹⁵ Nepal is also an important player in the export market with its South Asian neighbors¹⁶ keen to cut their carbon emissions by purchasing Nepal's hydropower-sourced electricity. The challenges Nepal faces in ensuring sustainable infrastructure development considers good environmental and social standards as well as good practices and policies along the supply chain.

Nepal's existing installed capacity is currently low at 1,115 MW (as of February 2020),¹⁷ which is not sufficient to meet rising domestic demands. The country is therefore preparing to ramp up production with targets to add 15,000 MW to the grid by 2030 and increase per capita consumption to 1,500 kWh (NPC 2016) to help Nepal realize middle-income status. This will require investments of at least 300 billion Nepalese rupees (\$2.5 billion)¹⁸ and substantial human resources¹⁹ and help generate significant employment opportunities along the supply chain including for women (IFC 2016).

As of February 2020, 216 hydropower projects (7,680 MW) are at various stages of construction; 33 hydropower projects with 2,600 MW capacity have acquired generation licenses; and 249 hydropower projects with 17,000 MW capacity have acquired survey licenses.²⁰

Incessant outflow of migrant workers, mostly male, to foreign countries over the past two decades has created a shortage of male workers

Women make up more than half (54.5 percent) of Nepal's population of 30 million.²¹ While 82.8 percent of women²² are in the labor force, there is still a severe gender wage gap in earned income (World Bank 2019a). Nepal ranks 105 out of 149 countries on the World Economic Forum's Global Gender Gap Index 2018, indicating that there is still a critical need to focus on gender equality across various economic sectors. Women and marginalized groups are predominantly employed in the agriculture sector where work is mostly informal, insecure or low-paid (Central Bureau of Statistics (CBS), Nepal, 2015), making them more vulnerable to food insecurity and its adverse effects. Seventy-six percent of all households in Nepal are agricultural households (World Bank 2019a). The high rate of female labor force participation (82.8 percent), compared with other South Asian nations, is the result of high male migration and may mask other issues such as low school enrollment for girls or delayed retirement for older women (World Bank 2019a). This incessant outflow of migrant workers, mostly male, to foreign countries over the past two decades has created a shortage of male workers.

¹⁵ Adhikari, D., 2006. *Hydropower Development in Nepal*. Nepal Rastra Bank, Economic Review, 18, 70-94. Available at: <https://archive.nrb.org.np/ecorev/pdf/vol18>.

¹⁶ IFC (2020). *Harnessing Nepal's Hydropower for Energy Starved South Asia*. https://www.ifc.org/wps/wcm/connect/news_ext_content/ifc_external_corporate_site/news+and+events/news/nepal+hydropower.

¹⁷ Ministry of Energy, Water Resources and Irrigation (MoEWRI) 2020. Department of Electricity Development. Operating Projects: Hydro (Above 1MW), 20 June 2020. <https://www.doed.gov.np/license/54> (accessed on 2/23/2020).

¹⁸ USD \$1 = NPR 120 (exchange rate as of 10 July 2020).

¹⁹ A review of 35 studies in the energy sector by the World Bank in 2011 indicates that energy projects generate large employment multiplier effects. IFC 2017. Good Practice Handbook, Use of Security Forces: Assessing and Managing Risks and Impacts, Guidance for the Private Sector in Emerging Markets. https://www.ifc.org/wps/wcm/connect/a93ef4fe-8102-4fc2-8527-5aff9af7f74f/IFC_FULL+JOB+STUDY+REPORT_JAN2013_FINAL.pdf?MOD=AJPERES&CVID=jMRye5J.

²⁰ Department of Electricity Development (DOED) 2020. License. Available at: <https://www.doed.gov.np/license/21>, <https://www.doed.gov.np/license/41>. (Accessed on 2/23/2020).

²¹ World Bank Group 2019a. Nepal Gender Brief. https://data.worldbank.org/indicator/SP.POPTOTL.FE.ZS?locations=NP&name_desc=true.

²² Ibid.



Photo: International Finance Corporation.

Elderly women gather for their monthly community meeting over hot cups of butter tea in Charikot, Dolakha.

While this is likely to reverse²³ as COVID-19 impacts on global economies, it is challenging to gauge the long-term effects on labor demand due to the uncertainty associated with the pandemic and the emerging economic recession. Nevertheless, despite the increase in women's labor force participation, women face multiple challenges to meaningfully participate in the labor market with existing legislation to promote gender equality limited and inadequately implemented (Coyle *et al* 2014).

Globally, there is growing evidence that gender diversity and equality in firms can have a significant positive impact on corporate governance and business profitability (IFC 2019d, IFC 2019e). This study aims to lay the foundations for IFC's *Powered by Women* initiative that will support energy companies to build the business case for gender equality and diversity in the workplace and will be launched in Nepal in 2020.

²³ Prithvi Man Shrestha & Chandan Kumar Mandal, *With hundreds of thousands of migrants predicted to return home, Nepal needs to brace for a crisis*; 22 April 2020, The Kathmandu Post, 22 April, 2020. <https://kathmandupost.com/national/2020/04/22/with-hundreds-of-thousands-of-migrants-predicted-to-return-home-nepal-needs-to-brace-for-a-crisis>.

2. Gender Equality in Nepal and Gender Mainstreaming Policy and Practices in the Energy Sector

2.1 NEPAL'S PROGRESS IN THE CONTEXT OF GENDER EQUALITY AND DEVELOPMENT

Women make up over half of the country's population, but Nepal falls in the bottom 50 countries in the world when it comes to gender disparities and inequality. In 2018, Nepal scored 0.476 in the Gender Inequality Index (GII),²⁴ ranking 115 out of 162 countries (UNDP 2019). In the Global Gender Gap Index (GGGI) 2020, Nepal ranked 101 out of 153 countries (World Economic Forum 2020). Although the Gender Gap Index indicators reflect some improvements in economic participation, education, health and survival, and political empowerment (World Economic Forum 2020), huge disparities remain, which are discussed below.

2.1.1 Education

Although Nepal has made significant progress in closing the gender gap in primary school enrollment from 64.6 percent in 2000 to 96.2 percent in 2016 (World Bank Group 2019a), only 30.7 percent of girls complete secondary education. According to the World Bank report, the tendency for female students to drop out of school earlier than male students can be attributed to a lack of attention to the specific needs of adolescent girls and restrictions imposed by social norms. Girls that do enroll in further education often pursue subjects that are traditionally dominated by women. According to a survey published by the University Grants Commission (UGC) Nepal 2012, the number of young women that received undergraduate degrees in 2010 was highest in education/teaching (150,000) followed by management (over 130,000) and humanities (over 60,000), with low numbers in fields such as science and technology, medicine and engineering (less than 20,000). More recent data are not available.



Women take notes during a meeting in Dolakha.

Photo: International Finance Corporation.

2.1.2 Economic Participation

Out of 11.58 million women of working age (as classified by the 2017 Nepal Labour Force Survey as 15 years and above), only 2.6 million women are in the labor force (CBS 2018). Additionally, women mostly work in agriculture, forestry and fishing, education and the wholesale, retail and trade industries while construction, manufacturing and transport industries are dominated by men. The survey further found that women only occupy 13.2 percent of managerial positions across various sectors while a notable gender pay gap persists with women earning roughly one-third less than men across all sectors irrespective of education levels (CBS 2018).

A notable gender pay gap persists with women earning roughly one-third less than men across all sectors irrespective of education levels

²⁴ The Gender Inequality Index (GII), measures gender disparities in reproductive health, empowerment and labor force participation.

Nepal has made huge strides in women's political participation and the country's transition to a federal structure has created new opportunities for women's increased engagement

2.2 TOWARDS A GENDER-FRIENDLY LEGAL AND POLICY FRAMEWORK

Nepal has progressed a number of policy initiatives to advance gender equality (Asia Development Bank (ADB) 2015). For example, Article 91(2) of Nepal's Constitution 2015 stipulates a representation of 33 percent of women in the central and federal parliament and 40 percent in local government. Article 38 of the Constitution provides that: *"Women shall have the right to participate in all bodies of the State based on the principle of proportional inclusion as well as the right to obtain special opportunity in education, health, employment, and social security, based on positive discrimination."* Similarly, Article 13 (3) states that special provisions by law can be made for the protection, empowerment or development of *"socially or culturally backward women"*.

Nepal has made huge strides in women's political participation and the country's transition to a federal structure has created new opportunities for women's increased engagement. In 2016, for the first time in the history of Nepal, the country had a female head of state, female house speaker and female chief justice, setting an example for women's leadership in different state apparatus in the region at the time. The 2017 local government elections saw women elected to 41 percent of seats (or 14,352 women) (World Bank 2019a). This success can be attributed in part to the principles of equality, equity and non-discrimination and participation that are explicitly included in the 2015 Constitution (Government of Nepal 2015), as well

as the Election Commission's requirements for 40 percent of election nominees to be women (World Bank 2019a). However, the majority of elected positions at all levels of government in Nepal continue to be held by men. Women account for only 18 mayors (out of 753) and 64 ward chairs (out of 6,742).

The Gender Inclusion Policy 2013 of the Election Commission of Nepal has three objectives: to mainstream gender in all processes of elections; to incorporate inclusive approaches in all electoral processes; and to develop the Election Commission as a gender-sensitive and inclusive institution.

The report, *"An update of discriminatory laws in Nepal and their impact on women"* by Forum for Women, Law and Development (FWLD) in 2006 identified 150 temporary special provisions to mainstream gender equality in Nepal. Some 56 gender discriminatory laws were amended following the enactment of the Gender Equality Act 2007 and were incorporated into the 12th Amendment of the National Code (UN Women 2015). Gender equality and social inclusion and gender-responsive budgeting (GRB) have been mainstreamed in all development programs. Measures such as GESI policies and GRB, have also made it mandatory for community-based organizations implementing local development programs to have a 33 percent women's representation (UN Women 2015).

Similarly, Nepal has signed several international conventions including the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1991 and the Beijing Declaration and Platform for Action 1995 (UNFPA 2007), among others. The report, *"Progress of Women in Nepal (1995-2015) Substantive Equality: non-negotiable"* supported by UN Women, has shown key achievements in gender equality since the Beijing Declaration in 1995 including:

- A more gender-friendly constitutional and legal framework
- Substantial improvement in women's representation in the public sphere
- Increased access to education and higher educational achievement
- Significant improvements in maternal and child health
- Increased access to economic resources, land, property, and microcredit



Photo: International Finance Corporation.

A young mother in Lamjung feeds her chickens as part of her daily household duties.

The government's adoption of GRB has led to increased allocated resources for gender equality and women's empowerment (GEWE) from 11.3 percent in 2007/08 to 21.9 percent in 2014/15, including a 10 percent allocation for women's leadership at the community level (UN Women 2015). Other measures include income tax rebates of 10 percent for women²⁵ and discounts on land and property registration tax to promote women's asset ownership. Nepal's Human Development Index (HDI) has increased from 0.34 to 0.54 and the Gender Development Index (GDI) has almost trebled from 0.31 to 0.91 between 1995 and 2014 (UN Women 2015).

