

Helpdesk Research Report: Gender Inclusive Urban Planning 20.03.12

Query: Please provide information on the key topics related to the most urgent areas that need reform in the policy, legal and regulatory environment to enable gender and socially inclusive urban planning in South Asia.

Enquirer: DFID Vietnam

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1. Overview

A gender- and socially-inclusive city promotes equitable rights and provides opportunities and support for all residents to participate in urban life. Although there are encouraging urban initiatives in various cities in South Asia (UN-HABITAT, 2008), there is not yet a consolidated approach to inclusive urban policy and governance (Brown and Kristiansen, 2009). This report looks at information on the key interrelated aspects of gender-inclusive urban planning in South Asia: gender-sensitive urban governance (Section 2); access to municipal services (Section 3); women's rights to land and property (Section 4); livelihoods and employment (Section 5); and safety and security (Section 6), and where there are opportunities for policy, legal or regulatory reform in each of these areas.

Across the different aspects of urban life, common priorities for action identified in this report in the policy, legal and regulatory environment include:

Policy:

 Encourage the participation of women at all levels of urban governance, including through quotas or dedicated offices for gender equality within municipal structures

¹ World Urban Campaign: An Inclusive City http://www.unhabitat.org/categories.asp?catid=691

- Examine the gendered impact of all project components of urban design and planning. For example with water and sanitation projects, issues of gender equity and participation should be incorporated into engineering, institutional strengthening, financial, community development and health components.
- Promote gender-disaggregated collection of data, including the use of participatory tools such as the Women's Safety Audit
- Train and build the capacity of municipal staff and targeted urban actors (such as police, transport workers, land officials) in gender-sensitivity and women's rights.
- Promote greater coordination between municipal authorities and national / state authorities
- Encourage the international sharing of good practice, including city-to-city exchanges
- Promote municipal partnerships with women's groups, including building the capacity
 of poor and vulnerable women to participate in urban planning

Legislation:

- Enforce what does exist national and municipal apathy is a problem
- Repeal outdated laws and policies which do not incorporate international obligations, for example women's equality of access to land and property
- Identify gaps in legislation, such as inadequate legislative frameworks to address gender-based violence in urban public spaces
- Conduct analysis and develop strategies for labour legislation, business regulations and legal frameworks which secure women's rights to property, title assets and financial capital
- Develop women-friendly ordinances between the municipal government and local women's groups. (These have been successful in facilitating a 'bottom-up-top-down' approach to gender-inclusive urban planning in Naga City, the Philippines).

Regulation:

- Improve the enforcement of gender-relevant legislation and directives
- Examine how existing labour legislation can be extended to cover different groups of informal workers and look at where new legislation is required
- Identify what obstacles women face, in terms of business regulations, when starting their own businesses
- Adjust laws and regulations to lower the costs and increase the benefits for those willing to formalize their businesses.

2. Gender-sensitive urban governance

At the local government level, approximately one in five councillors worldwide are women, and the ratio of male to female mayors is even lower at one in ten. Furthermore, women in many parts of the region are still under-represented in management positions in the public sector (UN-Habitat, 2010a). It is important for urban planners to look at what factors undermine women's capacity to participate in public decisions, for example the burden of multiple responsibilities, safety concerns, literacy, or lack of confidence / skills.

Gender-sensitive urban governance involves more than simply increasing women's *participation* in urban planning, however. Research has shown that women and men experience and use the urban environment in different ways, and have different priorities in terms of municipal services and infrastructure (Beall, 1996). A "gendered perspective" involves planners, designers, decision-makers and community actors looking at problems with the needs of both women and men in mind (UN-WOMEN, 2010). UN-HABITAT's work on governance and security in cities has also demonstrated the problems associated with gender-blindness within local government institutions, and the Safer Cities programme has focused attention on the need for greater gender sensitivity in planning practice (Earle and Mikkelsen, 2011).

