



ELMED Etudes SARL

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Tunisia-Italy Power Interconnector Project
Environmental and Social Impact Assessment (ESIA)
Sexual Exploitation and Abuse and Sexual Harassment
(SEA/SH) - Tunisia

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ABBREVIATIONS

Acronyms	Description
ESF	Environmental and Social Framework
E&S	Environmental and Social
ESCP	Environmental and Social Commitment Plan
ESIA	Environment and Social Impact Assessment
ESMP	Environmental and Social Management Plan
ESS	Environmental and Social Standard
GBV	Gender-based Violence
GRM	Grievance Redress Mechanism
HSE	Health, Safety and Environment
IA	Implementation Agency
IFC	International Finance Corporation
ILO	International Labour Organization
KPI	Key Performance Indicator
LMP	Labour Management Procedure
LWC	Labor and Working Conditions
M&E	Monitoring and Evaluation
NGO	Non Governmental Organisation
OHS	Occupational Health and Safety
PMU	Project Management Unit
PS	Performance Standard
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
SEA/SH	Sexual Exploitation and Abuse and Sexual Harassment
SEP	Stakeholder Engagement Plan
SMPs	Social Management Plans
WB	World Bank
WGRM	Worker Grievance Redress Mechanism

1. INTRODUCTION

1.1 Project Background

The Tunisia-Italy Power Interconnector (“Elmed Interconnector”) is a bidirectional HVDC (High Voltage Direct Current) submarine electricity interconnection between Tunisia (Cap Bon) and Italy (Sicily), with a transmission capacity of 600 MW. The Project, which will link Tunisia's power grid to the much larger European network, aims to increase the interconnection capacity - and thus the security and sustainability of supply - of the Euro-Mediterranean system by creating a link between the European and Northern African energy systems.

The Project is being implemented by ELMED Etudes, a joint venture between the Italian Transmission System Operator (TSO), Terna (Rete Elettrica Nazionale S.p.a) and the Tunisian energy utility STEG (Société Tunisienne de l'Électricité et du Gaz), which is in charge of the Tunisian side. The World Bank will finance the converter station and Tunisian grid investments, with the submarine cable in Tunisian waters being financed by the European Investment Bank (EIB), Kreditanstalt für Wiederaufbau (KfW) and the European Bank for Reconstruction and Development (EBRD), in parallel financing. On the other hand, the submarine cable is considered by the World Bank as an associated facility, and therefore the Borrower (the Republic of Tunisia) needs to apply the World Bank's Environmental and Social Framework (ESF) for the submarine cable (and other environmental and social (E&S) standards of parallel funders, as appropriate).

1.2 Project Description

The project involves the creation of a new marine high-voltage DC cable interconnection between Italy and Tunisia, between Sicily on the Italian side and the Cap Bon peninsula in Tunisia (see **Figure 1**). On the Tunisian side, the project consists of: a) a 10km underground cable from the marine cable landfall area to an Alternating/Direct Current (AC/DC) converter station in Mlaaba municipality, in the Cap Bon area; b) a new new 400/225 kV substation in Grombalia; c) a new 400 kV double-circuit OHL of 65 km length from the new HVDC converter station to the 400 kV Grombalia 2 substation; and (iv) a new 400kV single-circuit OHTL of 51 km from Grombalia 2 substation to the existing Mornaguia substation in the greater Tunis area (see **Figures 2 and 3**),