The National Planning Commission's (NPC) Status and Roadmap Report 2017 on the SDGs evaluates progress in mainstreaming gender equality in Nepal. The report indicates that Nepal has narrowed the gender gap in important socio-economic domains, notably in education, health and participation in the political decision-making process. Improvements have also been made in eliminating practices that promote gender inequality and violence. The NPC report further notes that women's participation as professional and technical workers is 24 percent, while a higher participation can be seen in the cooperative sector at 50 percent.

Despite these many positive changes in education and health and women's access to and control over economic resources, women in Nepal continue to face considerable barriers including:

- Structural barriers for labor force market entry, wage discrimination, informal/low-level work
- Discrimination in access to services and resources
- Inequality among women (due to class, ethnicity)
- High levels of GBV

The Nepal Gender Brief report by the World Bank Group (2019a) points to a critical need for Nepal to focus on gender equality to achieve SDG 5. Weak policy implementation has had little effect on curbing violence against women. Between 2019 and 2020, the Nepal Monitor recorded 1,422 cases of GBV across the country, a two-fold increase from 2017–2018.²⁶ However, it is not clear whether this 'increase' is in fact due to better reporting rather than an actual rise in GBV cases.

²⁵ PKF T R Upadhya & Co., Taxation, 2018 Edition, 2018. http://pkf.trunco.com.np/uploads/publication/file/Nepal%20Taxation%20Guide%202018_20180801041445_20181126030832.pdf.

²⁶ Nepal Monitor, Gender Based Violence, Map data 2020. <https://nepalmonitor.org/dashboard/gender-based-violence>.

Workplace bullying, and sexual harassment can have a negative impact on workers, clients and community members

According to the 2016 Nepal Demographic and Health Survey, at least one in five women in Nepal experience mental, physical and other forms of violence during their lifetime and 66 percent of women who are subjected to violence do not seek assistance. This is lower than the global average of 1 in 3 women affected by GBV (World Bank 2019b)²⁷ and raises questions around whether GBV cases in Nepal are underrepresented. According to the Nepal Peace Monitor, fear of social stigma, along with an inaccessible and indifferent justice system, deters women from reporting cases. Additionally, the Domestic Violence Act encourages a process of reconciliation between survivor and alleged perpetrator, which is often pursued by the police with immense pressure placed on the survivor to return to the perpetrator of violence. (Nepal Peace Monitor 2017).

According to a UNDP (2014) report on GBV more than a quarter (26 percent) of women aged 15 to 40 years have experienced physical or sexual violence. The UNDP report further finds that among different forms of violence, domestic violence is predominant, followed by the trafficking of women and girls, physical/sexual abuse, social abuses and malpractices such as allegations of witchcraft, *Chhaupadi* (where women and girls must live in a cowshed or a makeshift hut during menstruation and after childbirth), dowry, and child marriage. Although the legal age for women to marry has been raised from 18 to 20 years, over 37 percent of Nepal's girls are married before the age of 18 and 10 percent before the age of 15 (UNICEF 2016). Similarly, despite laws that have banned and penalize discriminatory practices such as *chhaupadi*, prevalent in western Nepal – where women living alone in poorly-ventilated cowsheds/

huts are at increased vulnerability to rape, snake bites and even death (caused by asphyxiation from bonfires to keep warm) – such practices continue in rural areas (Amatya 2018).

Large-scale projects like hydropower are generally located in remote areas and are likely to involve the displacement of local communities or loss of livelihoods or both. Studies indicate how project-induced impacts on communities – when not adequately addressed – have led girls and women to seek sex work and domestic work (Jansen 2019 and Braun 2005 cited in IFC 2020). Additionally, there is ample evidence that demonstrates how project-induced changes in livelihood activities have also exposed women to heightened risks of sexual assault while a lack of support services for victims/survivors in remote project areas have compounded risks for sexual exploitation and abuse (SEA) (Jansen 2019 and Braun 2005 cited in IFC 2020). Moreover, such projects generally involve an influx of construction workers who are mostly male (World Bank 2016 cited in IFC 2020) and studies report increased demands for transactional sex where a rapid migration of workers to infrastructure project sites has taken place (Forest People's Project 2012 cited in IFC 2020).

International literature (Green Alternative 2016; Heiskel 2016; IFC 2019c; Jansen *et al* 2019; World Bank Group 2017; World Bank 2018) identifies three main ways in which GBV is associated with major infrastructure projects such as hydropower. These include:

- Sexual exploitation and abuse (any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes)
- Human trafficking (such as sexual slavery, forced labor, slavery or the removal of organs)
- Other forms of abuse (for example physical assault and intimate partner violence (IPV) including SEA) (IFC 2020)

²⁷ World Bank Group 2019b. Gender-Based Violence (Violence Against Women and Girls). <https://www.worldbank.org/en/topic/socialdevelopment/brief/violence-against-women-and-girls>.

In addition, workplace bullying, and sexual harassment can have a negative impact on workers, clients and community members. According to a study by IFC (2019b) conducted in Myanmar, the most common types of bullying include: being gossiped about, being shouted or sworn at by a supervisor, being teased, and being excluded from work-related social events, while the most common types of sexual harassment include: body shaming, hearing someone tell a joke with sexual content, and inappropriate hugging.

Although Nepal's legal framework criminalizes various forms of GBV including rape, child marriage, polygamy, human trafficking, dowry, accusations of witchcraft, and sexual harassment, significant barriers impede implementation of these laws (IFRC 2017; National Alliance of Women Human Rights Defenders (NAWHRD) *et al*, 2018; UN CEDAW 2018) including:

- Short statute of limitations (one year) to file cases of sexual violence.
- Restrictive definition of rape in the criminal code.
- Failure of law enforcement officials at local levels to register GBV cases, as well as court delays and complex legal processes where these cases are registered.
- Inconsistencies within Nepal's civil and criminal codes, undermining efforts to stop child marriage.
- Rape of males is not recognized.
- Lack of awareness of relevant laws among the public (IFC 2020).

In Nepal's context, interviews with companies that participated in the study yielded little information about the links between GBV and hydropower development. In addition, all firms confirmed they outsource construction work to engineering, procurement and construction contractors and therefore claimed not to be privy to most labor-related issues (including GBV) of these contractors. Additionally, none of the participating companies raised bullying or sexual harassment as issues faced by women and men in the workplace. However, reports



Construction underway at the 456MW Upper Tamakoshi hydropower project site, Dolakha.

Photo: International Finance Corporation.

indicate a high prevalence of such incidents (UNDP 2014) and vast amounts of underreporting²⁸ due to fears of stigma.

Nepal's Sexual Harassment Prevention Act (2015) deals with workplace harassment and imposes certain responsibilities on the employer, which include:

- Ensuring adequate provisions to prevent sexual harassment in internal employment rules
- Informing staff on the implications of workplace harassment; measures to prevent recurrence of such incidents.
- Providing survivors with psychological support if necessary.
- Provisions for employees to lodge complaints anonymously.²⁹

However, it was not clear if all companies have rolled out such provisions in practice.

²⁸ Urja Acharya, Sexual harassment at the workplace, 10 January 2020, My Republica. <https://myrepublica.nagariknetwork.com/news/sexual-harassment-at-the-workplace/>.

²⁹ National Alliance of Women Human Rights Defenders (NAWHRD) 2018. *Nepal CEDAW* Nepal introduces legislation to address sexual harassment at workplace, 8, May 2016, Pioneer Law Associates, Kathmandu Nepal <http://www.pioneerlaw.com/news/nepal-introduces-legislation-to-address-sexual-harassment-at-workplace>.



A young radio journalist on duty in Solukhumbu.

Nepal's Labour Act 2017 is largely more gender-inclusive than previous acts. Article 6 (1) says: “An employer should not discriminate against employees on the basis of their race, religion, gender, caste, culture, origin, language, and other conditions.” Article 6(2) (ii) says: “Pregnant women should be given work as per her physical capability without cutting her wages and other facilities.” Article 7(1) directs equal pay for equal value of work irrespective of gender. Article 33 says: “If women employees are expected to come to the office before the sun rises and leave after sunset, such employees shall be provided transportation facilities.” Article 45 prescribes compulsory maternity leave for women from two weeks before delivery to at least six weeks after delivery and an entitlement of up to 14 weeks leave of which 60 days are paid. The Act also prescribes 15 days of paid paternity leave for new fathers, which did not previously exist. However, many of these provisions have not been translated into concrete action. Pregnant women, especially in the private sector, report finding it difficult to take maternity leave with many choosing to quit instead of taking their employer to court.³⁰ Experts note that the absence of gender-friendly working environments and a lack of childcare facilities at the workplace are key deterrents that discourage qualified women from seeking formal employment.³¹ The previous Labour Act of 1991 required companies with 50 or more women employees to set up childcare facilities, but this provision was removed in the 2017 Act, marking a step back for women's hard-won gains in the workplace.

2.3 GENDER MAINSTREAMING IN THE ENERGY SECTOR

Ensuring ‘access to electricity for all’ has been the primary driver of the various electrification policies of Nepal over the years (Govindan *et al.* 2020) in line with global targets that Nepal has committed to achieve by end of the decade (Nepal Electricity Authority (NEA) 2019). Currently, 70 percent of the population is connected to the grid (NPC 2019), with per capita energy consumption at 198 kWh per annum (NPC 2019), one of the lowest in South Asia (ADB 2015). The energy mix pattern of Nepal shows that 87.1 percent of the total energy comes from fuelwood (Alternative Energy Promotion Centre (AEPC) 2014).

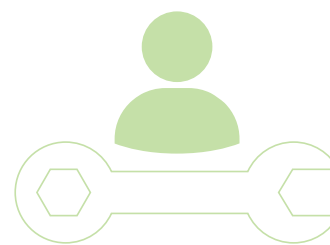
Govindan *et al.* (2020) observe that Nepal's initial electrification schemes were gender blind as successive governments prioritized expanding access to electricity for all sectors of society across the country. Beneficiaries were described using terms such as “consumer”, “customer”, “user-groups”, and “manpower” (Govindan *et al.* 2020). The authors note that it is only in the past two decades that energy policies have started demonstrating more gender awareness, both in terms of the disproportionate impacts on women of a lack of access to electricity and in considering provisions for their inclusion in the energy sector (Govindan *et al.* 2020). Six of Nepal's 23 energy-related plans and policies can be considered “gender-responsive” and “gender-integrating”, as they include “gender mainstreaming” or “women's involvement, participation and representation” as guiding principles. The authors note that the role of women as professionals and grassroots workers in planning and decision-making (in the production, distribution and consumption of electricity) is acknowledged in the Tenth Five-Year Plan (2002-2007) (NPC 2002), the Rural Energy Policy (2006) (NLC 2002), the National Rural and Renewable Energy Programme (NRREP) (2012) (AEPC 2012), and the National Energy Strategy (2013) (WECS 2013). However, evidence on the ground indicates that the participation of women in decision-making positions is limited. Despite policy measures that require representation of all excluded groups in bodies such as user committees, a study of the Community Rural

³⁰ Elisha Shrestha, *Despite robust legal provisions, pregnant women still find it difficult to get maternity leave*, 13 February, 2020, The Kathmandu Post. <https://kathmandupost.com/national/2020/02/13/despite-robust-legal-provisions-pregnant-women-still-find-it-difficult-to-get-maternity-leave>.