An online discussion for women's groups by Women and Cities International (2007) highlighted key elements that need to be in place to ensure gender mainstreaming in local governance, including the:

- 1. Importance of other levels of government (regional, national and international) to support the efforts of local authorities;
- 2. Adoption of local policies on gender equality;
- 3. Creation of offices of women or gender equality in municipal structures (accompanied by human resources and appropriate budgets towards clear objectives);
- 4. Development of methods and tools to mainstream gender;
- 5. Importance of partnerships between women's groups and municipalities, while recognising the autonomy of women's groups;
- 6. Key role of citizen participation, and in particular women's participation, in urban decision-making processes;
- 7. Significance of improvements in women's safety; and
- 8. Importance of sharing good practice and developing exchanges.

Good practice guidelines on gender in urban planning are now available, such as the Royal Town Planning Institute (RTPI) Gender Mainstreaming Toolkit (see box below).

Urban Planning - The Gender Mainstreaming Toolkit

Key questions to ask include:

- Who are the planners?
- Who forms the policy team?
- Which groups of people are perceived as recipients of planning?
- How are statistics gathered and whom do they include?
- What are the key values, priorities and objectives of the plan?
- Who is consulted and who participates?
- How are the planning proposals evaluated? By whom?
- How is the policy implemented, monitored and managed?
- Is gender fully integrated into all policy areas?

Source: RTPI, 2007

However, research by the Women in Planning Network (for the Commonwealth Secretariat) found that good practices in urban planning are "the exception not the norm, and that a gap exists between what is recommended in guidelines and what happens in day-to-day practice" (Malaza et al, 2009, p.7).

An example of good practice in gender mainstreaming and urban governance is Naga City in the Philippines (UN-HABITAT, 2008). Gender issues have been addressed there through a series of ordinances:

- The Women Development Code of Naga City a collaborative initiative between the
 city government and various women's groups. This ordinance declares in
 unequivocal terms a commitment to pursue and implement gender-responsive
 development policies and programmes.
- The Naga City Women's Council Ordinance a networking mechanism for public and private activities on issues affecting women. It consists of all city government offices whose mandates affect and address women's issues.
- Labour-Management Cooperation Ordinance a partnership composed of the city government, representatives of employers and employees. The Ordinance requires that at least one of the three representatives from the employers' and the employees' sectors shall be women, and that women's issues will be on the agenda.

While this report looks primarily at gender and inclusion in urban planning, it is important to recognise that gender intersects with other vulnerabilities based on class, migration, age, disability, ethnicity, etc (Jagori, 2010).

Addressing urban planning in a gender-sensitive way involves looking at how women and men access and benefit from the different aspects of urban life, for example municipal services, employment and livelihoods, housing, transport, and safety. The following sections provide information on the key topics related to the most urgent areas that need reform in the policy, legal and regulatory environment to enable gender and socially inclusive urban planning in South Asia.

3. Access to municipal services

Due to their domestic responsibilities, women and girls are often most impacted by how municipal services, such as water, sanitation, fuel and waste management (UN-HABITAT, 2000) are delivered. The quality of and access to health, education and recreation services also impacts on women's care-giving responsibilities.

Water and sanitation

A study by the International Water and Sanitation Centre (IRC) of community water and sanitation projects in 88 communities in 15 countries revealed that projects designed and run with the full participation of women are more sustainable and effective than those that are not. This finding reflects the conclusion of an earlier World Bank study that women's participation is strongly associated with water and sanitation project effectiveness (cited in UN Water, 2006). However, women's views and perspectives are often not fully represented, let alone mainstreamed, into decision-making and the planning of municipal services. The Water for Asian Cities (WAC) programme has noted how urban policies and programmes for water and sanitation have typically been "conceived and looked upon as engineering solutions especially for efficient land use and planning of supplies. Issues of gender equity and participation of women do not figure in such technical options" (UNWAC, p.11).

