

TOOL 3.11

Design a Gender-Sensitive Resettlement Process⁴⁵

- » **GOAL:** Ensure the resettlement process facilitates equal opportunities and minimizes disproportionate harm to women
- » **TARGET UNITS:** Community Engagement, Resettlement Specialist, and/or Independent Gender Expert

In cases in which infrastructure projects conduct resettlement of local residents, the most disadvantaged or vulnerable⁴⁶ members of the community are the most at risk of further marginalization. They might have the most difficulty reconstructing their lives following resettlement, and yet they could receive the least amount of compensation and assistance from traditional resettlement programs.

To provide the greatest latitude for project-affected people and to allow them to make their own decisions for their post-resettlement life, an inclusive resettlement process—one that is tailored to the specific needs and concerns of each subgroup and that involves full engagement with all community members—is critical.

Compensation for Both Land and Property Owners and Users

When a company negotiates land purchase or resettlement with a project-affected community, resettlement is often designed to compensate the owners of land or property so they can maintain or improve their quality of life and income-generating activity. However, many of the users or residents of the land or property are not necessarily the owners, so an arrangement that only calls for compensation for owners means excluding an entire group of community members—users or renters. Often among the poorest and most vulnerable, they may rely on the land or property as their main source of shelter, subsistence, and/or livelihood. They are at significant risk of losing it all if the resettlement process does not address their situation. In urban environments, renters who are displaced due to a project may be forced to move to an area with higher property values and rental prices, thus putting them at an even greater economic disadvantage. To only include or compensate the owners of the property would be to miss this group of people entirely, and potentially perpetuate urban inequity and gentrification.

⁴⁵ Much of this tool draws from [Asian Development Bank Gender Checklist: Resettlement](#), Manila: Asian Development Bank, 2003.

⁴⁶ “This disadvantaged or vulnerable status may stem from an individual’s or group’s race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status. The client should also consider factors such as gender, age, ethnicity, culture, literacy, sickness, physical or mental disability, poverty or economic disadvantage, and dependence on unique natural resources.” (IFC Performance Standard 1, page 4).

One way to ensure that all those affected by resettlement are considered is the approach taken by IFC. IFC Performance Standard 5 requires that “economically displaced persons who are without legally recognizable claims to land...will be compensated for lost assets other than land (such as crops, irrigation infrastructure, and other improvements made to the land) at full replacement cost.”

Women at Increased Risk in Resettlement Process

Failure to customize the resettlement process to the needs of the people being resettled could increase the risk that the community—or those most vulnerable, who are often women—winds up worse off than before the project.

In many countries, women are prevented from owning land in their names due to legal restrictions or local customs. A resettlement process that does not account for this could mean that women are more vulnerable to the loss of land or livelihoods—or to inadequate compensation for the loss of land that they, in fact, do own or use. For women whose domestic responsibilities depend on land access, such as subsistence farming, the lack of compensation for resettlement can increase pressure and exacerbate other inequalities within the home.

Resettlement processes that worsen gender disparities can have negative impacts not only for the community, but also ultimately for the company as well. On the other hand, experience shows that gender-equitable and inclusive community engagement strategies with a focus on poverty reduction will help secure stronger social license to operate—the cornerstone of a quality relationship with the community.

“The key to participation is full information. If the affected persons are to exercise their rights to rehabilitation, they must be fully informed.”

—Gender Checklist: Resettlement, Asian Development Bank

FIGURE 3A | How Gender Affects Resettlement Impacts

Women may not have legal or customary rights to hold title on land or property they use	Non-landowners whose livelihoods depend on the land may not be eligible for compensation after resettlement
Men and women may have different levels of participation in income-generating labor	Workers who do not generate income may not receive employment or income/livelihood assistance. This can disproportionately affect women who more often provide unpaid labor in the home
Women are often responsible for gathering water, fuel, fodder, or forest products	Resettlement could increase the distance or scarcity of water, fuel, fodder, or forest products so gathering them could take longer, impacting women’s lives and increasing their susceptibility to violence
Men and women may have differing levels of mobility and access within the community, city, or region	Limited mobility makes adaption to location disruptions harder, especially if relocation causes a decrease in mobility and a breakdown of social networks. Fewer social ties also can reduce women’s access to finance, often secured through social networks
Men and women may have differing levels of awareness of their legal rights and opportunities	Women in particular may be uninformed about available legal resources and protections
Gender inequality often leads to domestic and gender-based violence	The social and economic changes brought about by resettlement can increase domestic and gender-based violence
Women worldwide have a lower nutritional status on average than men and higher rates of mortality and morbidity	Studies have shown that involuntary resettlement is correlated with a decrease in nutritional status and increases in female mortality and morbidity

When both men and women feel that agreements are beneficial, friction within the household and the community can be reduced. It also can help mitigate the risk of protest and other project opposition that could disrupt operations and alarm investors.