³¹ *Ibid.*

Electrification Programme under the National Association for Community Electricity Users found that all of the 66 technicians in the six districts under consideration were men (ADB 2018).

According to ADB (2018), energy issues in Nepal, as in many other countries, are gender “neutral”, with no linkages to gender equality and social inclusion outcomes. The Asian Development Bank (2018) further notes that the legal and policy framework governing the energy landscape is largely silent on recognizing gender equality and social inclusion as an important component while words such as “gender”, “women”, “poor”, “excluded”, and “marginalized” are rarely mentioned in policy documents, with some exceptions, the Rural Energy Policy, 2006 (ADB 2018) for example. This policy promoted the use of clean technologies including micro/mini hydropower, biogas, improved cooking stoves, water mills, and solar energy systems with women as the primary beneficiaries. The promotion of these technologies aimed to improve both women and children’s health and quality of life, reducing the time spent collecting wood for fuel and allowing Nepali women, particularly in rural areas, to pursue employment and education opportunities (ADB 2015). Although the policy has been credited as progressive, it has been criticized for failing to recognize and address the impediments women face in accessing the benefits generated by rural energy technology projects, including employment or influencing decisions made by user committees and construction companies (ADB 2015). A marked shift in policy approach came in 2013 with the Subsidy Policy for Renewable Energy 2013 (Ministry of Science, Technology and Environment 2013), which emphasized equitable economic growth for both men and women through the enhanced productive use of renewable energy technologies and the employment of rural women. This also included subsidies³² for single women-headed households and disadvantaged groups.



All of the 66 technicians in the six districts under consideration were men

Despite some progress in women’s increased ownership of and access³³ to such technologies through programs such as the NRREP under AEPC between 2012 and 2013, ADB notes that women’s ownership of renewable energy technologies remains lower than men’s, mainly due to a lack of financial resources, information, training, and poor representation in decision-making at all levels of the energy sector (ADB 2015).

With the end of the NRREP program in 2017, AEPC formulated a GESI policy in 2019 to implement renewable energy programs in rural Nepal. This policy requires all renewable energy programs (solar, biogas, micro hydro) that are implemented to specifically target women and socially excluded groups, empowering them to improve their livelihoods. In the context of gender mainstreaming within the state utility Nepal Electricity Authority (NEA),³⁴ a survey for an ADB-led technical assistance program revealed that women in the NEA account for about 10 percent of employees, with no representation at senior management and with the majority working either as support staff or assistants.³⁵ However, efforts are underway, for example, through the World Bank \$100 million energy sector loan, under the Energy Development

³² The policy provided for a subsidy of 2,500 to 4,000 Nepalese rupees (\$23.63 to \$37.81) per household for single women-headed households and other disadvantaged groups.

³³ Between 2012 and 2013, rural women’s share of renewable energy technologies reached 55 percent for solar home systems, 62 percent for small solar systems, 55 percent for improved cooking stoves, and 52 percent for biogas (NNREP 2014).

³⁴ Private sector and the NEA have been developing hydropower projects larger than 1 MW. Projects less than 1 MW come under the renewable energy program of AEPC. Although hydropower is called renewable energy, more than 1 MW of hydropower projects are categorized as small (<25MW), medium (25 MW to 100 MW) and large (>100 MW).

³⁵ Centre for Rural Technology, Nepal. TA 9334-NEP: Strengthening the Capacity of the Energy Sector to Deliver Gender Equality and Social Inclusion Results. <https://crtnepal.org/project-single/?id=2936>.



Photo: International Finance Corporation.

Three friends catch up on their homework from electricity sourced from hydropower.

Policy Credit, to ensure NEA recruitment policies incorporate GESI guidelines with hard targets for achieving a staff structure that includes ‘45 percent of women and socially excluded groups, of which 33 percent is targeted for women in new NEA recruitment’ (World Bank 2019a).³⁶ This reflects provisions in the Civil Service Act that was amended in 2007 requiring 45 percent representation of women. This quota system is credited with a threefold rise in the recruitment of women in the civil service from 8 percent in 2008 to 23 percent in 2018.³⁷

In Nepal’s private hydropower sector, however, there is limited literature to substantiate gender mainstreaming. Shrestha *et al.* (2016) find that women were neither consulted nor invited to public consultations and stakeholder meetings, despite women sharing the impacts of hydropower development equally and/or possibly more than men. Shrestha and Crootof (2018) further find that the most tangible benefits for women as project beneficiaries have been through improved water and irrigation supply as it has reduced menial work and improved livelihoods in the project-affected areas.

The Hydropower Environment Impact Assessment Manual, published by the Ministry of Forests and Environment (MOFE) in July 2018, provides guidance for all hydropower companies to undertake assessments that include gender impacts, gender-disaggregated socioeconomic baselines and identify mitigation measures as part of the EIA.

In conclusion, policies are in place in the renewable energy sector targeted at women and marginalized communities with some efforts to mainstream gender in programs. However, for hydropower development, apart from when companies are seeking international financing, deliberate efforts at gender mainstreaming by private or public companies remain largely nonexistent.

³⁶ World Bank Group 2019a. Program Information Document (PID) Second Programmatic Energy Sector Development Policy Credit (P170248). <http://documents.worldbank.org/curated/en/6866601562485306784/pdf/Concept-Program-Information-Documents-PID-Second-Programmatic-Energy-Sector-Development-Policy-Credit-P170248.pdf>.

³⁷ Prithvi Man Shrestha, *More women are applying for civil service, but recruitment still favours men*, November 9, 2018, The Kathmandu Post. <https://kathmandupost.com/national/2018/11/07/women-in-civil-services-up-by-15pc-to-23pc>.

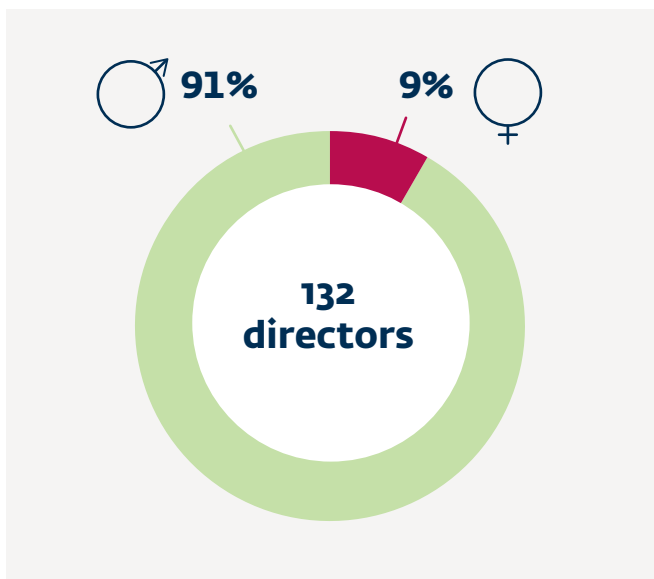
3. Discussion and Findings on Gender Profile Exercise with Companies in Nepal

Interviews for participating companies in the study were structured around questions that focused on four entry points: women as leaders, women as employees, women in non-traditional jobs, and women as community stakeholders. The key findings of the gender profiling exercise are grouped according to the entry points mentioned above.

3.1 WOMEN AS LEADERS

Figure 3 shows that women’s representation on boards is small in comparison to men. Of the 20 companies, there are 132 directors, out of which only 12 (9 percent) are women.

Figure 3: Gender-disaggregated data of board of directors in companies



The amended Companies Act 2006 (86(2)) stipulates that, “there shall be at least one female director in the boards of public companies with one or more female shareholders”. However, this is not the case in all public hydropower companies. Only three out of ten public companies that participated in the study have women on their board of directors. Private companies do not have such a requirement.

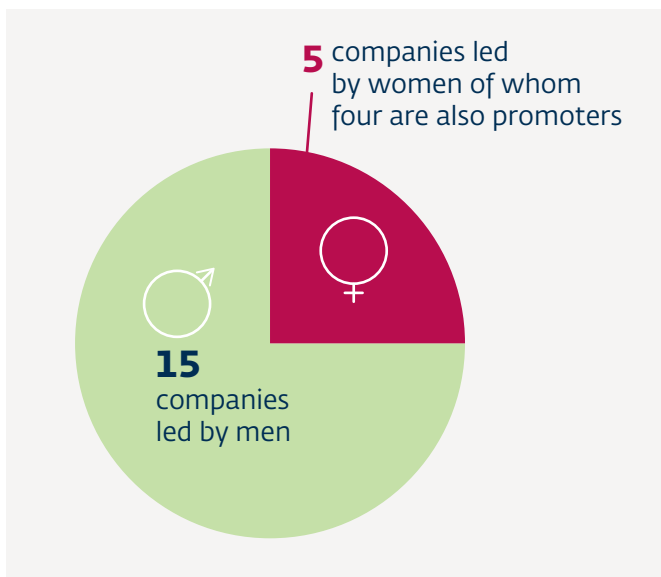
Senior management in interviews expressed diverse reasons for this. The primary reasons expressed were a lack of asset ownership and financial empowerment that hinder women from becoming shareholders, as reflected by the female chief executive chairman of Kalinchowk Hydropower Company: “Women do not have property ownership or decision-making powers to use their assets for investment.” She added that 20 percent of Nepali women have ownership over property (also mentioned in NPC 2016 and World Bank 2019a), however they cannot make decisions about this property due to restrictions imposed by traditional hierarchies within the family and cultural norms. This was a view also expressed by the CEO of Rairang Hydropower Development Company Limited who remarked: “Leadership positions within companies generally come with share strength, which is possible if women inherit family businesses.”

There is also a perceived lack of availability of capable women candidates as the law mandating one female representative on the board of public companies has been challenging for companies to meet. The CEO of Butwal Power Company (BPC) Limited shared that: “While provisions for a female board director exist, there has been no candidature from a female shareholder in all our elections till date.” The CEO at Sanjen Jalvidhyut Company Limited remarked, “Unfortunately, apart from one female director currently on our board, we have not found any other women leaders who are available to take up leadership positions in the sector.”

But how much of an impact does a seat on the board really make? Research indicates that it takes at least three women on a board to reach a ‘critical mass’ to change boardroom dynamics substantially and create an environment where innovative ideas and improved performance are as a result of gender diversity.³⁸ Studies carried out in Sri Lanka (IFC 2019d) and Lebanon (IFC 2019e) further demonstrate how gender diverse boards are linked to better financial performance and can enhance organizational and human capital benefits. Research also indicates that low numbers of women on a board or in executive positions often means their voice is not always

³⁸ Catalyst 2020. The benefits of gender-balanced boards. <https://www.catalyst.org/research/women-on-corporate-boards/>. <https://www.catalyst.org/research/women-on-corporate-boards/>.

Figure 4: Companies led by women



heard (Ernst & Young 2014). This view is supported by Nepali women executives, including the female director of Ruby Valley Hydropower Company who said: “*One woman on the board is like filling a checkbox. Little value is given to the voice of a female board member.*” Other female executives echoed this sentiment, generally feeling their opinions are accorded little importance, but if the same opinions come from men they are heard.