UN-HABITAT's WAC programme identified several priority areas for reform in the policy, legal and regulatory environment in its 2006 strategy and action plan for mainstreaming gender, including:

- Build women-inclusive local institutions, women's committees with adequate number of women at all levels e.g. chairpersons, secretaries and treasurers.
- Make women chairpersons of water and sanitation committees.
- Provide for democratic elections to community committees and making women chairpersons in at least one-third of them.
- Enhance women's participation in institutions of governance.
- Ensure consultation and active participation of local women and their groups in decision making in water and sanitation services at local levels, especially in service deficient areas, and provide resources for improvement.
- Promote collection of gender disaggregated data relating to WSS in all institutions.
- Ensure that action is taken to assess the gender impact of all project components engineering, institutional strengthening, financial, community development and health components.
- Undertake gender responsive budgeting or analysis of budgets.

Urban transport

Transportation systems are the key to urban life, enabling women to access healthcare, education, and employment opportunities. However, for too long, women have been ignored in urban transport planning and design (GTZ, 2007). Research suggests that women are more likely to: walk or use less expensive transportation means; use off-peak and peripheral public transport routes; and feel unsafe and be at risk of violence while using urban public transport.

There is a need for a new planning and governance approach to gender-balanced urban transport management, including capacity building and a new toolkit of measures and policies. Examples of areas for policy reform identified in a recent ADB seminar on gender-inclusive urban transport (John, 2011) include the need to:

- Examine the gendered impact of urban transport *planning* for example, a focus on improving major transport corridors into a city centre is more likely to favour men, whereas women benefit more from transport improvements within peripheral areas;
- Design urban transport infrastructure that reflects women's needs, including safety;
- Integrate formal and informal public transport; and
- Develop strategies to encourage more women into the urban transport workforce.

4. Women's rights to land and property

Violations in the rights to urban spaces (including land, housing and finance) persist in many parts of South Asia. Despite ratification of international human rights legislation, such as CEDAW and ICESCR², women are systematically denied their right to access, own, control or inherit land and property (Benschop, 2004). Security of tenure depends on good marital

² Article 16 of the Convention on the Elimination of Discrimination against Women (CEDAW) lays down the state's obligation to ensure equality of access for both men and women to property, rights of ownership, and administration. Article 11(1) of the International Covenant on Economic, Social and Cultural Rights (ICESCR) recognises the right of everyone to an adequate standard of living, including food, clothing, and housing.

and family relations, with studies finding that female-headed households were concentrated in the poorest and potentially most vulnerable housing conditions (ADB, 2001). Women are also the worst affected by evictions and by tenure insecurity caused by natural and human made disasters, armed conflict and civil strife. Women often suffer violence before, during and after evictions (UN-HABITAT, 2007). Although many countries have constitutional guarantees and specific laws and policies aimed at promoting and safeguarding women's equal rights to land, property and housing, there is often a 'gaping expanse' between the position of formal laws and the reality of women's lives (UN-HABITAT, 2006b).

For example, in India, researchers have noted that the 'vast schism' in many cities between existing legal entitlements and the social reality of housing conditions is symptomatic of state apathy (Kothari, 2011). In a recent UNESCO report on urban policies and the 'right to the city' in India, Kohari makes three key recommendations:

- Repeal laws and policies which do not incorporate international obligations;
- India should withdraw its declaration with regard to Article 16(1) of CEDAW that India
 will ensure equality of access to property "only in so far that it does not interfere with
 its 'policy of non-interference in the personal affairs of any community"
- Civil society should make creative use of the human rights framework.

Kothari and Chaudhry (2012) have argued that the adoption and implementation of the 'right to the city' approach presents an opportunity to ensure better access to services and opportunities for everyone living in cities, but particularly the most marginalised groups (including women). By promoting land as a human right and stressing the need to recapture the social function of property, Kothari and Chaudhry emphasise the need to remove discriminatory provisions in laws and policies that negatively affect the poor and economically weak. They note that the right to land is also integrally linked to the provision of legal security of tenure over housing and land. Security of tenure would ensure protection against forced evictions and dispossession; enable sustainable development of settlements; promote community-based natural resource management; and prioritize social uses of land such as public housing and playgrounds.