While this tool focuses on ensuring that men and women are included in developing resettlement plans, it is important to remind users of this tool suite that men and women are not homogenous groups, and that there are varying levels of vulnerability. When it comes to consultations, negotiations, compensation, and options for relocation and livelihoods, the resettlement process must reflect the needs of all members of the community with an inclusive approach that extends to all members of a household. Be sure to account for religious, cultural, and economic differences, such as socioeconomic status, religion, ethnicity, disability, and civil status. Use of the assessment tools featured in this tool suite can help you develop a better understanding of the community's cultural norms, gender dynamics, roles and responsibilities, and diverse subgroups, which will enable a more effective and equitable resettlement process.

Note that this tool is not intended as a comprehensive resettlement guide; rather, it is designed to supplement a company's preexisting resettlement strategy. The goal is to ensure that the strategy anticipates the needs of impacted male and female community members alike with responses that appropriately address these needs before, during, and after the transition.

Guide to a Gender-Sensitive Resettlement Process

Before starting the resettlement process, it is crucial to have in place a gender-balanced resettlement team. This balance can improve responsiveness to community issues and can lead to more nuanced, gender-sensitive resettlement planning. A gender-diverse team also helps facilitate communication with the various segments of the community, since all-male or all-female teams might have a hard time interfacing with certain groups.

Phase 1: Understand and Prepare the Community

This first phase is critical to ensuring an equitable and gender-sensitive resettlement process. The steps are detailed below.

Step 1. Collect relevant, gender-disaggregated data during the assessment stage.

- a. Division of labor within the household
- b. Role of men and women in decision-making mechanisms within the community and the household
- c. Contribution to household income (formal and informal work, financial and in-kind contributions) and livelihood activities
- d. Access, control, and ownership of land, property, finances, and other resources at the household level (see next section on land ownership and usage for specific land and property data to collect)

- e. Levels of awareness on legal rights and processes, extent to which rights are exercised, and degree of interaction with officials and institutions such as banks
- f. Existence of women's solidarity networks, such as cooperatives focused on production activities
- g. Health and nutrition indicators, especially services available to women and vulnerable people
- h. Education and literacy levels
- i. Languages spoken:
 - Female community members in particular, as well as ethnic minorities, older individuals, and/or the less educated may not speak the national language. Fewer may speak the national language in rural areas.
- j. Gender dimensions of legal and/or customary use and ownership of land and property:
 - Are there gender dimensions to formal and customary laws regarding ownership, transfer, and inheritance of land, property, and natural resources?
 - Is the national government a signatory to any international agreements governing resettlement?
- k. Formal owners/tenants of any land considered for resettlement
- l. Actual users of any land considered for resettlement, regardless of whether they are the formal tenants
- m. Returnship (when applicable):
 - What land is being returned after project decommissioning?
 - To whom is land being returned?
- n. Potential impacts and risks from giving money or other benefits directly to men or women:
 - Do funds given to men reach the family? Do men include their wives in decision making about the use of these funds?
 - When women receive money, do men assume control of it?
 - Does giving money to women increase the risk of domestic or gender-based violence?

Step 2. Ensure women's participation in consultation, negotiation, and planning.

- a. Confirm that compensation and resettlement programs and safeguards are considered and designed for both owners and users of land.

- b.** Ensure that men and women from all socioeconomic groups are fully informed about the project and resettlement process and allow them to review plans through open and accountable processes:
- Schedule community forums and consultations, as opposed to solely one-way information flows, to facilitate dialogue and answer questions from community members.
 - Ensure that meetings are conducted in local languages and that prepared information is translated into languages spoken by community members.
 - Provide alternative methods of communication for illiterate residents.
 - Take special care to include vulnerable women: those in poverty, single, widowed, disabled, or belonging to ethnic minority groups. (In polygamous communities, ensure that not only husbands and their first wives are included, but also that additional wives are included.)
- c.** Involve both men and women in decision making and the design of the resettlement process at all stages.
- d.** Include men and women in consultations and negotiations and factor them into all phases of the land and resettlement process, from planning to implementation, as opposed to limiting consultation to community leaders, who are often men.
- e.** Use techniques and accommodations as suggested in this tool suite to secure the presence of both men and women from all socioeconomic groups:
- Schedule consultations at times and locations convenient for both men and women.
 - Arrange childcare or transportation if necessary.
 - Convene separate meetings with men and women and/or have corresponding gender facilitators for gender-specific groups: This can be especially useful in gathering differing views on sensitive issues such as water, sanitation, hygiene (including toilets), house plans, and domestic and gender-based violence.
 - Use participatory rural appraisal techniques⁴⁷ such as time use analysis, agricultural calendars, focus group discussions, and transect walks to uncover data and encourage participation of men and women.