Of the 20 companies that took part in the survey, five companies are led by female executives, four of whom are also investors (promoters) in their companies. This is reflective of the global representation of women in top leadership. According to Fortune 500 companies list³⁹ (2019 data), only 6.6 percent of CEOs are women. However, given the recent entry of female executives/investors in Nepal’s hydropower sector over the last four to five years, this may be an encouraging sign for gender diversity in the future.

Women’s representation in leadership roles within companies is also low. Leadership positions refer to women who are in decision-making positions or heading departments or projects and leading teams (excluding board directors). Thirteen women

occupy leadership positions with between five to 12 years of previous experience in the sector. Most have reached their present position through performance-based promotions over the years and state they receive adequate support from both male colleagues and senior management.

3.2 WOMEN AS EMPLOYEES

The hydropower sector is largely male-dominated, as shown at Figures 4 and 5. Out of 1,535 employees, only 155 (10 percent) are women.

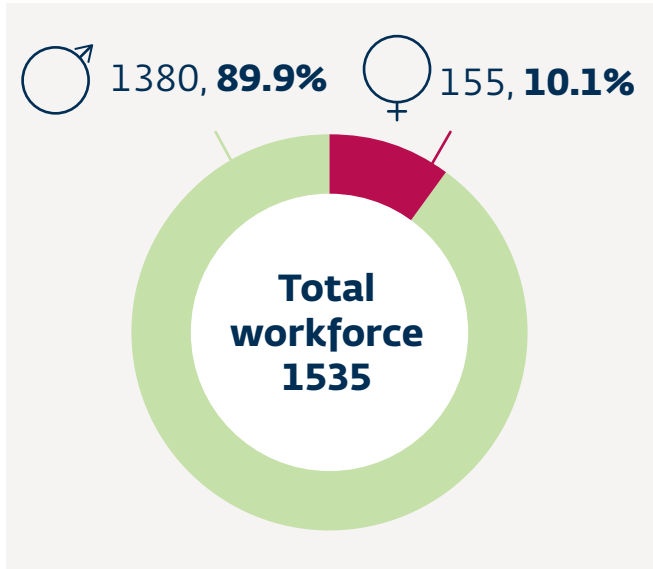
Out of 155 women employed in the hydropower sector in Nepal, 13 occupy senior executive and managerial roles (four are also board directors) while less than 50 women occupy junior to mid-management positions. This is comparable to the finding of Ernst & Young (2014), which states that globally women are mostly employed in junior and middle management.

Women in junior to mid-management positions are employed as officers, senior officers, supervisors, and assistant managers. Focus group discussions with women employees at different companies reveal mixed opinions on the opportunities to grow professionally. Companies that have international investments generally have HR policies that clearly set out provisions for promotion. Similarly, companies that are established also have clear policies on career development and promotion. In contrast, companies that are newly set up, with a workforce of less than 20 people, often lack HR policies for staff development and/or promotion.

Four departments often common to companies include: Administration/HR, Finance/Accounts, Engineering/Technical, and Environment/Social. Figure 6 shows low representation of women in all departments compared with men. Representation of women in the engineering/technical department is particularly low: only 5 percent (35 out of 625 as of February 2020) of women are in engineering jobs representing seven of the 20 companies.

³⁹ Fortune 500 2019. <https://fortune.com/2019/05/16/fortune-500-female-ceos>. (Accessed on 11/20/2019).

Figure 5: Gender-disaggregated workforce



As other research (Aung *et al.* (2017) and IRENA (2019b) shows, the gender profile exercise also indicates that more women are employed in administration jobs, followed by the finance/accounts department. Only one company has four women staff in the environmental/social department.

All companies that participated in this study report that they adhere to the Labour Act 2017. According to this Act, companies cannot discriminate on the basis of gender, caste, creed or religion when hiring employees. The Act further mandates equal pay for equal work and secures women’s right to two months of paid maternity leave and one month of unpaid maternity leave. In the case of pregnant women, the Act stipulates that the employer should accommodate duties that suit her physical condition. However, the Act does not address gender balance within the workforce.

Figure 6: Gender-disaggregated employees by type of role and department

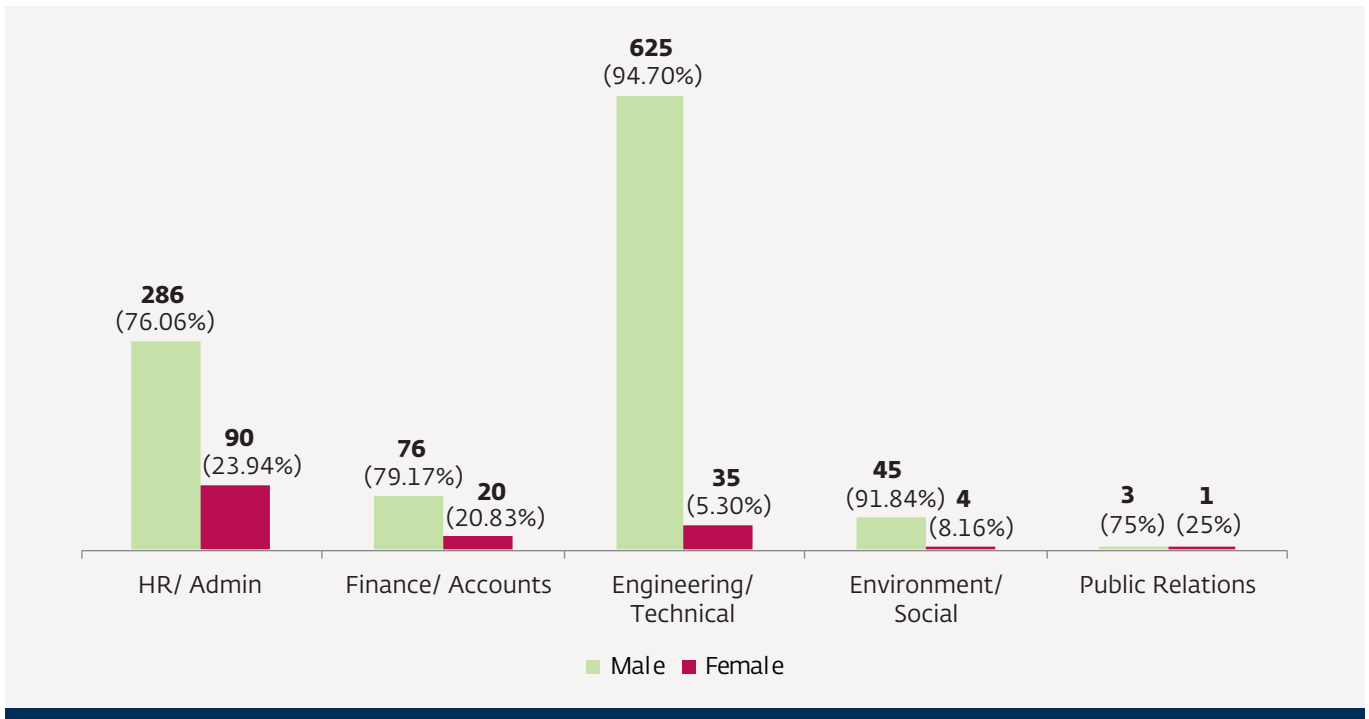
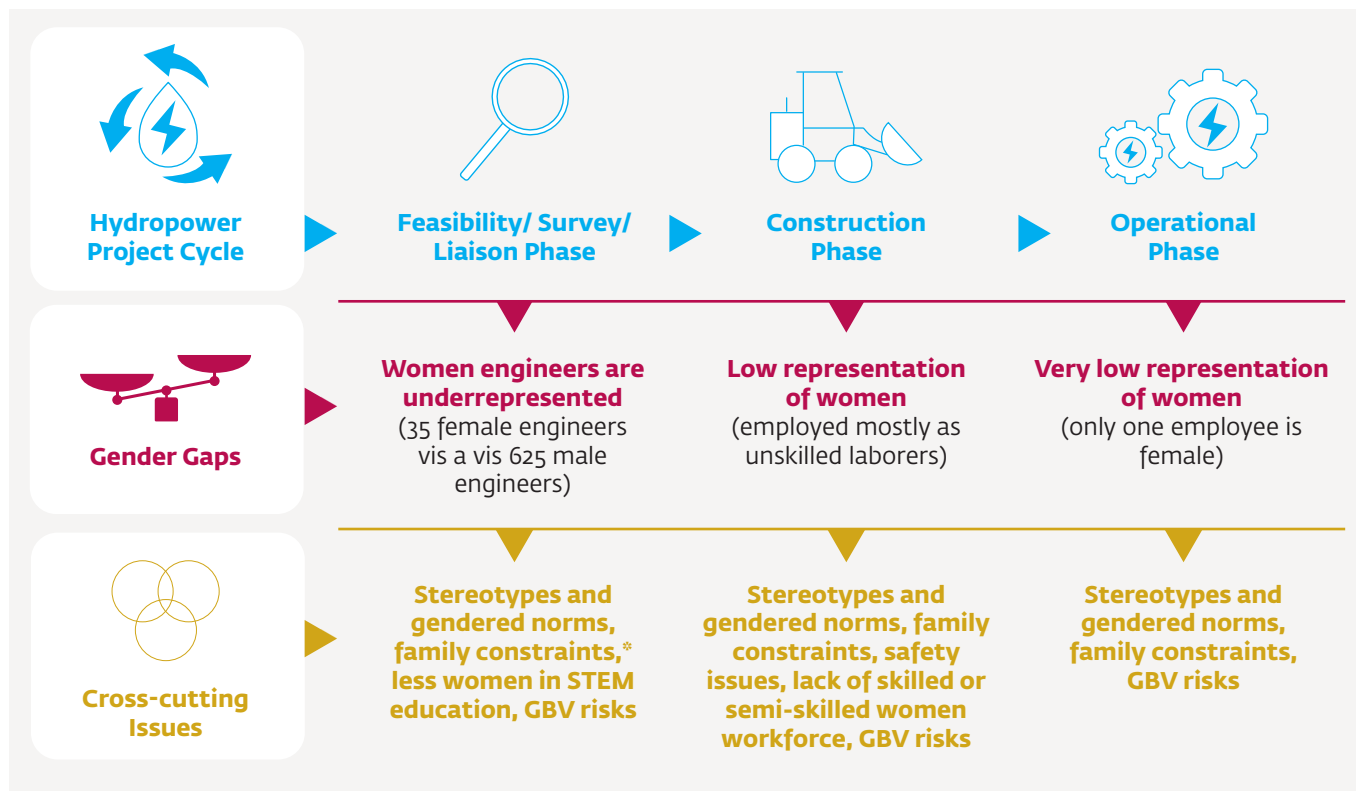


Figure 7: Gender gaps and cross-cutting issues in the hydropower project cycle



*Family constraints can include unfair division of labor for women within households, lack of family support and occupational segregation of gender.