UN-WOMEN (2010) recommend that legislation should provide for compulsory joint tenure as the default regime when conducting land / housing allocation to households, or when spouses marry. Non-formal unions should also be subject to compulsory joint tenure or co-ownership. For example, the Philippines uses co-ownership and joint ownership laws to address property acquired in non-formal unions, with both parties' consent needed for any property transactions.

5. Access to livelihoods and employment

Despite strong economic growth of 8 per cent on average between 2005 and 2010 in the South Asian region, there has not been a corresponding expansion in employment. In fact, the opposite is true for female employment; the last few years have seen a fall in female labour force participation in the region, particularly in India where the participation rate for women fell from 24.4 per cent to 19.4 per cent for urban females³. However, the main challenge for reform in the legal and regulatory environment is not unemployment but the high degree of informality that persists in urban areas (ILO, 2011). South Asia now accounts for almost half of the world's working poor⁴ (estimated to be 46.2 per cent in 2011).

The region also has the highest rate of vulnerable employment⁵ at 77.7 per cent, and the vulnerable employment rate is even higher for South Asian women at 83.8 per cent (ILO, 2011). In a paper for the ILO, Chant and Pedwell (2008) highlight the need for further analysis of the complex relationships between informality, gendered relations of power and poverty. Women tend to be concentrated in "invisible" areas of informal work, such as domestic labour, piece-rate homework, selling of food, and assistance in small family enterprises, which are characterised by: precarious employment status; low, irregular or no remuneration; little or no access to social security or protection; higher health and safety risks, including dangerous working conditions and gendered violence; and limited ability to organize to ensure the enforcement of international labour standards and human rights.

Chant and Pedwell (2008) also identify the following as urgent areas for reform within the legal and regulatory environment:

- Conduct analysis and develop strategies for labour legislation, business regulations and legal frameworks which secure rights to property, title assets and financial capital:
- Improve the enforcement of gender-relevant legislation and directives with respect to the informal economy;
- Examine how existing labour legislation can be extended to cover different groups of informal workers and look at where new legislation is required; and
- Identify what obstacles women face, in terms of business regulations, when starting their own businesses.

Beyond the area of rights and regulation, the report recommends prioritising: improved access to social security and protection; entrepreneurship development; and the organisation, representation and social dialogue of women within the informal economy.

UN-HABITAT's (2010b) State of the World's Cities report has identified the need for greater policy coordination between municipal authorities and central, state or provincial-level governments. For example, gender-specific schemes like maternity and childcare benefits, vocational training, protecting women's rights at the workplace, and micro-credit are required

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³ This drop in participation can only partly be explained by the strong increase in enrolment in education because it has been evident across all age groups (ILO, 2011)

⁴ The working poor are defined as employed persons living in a household whose members are estimated to be below the nationally-defined poverty line (ILO, 2009) 'Guide to the new Millennium Development Goals Employment Indicators' http://www.ilo.org/wcmsp5/groups/public/@ed_emp/documents/publication/wcms_110511.pdf

⁵ Vulnerable employment refers to own-account workers plus contributing family workers

if women are to be lifted out of the spatial poverty trap. The report also recommends that local authorities:

- adjust laws and regulations to lower the costs and increase the benefits for those willing to formalize their businesses; and
- provide assistance to small enterprises, enabling them to upgrade skills and improve access to both productive resources and market opportunities.

6. Safety and security

The research suggests that improving women's safety and security involves action in three key policy areas (Lama-Remal, 2011):

- Urban infrastructure, particularly street lighting, public toilets and public transport;
- Urban planning, for example zoning to promote mixed-use developments, permanent traders and diverse activities, can improve women's sense of safety;
- Police response to crime, for example: recruiting more women police; introducing a special police force to work proactively towards the protection of women especially in crowded places; creating a safe space in each police station for counselling (involving NGOs if necessary); and training to sensitise key urban actors, including bus and auto drivers.