Step 3. Determine budgeting and finance options conducive to the sustainability of resettlement services.

- a.** Adequately analyze the full cost of resettlement and have a contingency budget: This will reduce the risk of adding to the community's financial burden and contributing to poverty.

⁴⁷ For more information on participatory rural appraisal (PRA) techniques, see Robert Chambers, "[The Origins and Practice of Participatory Rural Appraisal](#)," *World Development*, Vol. 22, no. 7, 1994: 953-969.

- b. Identify services in need of community funding: Communities may need financial contributions in support of long-term operations and maintenance of services.
- c. Consider partnering with government or NGOs for long-term financing of services.
- d. Include specific line items in the budget for gender activities and communicate this information to women so they are aware that the funds exist.
- e. Establish a monitoring process: This will ensure that the funds are used for their intended purposes.

Phase 2: Work Collaboratively and Equitably with Community for Resettlement and Compensation Programs that Meet All Needs

Involving male and female community members on resettlement location and structure, assistance programs, and support services is the only way to ensure that the process meets all needs and enables equal access and benefit. In addition, participation of men and women in decisions related to resettlement design and process increases the likelihood that it will benefit the community as a whole.

Here are the steps to follow in designing a tailored, inclusive, and gender-equitable resettlement and compensation program.

Step 1. Use innovative approaches to enable women's access to benefits.

- a. Ensure that both spouses are aware of, have a say over, and agree on the compensation packages.
- b. Consider alternative strategies to determine compensation, based on real impacts of resettlement, in situations where men and women have unequal ability to own land or property:
 - This effort might include exploring local customs for hidden bias: For example, in situations where a divorced, widowed, or single woman lives with her adult sons, be sure to account for her land use patterns when determining compensation.
- c. Create a transparent compensation process:
 - Make sure that the information is available to all men and women, and not just to the male and female heads of the household.
 - Provide information in the languages spoken by community members as well as alternative methods of communication for the illiterate.
- d. Consider varied/alternative means of compensation—cash, check, or bank account—to give affected individuals options based on the best fit with their needs:

- Direct deposit into bank accounts (when bank account usage is prevalent by both men and women) could be the best option, since compensation received in cash is sometimes spent quickly and might not be available for family needs.
 - Listen to potential differences in preferences between women and men: Men may prefer cash compensation while women may favor another option.
- e.** Consider giving men and women their compensation directly or depositing it into joint bank accounts: This will ensure that both men and women have financial access and that funds withdrawal will require joint signatures:
- If national, regional, or local laws prohibit direct monetary compensation for women, consider alternative forms of resettlement assistance packages or other options to ensure equitable compensation.
 - Assess potential risks that could arise as a result of giving money or other benefits directly to men, rather than to women, such as increased risk of domestic or gender-based violence:
 - Consult with both men and women as part of this process.
 - If potential risks are determined, look at ways to mitigate them.
- f.** Make sure that female-headed households receive the same benefits as male-headed households:
- Get to know the intricacies of the nontraditional households within the community.
 - There could be households within households that are entitled to receive their own resettlement compensation and assistance in the name of the female head of household. For example:
 - Female-led households headed by a divorced or widowed woman may reside within their parents' or larger families' households and may include multiple generations. In some countries, it is also common for multigenerational families to live together.
 - In some countries and within some communities, polygamy is common and often results in the first wife receiving resettlement measures while the remaining wives may not be considered equal beneficiaries. In such situations, implement measures to ensure equal access for all spouses to resettlement consultations and benefits.

Step 2. Support equitable access to formal land tenure, property ownership, and compensation.

Women may have difficulty exercising their rights as title or property holders, or they may have less access to formal land ownership. Efforts to document ownership status and ensure compensation that reflects actual ownership status are critical. Provide assistance to support equal access to:

- National identity documents, often needed to establish title.

- Bank and postal accounts in each individual's name: Alternatively, establish husbands and wives as joint signatories on bank accounts, as often only husbands' names are listed.
- Land titles: Divorcees and widows are in particular need of assistance here. In many countries, they may face cultural, political, or legal difficulties in accessing their right to their land. Also note that in some contexts, women who hold the formal title to land may still face cultural, procedural, or customary law barriers to exercising this right.