Focus group discussions with women did not reveal any knowledge of unequal pay for equal work between men and women. Only five companies have their own HR policy while the majority rely on the Labour Act 2017. Those with international investments or financing⁴⁰ have individual gender-friendly policies in place. For example, Nepal Water and Energy Development Company (NWEDC) provides three months of paid maternity leave and nine months of unpaid maternity leave. Himal Power Limited (HPL) has a playground and school for children of employees at the project office. Similarly, some companies provide flexible work breaks to accommodate

breastfeeding for nursing mothers. Butwal Power Company, one of Nepal's pioneer hydropower companies, extends additional support to female employees by allowing them to take a travel companion when traveling to project sites who can also stay at the project site accommodation for a nominal charge.

Figure 7 shows the different phases of the hydropower project cycle, participation of women in these phases and cross-cutting issues for the lack of women participation in the sector (based on data of 20 companies).

⁴⁰ Companies relying on international financing have to comply with good international industry practices.

3.2.1 Women in Non-Traditional jobs

Women in non-traditional jobs⁴¹ occupy 5 percent of technical/engineering roles including 35 engineers, a plant manager and three security guards across 20 companies (see case studies below). More than half, out of the 35 women engineers, are employed at one consulting company where they are design engineers. Companies acknowledge a high turnover of skilled workers, with many talented female employees leaving after marriage or switching to similar professions in the public sector. The pull towards the public sector is attributed to better facilities and long-term job security for women. Most of the companies that participated in the study, however, have not taken any steps towards trying to develop and retain talent. One company that had invested resources had not been successful in retaining a female worker.

In the hydropower project cycle, the initial phase requires experts such as engineers, geologists, surveyors, hydrologists, and legal officers - these positions are not traditionally held by women.

The feasibility phase requires extensive travel to remote project sites. Although not explicitly expressed by companies, the physical safety of female employees at project sites is a significant concern. Many female staff avoid any travel to the field. One company addresses the issue of safety by allowing female staff to take a male chaperone and provides free transport.

Companies reported a lack of provisions for any orientation, trainings or policies on GBV prevention at the workplace or at the project sites. Although there was acknowledgement around the increased risks of GBV with the inflow of male workers in large numbers, companies reported no knowledge of such incidents at their project sites. They further reported, that it was their understanding, that the outsourcing of all construction activities shifted the onus and responsibility of the construction workforce to contractors and sub-contractors. Only companies with international financing extended safeguards such as company codes of conduct, respectful workplace policies and anti-GBV policies into their engineering, procurement and construction contracts with contractors and sub-contractors.

During focus group discussions with the company with the highest number of women engineers, it became clear how a progressive management that actively encourages the intake of women engineers draws increasing interest from women applicants, contributing to a growing cohort of women engineers within the company. Additionally, women associated this peer group support with a more positive environment at the workplace. Discussions with women in technical positions across 20 companies revealed women employees feel more anxious when travelling to remote areas for survey work as concerns around personal safety and a lack of basic infrastructure (access to toilets and sanitation) undermine their ability to do their jobs effectively. If companies worked to address such issues, employees felt there would be an increased number of women in technical roles in the field. This also comes with net positive effects at the project and community level. A project saw zero conflict with local people after a woman was appointed as the plant manager, because this fostered an environment based on openness, trust and integrity (see Box 1). Similarly, another participant shared how, *“an entire village had come down to see her when word spread that a woman engineer was leading a team of men.”* Another case showed how a woman security guard broke all gender norms and paved the way for more women to join the workforce (see Box 2) helping inspire confidence in girls and women within the community. The need for more women as role models to help set precedence to break gender stereotypes is viewed as critical by the executives of all 20 companies.

⁴¹ Non-traditional jobs in the hydropower sector are roles not traditionally held by women such as engineers, plant managers, geologists, hydrologists, technicians, construction supervisors, electricians, heavy equipment operators, masons, drivers, and security guards.

National Hydro Power Company's (NHPC) Indrawati hydropower project site, which is in its operational phase, is managed by a female engineer (project in-charge) who was promoted from her role as an operational engineer after a

six-year stint. The company leadership's attitude towards gender diversity is playing a strong role in developing and retaining female talent.

BOX 1: WOMEN IN CHARGE

"This is a place where men from the local community were pretty hostile to the former project in-charge who was a male. But the community people have shown me compassion; they respect me and are gentle towards me. This may be because I am a woman."

- Manolack Bouphasiri Shrestha

The 7.5MW Indrawati III hydropower plant is managed by Manolack Bouphasiri Shrestha, a dynamic and soft-spoken project manager, who credits her ethics, hard work, precision for detail, and no-nonsense attitude for getting senior management to recognize and respect her contribution to the company.

Originally from Lao PDR, Manolack feels more at home in Nepal, where she has now lived for over 17 years. She is probably the only female engineer to date overseeing a hydropower project site in Nepal.

She joined the project in 2012 as an operational engineer and continued working in the same role until she was offered the project in-charge position in 2017, following the departure of the previous manager.

Since she took over, she has banned alcohol at the project premises, installed CCTV surveillance to enhance staff safety and requested Internet and television facilities for project staff. As a result, disrespectful workplace behavior has decreased while staff productivity has increased.

Kumar Pandey, the executive chairman of the company agrees: *"After having a woman project in-charge, there have been no goons entering the plant and disturbing the project function, this is a good thing for the project."*

Manolack also observes the importance of family support in helping women to take up non-traditional roles in physically challenging environments:

"I was always active and wanted to work. I was able to be stationed at the project site due to the support from my husband and his family. However, at the end, it is my self-determination, confidence, and proactiveness which help me continue to do this job."

- Manolack Bouphasiri Shrestha



Photo: NHPC.

Manolack Bouphasiri Shrestha, project-in-charge, Indrawati III Hydropower Project.

A significant challenge raised by companies, however, is related to staff retention. The CEO of Hydro-Consult Engineering Limited said: *“There is a high turnover of men and women employees (aged 23 to 28) for further education, marriage, family and foreign employment.”*

As men tend to migrate for better opportunities and work abroad, there is a shortage of skilled and semi-skilled workforce. The executive chairman of High Himalaya Hydro Construction Private Limited (3HC) identified a huge shortage of skilled human resources such as engineers, geologists and semi-skilled resources such as surveyors, supervisors, operators, mechanics, electricians, foremen, mason, welders, and carpenters.

There is, however, an opportunity for this gap to be filled by women. Companies stated they are able to recruit women in these roles, but the general expectation is that they should already be qualified. This is despite acknowledgement that there is a lack of women with technical skills. There has been no dedicated effort from any of the 20 companies to train women in non-traditional jobs and semi-skilled work, although some appear willing to invest in their employees training assuming it is at scale and logistical expenses are paid for (either by the employee or third parties such as government and/or donor programs).

The executive chairman of 3HC said: *“Over half of the population of the country are women. If women are properly and adequately trained, then there is enough space for a job in this sector. If women participate in good number (more than 50), then accommodation, security, the working environment will not be an extra cost for the company.”* Similarly, the executive chairman of National Hydro Power Company Limited said: *“Numbers matter when integrating women into the workforce. A small number means extra cost for logistics and security for the company. For larger numbers, the cost is justified.”* This view was also shared by other companies. The finance and administration executive of Union Hydropower Limited felt that: *“On-the-job training programs with the help of local and international development organizations could develop confidence and experience of the women in the*

workforce.” However, others like Nilgiri Khola Hydropower Company Limited are already recruiting fresh women graduates for roles in Administration/Human Resource (HR) and Finance and providing on-the-job trainings.

Meanwhile, some of the smaller companies led by women executives are contemplating several initiatives targeting women in the communities. These include setting up a women’s workforce cooperative that can supply labor during construction, supporting small agri-businesses to scale up and initiating skills enhancement trainings and enterprise development programs aimed at boosting incomes and generating new employment.

One hydropower executive said: *“Very few women are found to be working during the construction phase as unskilled laborers in hydropower projects as construction-related work can be physically and mentally demanding.”* However, Nilgiri Khola Hydropower Company Limited has outsourced the construction of a project road to a company that is led by a woman, which Nilgiri feels has enabled the employment of more women in construction work. There is a common perception that women cannot do work that is physically and mentally demanding, however, other companies feel a change in mindset is required. The executive director of Solu Hydropower Private Limited stated that: *“Most jobs are possible for women, and, in fact in many cases they perform better than men.”* This view is supported by the CEO of Hydro-Consult Engineering Limited. According to his experience, *“Women employees are found to be more sincere towards their job, are keen on taking new responsibilities and can maintain a better work life balance.”* In Solu Hydropower Private Limited, women are employed as security guards and they are performing better than some of the men. The female security guards interviewed reported that they received encouragement and support from senior male staff and that they were happy in their job. This initiative was supported by the project’s international financier Nederlandse Financierings-Maatschappij voor Ontwikkelingslanden (FMO Netherlands) who has also suggested the company explore opportunities to employ more women in the project.

By hiring female security guards, some companies are also able to improve cultural acceptance and reduce tensions particularly when situations demand frequent interactions between guards and women from the community. The demeanor and conduct

of security staff in relation to the local population usually reflect directly on the company and has the potential to affect company-community relationships positively or negatively (IFC 2017).

BOX 2: WOMEN IN SECURITY



Photo: Solu Hydropower Private Limited.

Rabina Biswokarma, security guard,
Solu Hydropower Private Limited

Armed with only a high school diploma, Rabina Biswokarma wanted to become a security guard at the 82MW Lower Solu site, like men from her village. But she was discouraged by friends and relatives who said, ‘only men do security’.

Not someone who gave up easily, she made her way to Kathmandu and attended security training with a loan of 25,000 Nepalese rupees, which she borrowed from her family. Following the training, she went to the project office and asked if she could get a job – at the time the project was being advised by its lenders to encourage a more gender diverse workforce.

Rabina got the job and performed so well that she received a salary increase and a promotion.

“I have proved men wrong who said women cannot do a security guard job. I am very happy that I have this job and I am grateful for the encouragement I get from my supervisors.”

- Rabina Biswokama

This inspired three other women in the village who wanted to work in security like Rabina. They contacted the company who assured them that they could get a job provided they had the requisite training. All three women went to Kathmandu, attended training at their own expense, and came back to the project with certificates showing they had successfully completed the course. The project recruited all three women who are now in charge of daytime security while men undertake night-time duty.

According to the company:

“Women are outperforming male security guards. Male guards sometimes do not follow the rules to the letter; women security guards are more serious in implementing the rules.”

This helps the company to accurately determine the location of equipment and maintain standards.



Photo: International Finance Corporation.

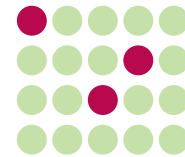
Indigenous women pose following a stakeholder consultation organized by the 216MW Upper Trishuli-1 hydropower project in Rasuwa.

3.3 WOMEN AS COMMUNITY STAKEHOLDERS

According to the National Environmental Impact Assessment (EIA) Guideline (MOFE) 1993), and the recent Hydropower Environmental Impact Assessment Manual (MOFE 2018), the EIA should include a gender-disaggregated, socioeconomic survey and a baseline to inform a gender needs assessment including the identification of mitigation measures. Any community development program should engage with community stakeholders including women to share project impacts and benefits through public hearings and ongoing stakeholder consultations during the feasibility study, construction and operation phases and throughout the project cycle.

Out of 20 companies, only three companies have conducted separate consultations with women stakeholders. Out of the three, two are projects with foreign direct investments that also undertook gender impact assessments.