UN-WOMEN (2010) recommend a combination of strategies to tackle safety problems for women and girls, such as conducting women's safety audits, holding public education campaigns, creating resource kits or websites, furthering government policies and programmes, creating partnerships between community actors and public services, and initiating community crime prevention interventions and social mobilization campaigns. The use of Women's Safety Audits (WSA)⁶ is regarded as particularly helpful in collecting information about perceptions of safety in urban public spaces, and informing policy. The original WSA was developed in Canada in 1989 and since then has been used widely both nationally and internationally (Women in Cities International (WICI), 2008; Jagori, 2010; ActionAid, 2011). WSAs have helped develop recommendations for increasing women's sense of safety and use of public space, by improving various elements of the built environment and changing community behaviours and local government policies (WICI, 2008).

Jagori's (2010) study of women's safety in Delhi, which forms part of the multi-city Gender Inclusive Cities (GIC) project, used WSAs to emphasise the links between safety and the inclusion of women and other vulnerable groups in urban design, planning and governance. The project highlighted the need for proper lighting, better design of pavements, vendors in designated spaces, and well-designed male and female public toilets. Another key priority area was changing police attitudes, with less than 10 per cent of the women in the study reporting incidents of gender-based violence, for fear of being judged or blamed.

⁶ Women's safety audits consists of exploratory walks in the field by groups of 3 to 6 people, mainly women. It may also involve city planners, architects and city counsellors for sensitising, awareness building and decision-making process. At each specific site, participants identify where the potential for a crime is high or where women, or others, may feel unsafe (UN-HABITAT - http://www.unhabitat.org/content.asp?typeid=24&catid=375&id=1466)

In 2011, ActionAid also used WSAs to investigate women's safety in cities and urban spaces, including women garment factory workers in the outskirts of the Phnom Penh, Cambodia, and female public transport users in Kathmandu Valley, Nepal. The report makes six key policy recommendations:

- 1. Raise awareness of the problem through the media and other forms of advocacy.
- 2. Increase national and local (municipal) governments' commitments to women's urban safety, for example: prioritise establishing services for women that mitigate the impact of violence; targeted improvements to specific laws and policies; improve policing (including training, addressing women's perceptions and mistrust of police, and providing incentives to reduce corruption); insert women's security and safety agendas across all government and municipal departments; align local policies and initiatives with national ones and "connect the dots" between women's safety and other urban agendas and interests.
- 3. **Change social norms for prevention**, by addressing prevention at the community level and involving men.
- 4. **Build institutional capacity to address the problem**, by providing training for relevant institutional players; providing opportunities for women to serve as safety experts; and strengthening research on women's urban safety.
- 5. **Strengthen networks for advocacy**, by identifying existing local agents of change, building local capacity and finding local solutions.
- 6. Conduct research for evidence-based programmes and policies. Women's urban safety practitioners and researchers should: develop ethical standards for women's urban safety work, including conflict-sensitive and "do no harm" approaches; invest in monitoring and evaluation; and capture diverse and marginalised women's urban safety experiences (ActionAid, 2011, p.9).

At a legislative level, many countries in South Asia do not currently have adequate frameworks to address gender-based violence in urban public spaces. For example, the Indian Centre for Equality and Inclusion (CEQUIN)⁷ has highlighted that while progress has recently been made on policy, legislation and funding on domestic violence, there remains a gap when it comes to the space between home and place of work.

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⁷ http://cequinindia.org/AGBV.html

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8. Additional information

Key websites:

Google, UN-HABITAT, UN-WOMEN, UN-WATER, UNESCO, UNDP, ILO, ADB, Safer Cities Programme, Water for Asian Cities Programme, Social Watch, Royal Town Planning Institute, Commonwealth Secretariat, ActionAid, Jagori, GTZ, LSE

Experts consulted:

Lucy Earle, DFID (author of UN-HABITAT Gender Mainstreaming evaluation) Sue Phillips, Social Development Direct

About Helpdesk research reports: Helpdesk reports are based on 2 days of desk-based research. They are designed to provide a brief overview of the key issues, and a summary of some of the best literature available. Experts are contacted during the course of the research, and those able to provide input within the short time-frame are acknowledged