Step 3. Make sure that support for alternative livelihoods meets men's and women's needs. Provide opportunities or plans for women and men who were employed by the project or who had income- or subsistence-generating activities linked to the project, such as:

- a. Skills training or employment opportunities:
 - Men and women may have had different access to education and training opportunities. When a company offers alternative options for employment after resettlement, keep in mind that there may be gender disparities in who is eligible for these new employment opportunities. Providing training opportunities for these new positions will allow for more equal access to alternative livelihood and employment opportunities.
 - In situations where women's work is concentrated in smaller, less formal sectors, such as selling goods, domestic work, gathering forest products, or working in fields, women may be particularly vulnerable to losing their source of income during resettlement, especially if they do not have the same access to land, transport, markets, or customers. It is essential to include these informal economic activities in resettlement plans and offer comparable or better alternative livelihood options.
- b. Access to credit and microfinance schemes
- c. Compensation for loss of income (even for informal income) and loss of assets (including natural resources such as rivers or agricultural land): Note that such compensation should not be viewed as a substitute for sustainable, long-term livelihood opportunities.

Step 4. Involve both men and women in resettlement site selection and housing design.

Site selection and housing design may affect men and women differently. In some circumstances, women might not adapt as easily, given their gender roles, responsibilities, and levels of mobility. Involving men and women in the selection and design process ensures that all new infrastructure and resources meet the needs of the entire family.

- a. Site selection: Failing to involve both men and women in these important decisions could pose risks for decreased access to resources, employment, education, healthcare, or markets, as well as reduced safety and security.

- Make sure that the new location does not restrict access to markets, food, water, or other resources for any reason, including increased security risks and vulnerability.
- Check that the new location is not in an ecologically or geologically unsafe, polluted, or otherwise vulnerable area.
- In rural contexts, make certain that the soil quality at the new location is the same or better than the original location to facilitate equal or improved food security.

b. Home construction and design:

- Discuss preferences on settlement, housing structure, and design with affected male and female community members alike.
- Consult with men and women equally on whether they prefer to receive funding and materials to build their houses themselves.
- Consult with both men and women on other forms of support they might need.
- Have a plan in place to ensure that basic needs are met during the transition phase between the original community/housing and the new housing. This is particularly important for women, children, the elderly, and vulnerable people.

Step 5. Guarantee equal or improved access to civic infrastructure, including water, sanitation, and fuel resources.

This effort includes making plans to maintain the infrastructure. It is possible that the government could assist with provision of water (wells), waste disposal, sewage, or other services, so be sure to check on the availability of public resources.

a. Incorporate access to key infrastructure in the resettlement process, including:

- Roads and other transit/mobility options: This will ensure access to basic infrastructure, schools, healthcare, and other essential places, as determined by the community. Note that consulting women to ensure that their transit needs have been met is essential in contexts where women have lower mobility than men. This also involves further questioning to determine the arrangements needed to accommodate women's transit needs during the transition period and in the new location. Make sure to include single, pregnant, elderly, female-headed households, and any other vulnerable groups in these consultations.
- Sanitation facilities such as toilets and bathing facilities: If the plan is to build communal facilities, consider adding lighting to increase women's safety.
- Water sources: In situations where women are responsible for water collection, be sure to involve them in decisions about the siting and design of water-related infrastructure, such as taps and wells. This will help guarantee equal access and increase the chances that they will maintain the facilities.

- b.** Ensure that access to basic resources such as fuel and water is maintained or improved in the new location: Often, women and girls are responsible for gathering these basic needs, so a resettlement that makes these resources harder to find or puts them at a further distance away can increase women's time poverty, creating negative consequences such as girls dropping out of school to help their mothers at home.
- c.** Consider using resettlement as an opportunity to introduce new stove technologies: This effort should involve input from men and women alike, particularly in situations where men and women may have different responsibilities for purchasing stoves—as opposed to using them. New stoves can reduce fuel collection time. They also lower the risk of the indoor air pollution that can lead to respiratory problems in women and children, who are often in closest proximity to operating stoves.
- d.** Divide the responsibilities for waste disposal and sewage management between the government and the community: Women and men should be included in any applicable trainings.

Step 6. Guarantee equal or improved access to social infrastructure and social services.

Consider using relocation as an opportunity to introduce services that the community needs but does not have. Assess whether government or NGO involvement can be secured for some of these services, such as connecting schools or healthcare centers to the national or regional systems. Make sure the effort includes plans for longer-term maintenance of these services. Consult with local women about the community's needs for:

- a.** Schools and educational infrastructure
- b.** Hospitals and healthcare centers
- c.** Childcare centers/services
- d.** Places of worship
- e.** Other social services and infrastructure that could meet their needs or aspirations

Step 7. Put in place a gender-sensitive grievance mechanism process.

For more on setting up a gender-sensitive grievance mechanism, see [TOOL 3.10](#).

Step 8. Set up a gender-sensitive monitoring and evaluation process to evaluate the resettlement process.

The monitoring and evaluation should enable the identification of shortcomings and gaps to be addressed in order to secure the wellbeing of the community, including women and other vulnerable groups. For more on this, see [TOOLS 3.15](#) and [3.16](#).