Only one hydropower company has women employees in the environmental and social department. Meanwhile, others like Nilgiri Khola Hydropower Company Limited are paving the way as they have a female public relations/liaison officer on board. However, none of the 20 companies have female stakeholder engagement officers at their head office or at the project site. Having more women in such roles could support in building an environment of trust at the community level and



Out of 20 companies, only three companies have conducted separate consultations with women stakeholders

further enhance the participation of women in sensitive discussions around topics such as women’s health, GBV – where culturally, women may be less likely to share concerns with men at stakeholder meetings – informing the design of mitigation plans from a gender perspective. The Director of Nilgiri Khola Hydropower Company Limited shared seeing first-hand the benefits of a woman employee leading and chairing such community meetings and how this “*encouraged women in the community to open up to share their questions and concerns around the project and ensured a smooth stakeholder engagement process.*”

4. Exploring Possible Entry Points for Gender Diversity in the Hydropower Sector

The findings of the study point towards a number of challenges for women in the workplace in the hydropower sector. The challenges are separated into three levels: **corporate**, **project** and **community** followed by key entry points that cut across each of these levels. (see Figure 2 page IX.)

Corporate level challenges

- Lack of gender-friendly policies that ‘pulls’ talent towards companies; instead ‘pushes’ existing talented staff to other competitive sectors (public sector in this case).
- Lack of mandated or non-mandated targets for diversity in board representation in private companies.
- Lack of career development plans, mentorship, strategic investments in employee development, succession planning and trainings for growth within the company to develop leadership skills and retain talent.
- Gaps in translating intent of senior executives to promote gender diversity into clear, actionable commitments.

Project level challenges

- Lack of gender-friendly policies exacerbate fears around GBV risks especially for women staff, which can impede field work and hinder or undermine effective job delivery.
- Issues around transport, safety and lack of auxiliary services like childcare facilities and flexible work impede women’s ability to work and perform at the project level.
- Limited opportunities for women to find jobs in non-traditional sectors.
- Uncertain costs and resources associated with training women in non-traditional skills to be recruited as project staff (public information officers or security guards for example).



Community women in Gorkha participate in a focus group discussion.

Photo: International Finance Corporation.

Community level challenges

- Inability to mainstream gender in project activities, collect gender-disaggregated data and undertake gender assessments to inform the design of plans despite requirements for this under the Hydropower EIA Manual (2018).
- Gaps in undertaking effective consultations with women community members during stakeholder outreach processes, which are often led by men rather than women employees.
- Failure to pay serious attention to GBV issues that may increase the risk of GBV occurring and encouraging cover-ups that come with reputational costs.
- Uncertain costs and resources associated with training women in non-traditional roles to be absorbed by projects (for example, masons, carpenters, heavy equipment operators, mechanics, electricians, foremen, and welders).

There is overwhelming literature and evidence that gender-sensitive and family-friendly policies such as childcare, respectful workplaces and flexible work contributes to boosting staff productivity, supporting business growth and in attracting and retaining talented employees. (IFC 2019). The following entry points that include targeted interventions present numerous opportunities for companies to promote a vibrant, gender diverse workforce. The recommendations below are presented as key entry points at the corporate, project and community level.

Corporate level entry points

- Developing an overarching HR policy that integrates and formalizes current ad-hoc benefits to improve gender equality to ensure clarity, consistency and equal treatment for all staff.
 - Integrating gender-sensitive policies such as flexible working hours and childcare to support working parents to balance their work and family responsibilities and thereby increase staff retention and reduce absenteeism and turnover.
 - Adopting a respectful workplaces program⁴² that addresses workplace bullying and sexual harassment so that clear boundaries are set and both men and women can speak and act freely without fear of harassment or reprisals. This should include extending support to employees affected by sexual and domestic violence and preventing sexual abuse and exploitation connected to the workplace.
 - Adopting occupational health and safety guidelines⁴³ to address concerns around staff safety.
- Incorporating career development planning, mentoring and training activities into HR plans that are informed by gender, equality and social inclusion (GESI) principles. These plans should include tailored and targeted interventions, trainings on leadership and communications, webinars to support women's advancement into leadership positions in the company or at the project site, adoption of gender-sensitive recruitment processes, and support to companies to initiate on-the-job trainings for women employees, ensuring there is equitable access to such trainings and services.
- Setting mandatory or non-mandatory targets for diversity in board representation that is supported by robust recruiting efforts to attract talented women directors.
- Awareness building on gender bias and the importance of diversity for senior management, in the process identifying male and female personnel that will champion the *Powered by Women* initiative across the board.

- Identifying opportunities for leadership and communications trainings to boost women's representation in leadership in companies.

Project level entry points

- Extending corporate policies to the project level and installing robust reporting, investigation and support mechanisms that are shared horizontally and vertically across the corporation. For example, the respectful workplaces program, which include a code of conduct for companies and their staff, will integrate and address GBV-related concerns while the community health, safety and security guidelines will address project challenges around safety and security⁴⁴ and the childcare policy will assist staff to balance work and family responsibilities.
- Embedding gender specialists and female staff within the environmental and social safeguards team to be deployed in the field and lead community consultations.
- Training for company staff, environmental impact assessment (EIA) consultants and the government on the effective collection of gender-disaggregated data and gender mainstreaming in project assessments (EIAs) and in management plans or livelihood restoration plans that include opportunities for investment in developing STEM-related skills. The training will introduce requirements for gender-disaggregated data under the Hydropower EIA Manual and use of this data to inform project design.
- Identification of opportunities for more women in non-traditional jobs, such as engineers or technical managers, by learning from existing and/or regional/international experiences.
- Exploring opportunities to invest in non-traditional skill development trainings for women to be recruited as project staff (for example, security guards and public information officers, among others).

⁴² Respectful Workplaces: Exploring the costs of bullying and sexual harassment to businesses in Myanmar. IFC 2019. https://www.ifc.org/wps/wcm/connect/d54116ba-c277-47fa-aa53-f6a3f2fecof4/IFC_RespectfulWorkplaces_ENG_full_report.pdf?MOD=AJPERES&CVID=mCjOJxb.

⁴³ IFC 2007. Environmental, Health, and Safety (EHS) Guidelines. <https://www.ifc.org/wps/wcm/connect/1d19c1ab-3ef8-42d4-bd6b-cb79648af3fe/2%2BOccupational%2BHealth%2BAnd%2BSafety.pdf?MOD=AJPERES&CVID=ls62x8l>.

⁴⁴ IFC 2007. Guidance Note 4 Community Health, Safety and Security. https://www.ifc.org/wps/wcm/connect/c7f84508-d39e-43ec-9719-1873e91aa8e1/2007%2BUUpdated%2BGuidance%2BNote_4.pdf?MOD=AJPERES&CVID=jqeAWoe.



Photo: International Finance Corporation.

A woman tailor in Solukhumbu looks at the camera while her husband works in the background.

Community level entry points

- Incorporating gender-responsive facilitation and techniques and gender equality tools⁴⁵ during stakeholder engagement and data collection and advocating for women in roles such as village/committee representatives.
- Strengthening GBV-related reporting mechanisms, local referral mechanisms and increasing community awareness on GBV risks and responses.
- Supporting women-led businesses with customized training and advisory support to facilitate access to finance.
- Exploring partnerships (with technical institutions, government, non-governmental organizations) to train women in non-traditional roles to be absorbed by projects (for example, masons, carpenters, heavy equipment operators, mechanics, electricians, foremen, and welders).

And, some opportunities to showcase good practices and attract new talent

- Featuring good practices in the media.
- Internships targeted specifically at women graduates.
- Organizing exposure visits for young women students to hydropower projects.

⁴⁵ Incorporating gender equality tools includes identifying and assessing the social, legal and cultural context for women; ensuring access for women to communicate issues to the project and for the project to effectively communicate issues to women; exploring benefits the project provides other than the project services; and ensuring project design incorporates gender needs and incentives for women participants to protect their interests.

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Annexes

ANNEX 1: LIST OF PARTICIPATING COMPANIES

1. Butwal Hydropower Company (BPC) Limited
2. Chaudhary Group (CG) Energy and Infrastructure Private Limited
3. High Himalaya Hydro Construction Private Limited (3HC)
4. Hydro-Consult Engineering Limited
5. IDI Hydropower Company Private Limited
6. Independent Power Producers' Association, Nepal (IPPAN)
7. Kalinchowk Hydropower Company Private Limited
8. Himal Power Limited
9. Lower Erkuwa Hydropower Company Private Limited
10. Solu Hydropower Private Limited
11. Madame Khola Hydropower Private Limited
12. National Hydro Power Company Limited (NHPC)
13. Nepal Water and Energy Development Company (NWEDC) Private Limited
14. Nilgiri Khola Hydropower Company Limited
15. Rairang Hydropower Development Company Limited (RRHP)
16. Ruby Valley Hydropower Limited (RUBY VALLEY)
17. Sanima Group of Companies
18. Sanjen Jalavidhyut Company Limited
19. Union Hydropower Limited (UNHPL)
20. White Lotus Power Private Limited (WLP)

ANNEX 2: LITERATURE REVIEW: GENDER-BASED VIOLENCE, LARGE- SCALE INFRASTRUCTURE AND HYDROPOWER DEVELOPMENT IN NEPAL, MAY 2020.

Introduction

Hydroelectric power ('hydropower') is the biggest source of renewable electricity supply globally (Hancock, and Sovacool 2018) and a development priority in Nepal (IFC 2016). However, few studies offer a comprehensive analysis of large-scale infrastructure development, including hydropower as it relates to GBV. Where gendered impacts of such projects are recognized in research, GBV is not commonly nor deeply explored. In addition, most studies to date that focus either on policy or community impacts miss opportunities to consider how companies can respond to and benefit from mitigating GBV risks in the construction of dams. The available research confirms that the nexus of large-scale hydropower development and GBV is rooted in, and exacerbated by, existing patriarchal structures whereby women are subordinate to men.

Despite hydropower's potential for improving access to water resources for food production and energy generation for domestic use (World Commission on Dams 2000), large hydropower projects have resulted in the displacement of whole communities as rivers are dammed and surrounding villages submerged (Hill *et al* 2017). It is estimated that between 40 and 80 million people globally have been forced to move and reestablish their homes and livelihoods as a result of large-scale dam projects (Hill *et al* 2017). Such substantial population changes result in marginalized people bearing the brunt of the social costs of large-scale hydropower (World Commission on Dams 2000).

What are the Social Norms/Root Causes of GBV in Nepal?

Several studies from around the world suggest that the gendered impacts of large-scale hydropower projects aggravate existing, disparate power dynamics between men and women (IFC 2016; Heiskel 2016; World Bank 2017; World Commission on Dams 2000). Existing disparities include:

- The exclusion of women and marginalized people from participating in public life, including decision-making mechanisms related to large-scale development projects.
- Gender-differentiated land tenure and inheritance laws and practices.
- The prevalence of IPV disproportionately committed by men towards women.
- Non-existence of laws (or weak implementation of them) to prosecute perpetrators of GBV and other acts of gender-based discrimination (World Bank 2017).

An extensive body of literature (see for example: Clark *et al* 2019; Forest People's Program 2012; International Federation of Red Cross and Red Crescent Societies 2017; Shrestha *et al* 2016) details the ways in which the repercussions of these gender dynamics manifest in Nepal:

- Women have fewer economic assets and less access to finance compared to men.
- Women have higher rates of illiteracy and a limited knowledge of legal rights and support services compared with men.
- Harmful practices in some rural parts of the country impinge upon girls' and women's rights (although these are criminalized (UN CEDAW, 2018)). *Chhaupadi* (menstrual taboo practices) and *Deuki* (a western Nepalese practice of families gifting a daughter to a temple) are banned traditions but are still practiced. A number of other harmful practices not criminalized are still practiced. These include: *Kumari* (the virgin goddess) which is practiced by the Newar ethnic group of Shakyas in the Kathmandu Valley; *Jhuma* whereby the second daughter is offered to a monastery; and *Badi*, the practice of sex work among women of a low sub-caste community (UNCRC 2016).

In relation to GBV and IPV,⁴⁶ studies undertaken in Nepal point to a number of individual risk factors which include (Clark *et al* 2019; Government of Nepal Office of the Prime Minister and Council of Ministers, 2012):

- Financial stress between couples, including from male unemployment
- Alcohol consumption
- Frequent quarrelling between couples
- Experience of violence perpetrated by in-laws in the previous 12 months
- Exposure (of victim/survivor and/or perpetrator) to family violence⁴⁷ in childhood
- Living in temporary shelter following the 2015 earthquake (UN CEDAW, 2018).

A recent global study (Bhalotra *et al* 2020) correlated an increase in violence against women by 0.50 percentage points (2.75 percent) with a 1 percent increase in the male unemployment rate. This correlation is associated with financial and psychological stress stemming from unemployment (Bhalotra *et al* 2020). As Nepal is experiencing a downturn in its tourism industry and reduced foreign remittances as a result of the COVID-19 pandemic (Schneiderman *et al* 2020), it is anticipated that male unemployment may contribute to a surge in GBV (see section ‘How are the Risks of GBV Heightened because of the COVID-19 Pandemic?’).

These risk factors are compounded for women who are marginalized or experience multiple forms of discrimination. Dalit women, indigenous women, women belonging to religious minority groups, women living with a disability, women living in remote areas, lesbian, bisexual and transgender women, intersex persons, and displaced and migrant women are among those identified as having an amplified susceptibility to GBV (UN CEDAW, 2018). These risks are expected to be heightened during the current COVID-19 pandemic (see section ‘How are the Risks of GBV Heightened during the COVID-19 Pandemic?’).

What are the Risks of GBV Associated with Large-Scale Infrastructure Projects Globally and in Nepal?

The available international literature (Green Alternative 2016; Heiskel 2016; IFC 2019; Jansen *et al*, 2019; World Bank 2017, 2018) uniformly identifies three main ways in which GBV is associated with major civil works projects, including large-scale hydropower:

- Sexual exploitation and abuse (SEA) (this includes exploitation of a position of vulnerability for sexual purposes)
- Human trafficking (such as sexual slavery, illegal transnational movement of people)
- Non-sexual exploitation and abuse (for example physical assault, IPV)

Workplace sexual harassment and bullying have not typically been identified as forms of GBV associated with such projects, however, these issues are considered briefly in this section with regard to hydropower projects.

Sexual Exploitation and Abuse

Large-scale civil works projects involve an influx of construction workers (almost exclusively male) into project sites (World Bank 2016). In locations as distinct as Cameroon, Georgia, Lao PDR and Uganda, as well as Nepal (Forest People’s Project 2012), the rapid migration of workers to infrastructure project sites increased demands for transactional sex⁴⁸ (Green Alternative 2016; IFC 2019) and sex work (World Bank 2017), including involving children as young as 10 years of age (Willman and Corman 2013). An investigation into the Nenskra hydropower project in Georgia found the site’s remoteness contributed to the perpetration of sexual exploitation and abuse, a situation worsened by the unavailability of support services for victim/survivors (Green Alternative 2016).

A project-related factor driving women into sex work is the displacement of local populations and the resultant loss of livelihoods. A study in Lesotho found forced relocation through

⁴⁶ Intimate partner violence is behavior by a current or former spouse or other intimate partner that causes physical, sexual or psychological harm, including acts of physical aggression, sexual coercion, psychological abuse, and controlling behaviors. See World Health Organization (2005). Responding to intimate partner violence and sexual violence against women WHO clinical and policy guidelines. https://apps.who.int/iris/bitstream/handle/10665/85240/9789241548595_eng.pdf;jsessionid=F2A06E7E42D16BF31D6CE347A9C26BF7?sequence=1.

⁴⁷ Gender-based violence occurring within and among family members, intimate partners and friends (World Bank Group 2017).

⁴⁸ In this review, transactional sex differs from sex work and is defined as “non-marital, non-commercial sexual relationships motivated by an implicit assumption that sex will be exchanged for material support or other benefits”, UNAIDS (2018). ‘Transactional sex and HIV risk: From analysis to action’, UNAIDS and STRIVE; Geneva, p.2. https://www.unaids.org/sites/default/files/media_asset/transactional-sex-and-hiv-risk_en.pdf.

such projects pushed women and girls into sex work as well as domestic work (Braun, 2005). Another study of hydropower projects in Lao described GBV as “endemic” and that sex work became an option for women because previous livelihoods of fishing and the harvest and sale of vegetables in local markets were rendered unviable (Jansen 2019). There were also examples of changes to livelihood activities resulting in women being forced to attend unsafe workplaces, therefore exposed to a heightened risk of sexual assault (Jansen,2019).

In extractive industries, and depending on the social acceptance of polygamy, men have been observed to obtain additional wives whereby they experience an increase in income (Willman and Corman,2013). As polygamy is outlawed, yet practiced, in Nepal (Government of Nepal Office of the Prime Minister and Council of Ministers 2012), this issue may need to be considered in the context of hydropower development there.

Human Trafficking

A study of the Belo Monte hydropower project in the Brazilian Amazon (Heiskel 2016) found evidence of the trafficking of women and adolescent girls being lured or forced into sex work on the expectation of earning significant income. Similarly, in the areas surrounding the Nam Ou 1 to 7 hydropower dams in Lao PDR, “outsiders” were seen to control the provision of sexual services by local women and girls to project workers (Jansen 2019). World Bank advice (2018) cautions that projects with a large influx of workers risk forced and early marriage of adolescent girls in the local area as a livelihood strategy for local families.

The risks of trafficking brought about by such projects may be heightened by Nepal’s *Foreign Employment Act* that has occasionally been used to enact bans and place restrictions on women’s employment outside the country. Such measures risk women, especially displaced, rural, indigenous, and Dalit women and girls, into irregular patterns of migration such as trafficking (UN CEDAW 2018).

Non-Sexual Exploitation and Abuse

Also related to the influx of project workers, IFC’s assessment (2019) of the risks of GBV for the Nachtigal hydropower project in Cameroon noted the increased likelihood of IPV in affected communities as well as the possibility of some workers forming relationships with married women. Other triggers for IPV due to the community changes prompted by the projects include:

- Family instability and stress owing to displacement and related issues such as loss of livelihoods (Green Alternative 2016; Hill *et al* 2017; World Commission on Dams 2000).
- Male jealousy of project workers (World Bank 2018).
- Increased use of alcohol by men (World Commission on Dams 2000).

Workplace Sexual Harassment and Bullying

Relevant literature does not highlight connections between workplace sexual harassment and hydropower projects. A recent (unpublished) paper on the business case for gender diversity and equality in Nepal’s hydropower sector noted that none of the company representatives interviewed raised issues of workplace bullying and harassment (IFC 2020b). However, this is an important facet of GBV to consider in relation to hydropower projects as employers. Bullying and sexual harassment is a pervasive feature of workplaces around the world, at significant cost to employees and employers.⁴⁹

Research published in 2004 by the International Labour Organization (ILO) remains the most comprehensive data set about the issue of workplace sexual harassment in Nepal. Of the female employees interviewed, 54 percent reported that they had experienced sexual harassment in the workplace.⁵⁰ A smaller study undertaken in 2014 was consistent with these findings, concluding that sexual harassment was the most frequent type of workplace insecurity experienced by women (Coyle *et al* 2014).

⁴⁹ Refer to ‘Measuring the business case of workplace responses to family and sexual violence: Evidence review’.

⁵⁰ This percentage is based on a sample of 13 women.

The ILO study found that sexual harassment adversely impacted individuals' physical and mental health. For businesses the ramifications of sexual harassment included productivity and profitability losses, damage to organizational reputation, a disrupted work environment, and increased recruitment, training and legal costs (ILO 2004).

Although the private sector is seen to have a key role to play in implementing policies and initiatives to make workplaces more secure, there are a lack of relevant, evaluated workplace interventions in Nepal (Solotaroff and Pande 2014). This absence may be a result of employers not perceiving sexual harassment to be a serious or widespread problem (Coyle *et al* 2014). Furthermore, employers interviewed in 2014 were found to lack knowledge on women's workplace rights and entitlements and expressed concern that the implementation of legislation against workplace sexual harassment could create obstacles to hiring female employees (Coyle *et al* 2014).

Workplace harassment (bullying) that is not sexual in nature appears to be even less well understood than sexual harassment, among both employees and employers (Kathmandu Post 2018). The scope of the *Sexual Harassment at the Workplace (Elimination) Act (2015)* does not cover harassment on the basis of other factors such as ethnicity, gender, sexual orientation, religion, disability or age (Kathmandu Post 2018).

How are Children in Nepal Impacted by Violence?

The intersections of GBV and violence against children have been well established. Social norms that condone GBV tend to accept violence against children (Guedes *et al* 2016). Weak legal sanctions and response institutions are shared risk factors for both forms of violence (Guedes *et al* 2016). The UN Committee on the Rights of the Child expressed (2016) concerns about violence against children in Nepal including:

- Sexual violence against children in all settings as well as the social stigmatization of victims/survivors of sexual violence and barriers to access justice.
- Traditional harmful practices (see section 'What are the Social Norms/Root Causes of GBV in Nepal?').
- Abuse and neglect of children
- Torture and ill-treatment of children in all settings, including such violence perpetrated against children in the country's civil war (1996-2006).

In 2018, the Government of Nepal legislated the Children's Act to respect, protect and uphold the rights of children (Save the Children 2019), however, there are significant barriers to the implementation of such laws (see 'What Laws are Relevant to Prohibiting GBV in Nepal?').

For large-scale infrastructure projects, risks associated with worker influx, shifts in existing power dynamics and a high prevalence of GBV should be identified and mitigated with regard to young boys and girls as well as adolescents (Bank Information Center 2020). In addition, project planners should engage with local children's organizations and community leaders to undertake community sensitization about project-related risks of sexual exploitation and abuse (Bank Information Center 2020). A project-implemented, child-sensitive grievance mechanism could support children to report any experiences of violence related to the project (Bank Information Center 2020). The GBV risk identification and response strategies discussed in this review should be considered with respect to children of all ages.

How are the Risks of GBV Heightened during the COVID-19 Pandemic?

The risks of GBV outlined above should be considered alongside the potential gendered impacts of the current COVID-19 pandemic. In previous health emergencies GBV – most commonly IPV and sexual exploitation and abuse – was found to be heightened (World Bank 2020). Dimensions of COVID-19 that are pertinent to this review include (World Bank 2020):

- Household stress brought on by quarantining that may trigger domestic and family violence.
- Lockdowns that hinder people's capacity to escape from perpetrators of violence.
- Economic slowdown and mass job losses that present another source of household stress and a corresponding catalyst for violence, as found by a recent study that correlated male unemployment and increased violence against women (see section 'What are the Social Norms/Root Causes of GBV in Nepal?').
- Precarious livelihoods that potentially risk girls and women becoming susceptible to sexual exploitation and girls vulnerable to early marriage.
- Perpetration of sexual exploitation by public officials and community members in charge of enforcing quarantine measures or by outsiders transporting goods.

Beyond these manifestations of intimate partner and domestic and family violence, an increase in workplace bullying and harassment is expected owing to the stresses outlined above. During the pandemic disrespect and violence may be more prevalent in wider society and within workplaces compared to times of normality. For instance, as unsubstantiated beliefs circulate about the causes and transmission of COVID-19, employees from groups perceived to be outsiders, such as migrant workers or those from ethnic minorities, may be at particular risk of stigmatization, discrimination and violence from colleagues. Likewise, as customers and clients feel stress about safe access to goods and services that businesses provide, they may react with hostility towards employees.

These factors are likely to be exacerbated by already limited support services being stretched or unavailable due to lockdown and physical distancing measures. Interruptions of support and protection services may lead to an increased perception of impunity among perpetrators (World Bank 2020).

Measures such as GBV risk assessments and mitigation, strengthening of support services, implementation of information, education and communications (IEC) campaigns, and the purposeful involvement of women in decision-making mechanisms are particularly necessary when undertaking business (World Bank, 2020) or planning large-scale projects during the pandemic. Recommended actions for employers to prevent and respond to GBV include (IFC 2020a):

- Developing response plans.
- Providing communications to employees about violence prevention.
- Providing information about where employees can access support (IFC 2020a).
- Encouraging all employees, and especially witnesses of abuse, to report incidents of GBV connected to the workplace.

What are the Responses to GBV Associated with Large-Scale Infrastructure Projects Globally and in Nepal?

Identification and Assessment of Risk

To pinpoint the negative gendered impacts of hydropower projects available evidence recommends that comprehensive, project-specific analysis is undertaken (Simon 2013; USAID 2015; World Bank 2017). Through this process consideration should be given to the social, legal and cultural contexts in which the project is located (Shrestha *et al* 2019; World Bank 2017) in order to reduce adverse impacts as much as possible (Shrestha *et al*, 2019). In addition, such risks should be continually reassessed and monitored throughout the life of projects to respond to them as they emerge (World Bank 2016). Participatory processes should be employed to design and evaluate GBV prevention and response programs in recognition that women will likely have strategies for improving their own safety in project areas (Angelou and Roy 2019).

Oxfam's Gender Impact Assessment Manual for hydropower projects has been cited as a useful tool for assessing pre-project risks, potential impacts and to develop corresponding gender action plans (Hill *et al* 2017). Although this tool briefly notes the potential risks of sexual exploitation and violence, it does not provide guidance on assessments. The tool is instead weighted to the assessment of gendered access to and control of resources prior to and following project implementation.

Examples of assessments of GBV risks associated with large-scale infrastructure and hydropower in Nepal is limited. It appears the Centre for Women's Awareness and Development (based in Kathmandu) was involved in an assessment of the Kaligandaki Koban Hydroelectric Project in Mustang district (Centre for Women's Awareness and Development 2012). This assessment, however, does not appear to be publicly available.

Measures to Mitigate Risks of Gender-Based Violence

Measures to respond to GBV should correspond with context-specific identified risks (as noted in the previous section), however relevant guidance recommends the following universal strategies:

- A requirement that all contractors adhere to anti-GBV policies and codes of conduct and implement clear reporting mechanisms for employees and community members to enforce policies and codes (Angelou and Roy 2019, USAID 2015, World Bank Group 2017).
- Train contractors about GBV – this activity can be written into bills of quantity to ensure adequate budget is allocated (World Bank *et al* 2019).
- Train community members about GBV to heighten awareness of the potential risks (World Bank 2017).
- Establish and strengthen referral mechanisms to local agencies for service provision for victims/survivors (World Bank 2017; World Bank *et al* 2019).
- Build local capacity to respond to GBV. Where services are unavailable, funding sources to establish these should be identified during the project design stage (World Bank 2017).

In addition, incentives could be used to keep labor pools away from local communities for leisure as a further preventative measure. Such incentives may include the provision of entertainment away from project sites as well as leave for workers to regularly return to their families (World Bank 2016).

As noted in the previous section, the Centre for Women's Awareness and Development was involved in a social assessment of the Kaligandaki Koban Hydroelectric Project and prepared a subsequent community development plan (2012). Although the plan does not explicitly mention mitigation of GBV risks, the health and sanitation support component allocates a budget of approximately \$40,000 for awareness programs for construction workers on topics including human trafficking and sexually transmitted infections. Institutional support for local women's organizations is also included in the plan although specific support for services to respond to victims/survivors of GBV is not mentioned.

What is the Business Case Research on the Cost of Gender-Based Violence Associated with Large-Scale Infrastructure Projects or Savings Associated with Addressing Gender-Based Violence in Large-Scale Infrastructure Projects Globally and in Nepal?

Business case research to measure the cost to companies of workplace bullying and harassment and the impacts of family and sexual violence on employees as well as the benefits to companies of providing systematic and comprehensive support has been undertaken by the IFC and other international development agencies.⁵¹ However, there is a lack of research specifically about large-scale infrastructure or hydropower development and the cost/benefits for companies to mitigate the community impacts of GBV. International Labour Organization research about workplace sexual harassment in Nepal found that businesses experienced productivity and profitability losses, damage to organizational reputation, disrupted work environment, and increased recruitment, training and legal costs (ILO 2004) (see section: Workplace Sexual Harassment and Bullying). The costs of these impacts were not quantified in the research.

More generally, literature about the social impacts of large-scale projects advises that addressing gender issues is sound business practice. Rio Tinto, as a large actor within the extractive industry, cautions that unaddressed gendered risks can result in a loss of trust with community stakeholders. This can subsequently lead to conflict with local communities, bringing about costly interruptions to project operations (Gronow, J. *et al* 2009). Other guidance broadly recommends that projects are more effective if gender considerations are identified and addressed, however, detailed business cases are not presented (Simon 2013; USAID 2018).

What Information, Education and Communications Materials Address Gender-Based Violence Associated with Large-Scale Infrastructure Projects Globally and in Nepal?

In the development of large-scale infrastructure, budgeted and carefully planned communications strategies can help ensure that the project design is responsive to community needs and concerns (Mazzei and Scuppa 2005). Gender-based violence-specific prevention campaigns should be implemented in project-affected areas to engage and raise awareness among communities and civil society organizations (Angelou and Roy 2019). The Asian Development Bank-funded Road Connectivity Sector project in Nepal (1996-2006) (ADB 2015) is an example of one such targeted awareness raising initiative. The project identified that girls and women aged 11 to 25 and boys aged 6 to 12 were susceptible to trafficking for labor and sex work. A component was therefore built into the project to raise awareness of trafficking among road construction workers, transport operators, female sex workers, labor migrants, and populations living along the road corridors (Fraser *et al* 2017).

While not specific to GBV and large-scale infrastructure development, Government of Nepal-commissioned research (2012) found there was a low level of community awareness about the issue of GBV which may contribute to its perpetration and hinder effective responses. The guidance recommends that targeted messages should be designed to reach men and women within communities with consideration given to literacy levels, mass media access and the use of and access to mobile phone technologies and community radio. The rights of all Nepalese under anti-GBV laws and the importance of family members and friends in preventing GBV, as well as helping victims/survivors seek assistance and justice, are among the key messages suggested (Government of Nepal Office of the Prime Minister and Council of Ministers 2012).

In the response and recovery phases following the 2015 Nepal earthquake, 60,000 IEC materials were distributed across 16 districts to raise awareness of gender equality and social inclusion concerns (IFRC, 2019). UNICEF circulated 1.8 million

⁵¹ Refer to 'Measuring the Business Case of Workplace Responses to Family and Sexual Violence: Evidence Review'.

posters and other IEC materials with anti-GBV messages such as the steps women and girls could take after a sexual assault (UNICEF 2016). However, the specific content of these materials and their effectiveness in raising awareness has not been reported.

What Laws are Relevant to Prohibiting Gender-Based Violence in Nepal?

Nepal is considered to have a reasonably comprehensive legal framework that criminalizes various forms of GBV including rape, child marriage, polygamy, human trafficking, dowry, accusations of witchcraft, and sexual harassment (IFRC 2017). However, significant barriers to the implementation of these laws remain (IFRC 2017; National Alliance of Women Human Rights Defenders *et al*, 2018; UN CEDAW 2018). These include:

- Short statute of limitations (one year) to file cases of sexual violence.
- Restrictive definition of rape in the criminal code.
- Failure of law enforcement officials at local levels to register GBV cases, as well as court delays and complex legal processes where these cases are registered.
- Inconsistencies within Nepal’s civil and criminal codes, undermining efforts to stop child marriage
- Rape of males is not recognized.
- Lack of awareness of relevant laws among the public.

Nepal Hydropower Policy and Gender-Based Violence

Nepal’s National Hydropower Development Policy (Nepal Law Commission 2001) does not mention social or gendered risks or protections. However, the Government’s *Hydropower Environmental Impact Assessment Manual* (2018) recognizes that GBV and other gendered impacts, intersecting with other dimensions of discrimination, are likely effects of hydro-power projects. The manual advises that location-specific data are collected to identify and mitigate these impacts. Mainstreaming⁵² of the impacts of GBV and responses in hydropower projects requires further attention (IFC *et al* 2018). For example, a gender mainstreaming requirement could be stipulated in contracts with project partners.

What Organizations in Nepal Advocate for an End or Respond to Gender-Based Violence?

This review has identified organizations in Nepal that are active in working on protecting women and girls from GBV or in advocating for or providing GBV-related responses. These include the Centre for Women’s Awareness and Development that has experience in developing GBV awareness programs for hydropower project workers and the National Alliance of Women Human Rights Defenders that coordinated a CEDAW shadow report on behalf of over 100 women’s rights organizations. Both organizations are named in 2012 research on the nature of GBV in Nepal commissioned by the Government of Nepal.

Relevant World Bank Group Activity

As part of its Nepal Country Partnership Framework (2019-2023), the World Bank Group is supporting the *Integrated Platform for GBV*. The Platform comprises three components: (i) improving the quality and reach of services for GBV survivors through a 24-hour toll-free helpline; (ii) promoting greater public awareness; (iii) and strengthening the capacity of the National Women Commission (NWC) (Sharma 2019).

⁵² Gender mainstreaming is defined here as the systematic integration of gender perspectives into public activities including legislation, policies, programs and projects (World Bank Group, no date).

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