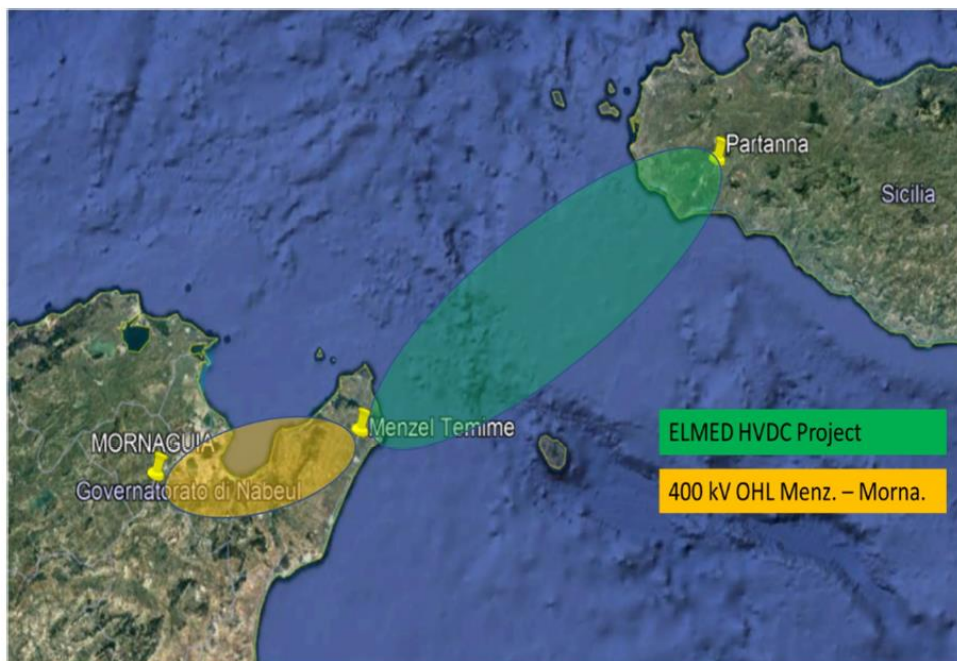


Figure 1: Project Map

The overhead line (OHL) crosses areas belonging to: six delegations in the Nabeul governorate: Menzel Temime , El Mida, Korba, Menzel Bouzalfa, Beni Khalled and Grombalia; two delegations in the governorate of Ben Arous: Mornag and Mhamedia; one delegation in the governorate of Zaghouan: Bir Mchergua; and one delegation in the

governorate of Manouba: Mornaguia. Associated works include facilities required during construction (work sites, crossings, construction sites, access roads) (see **Figure 2**).

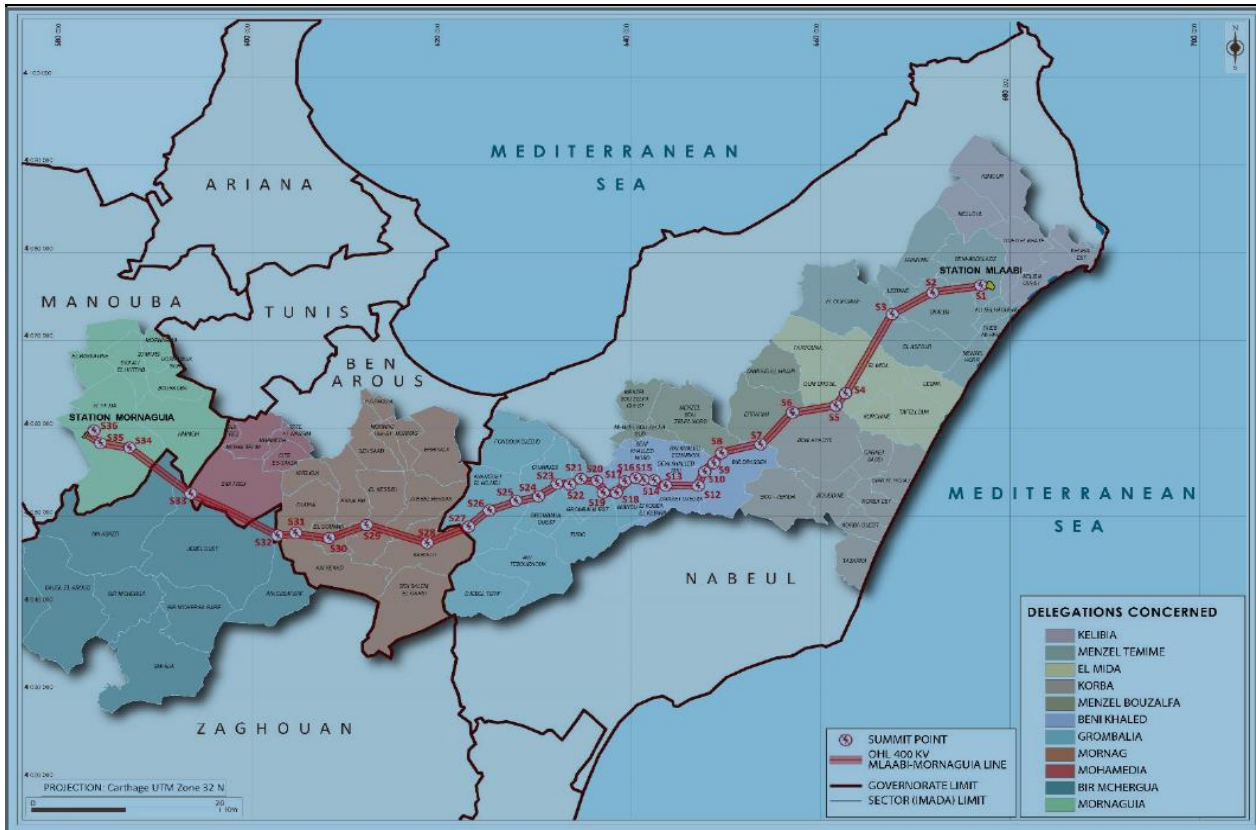


Figure 2: Route of the OHL and Administrative Units

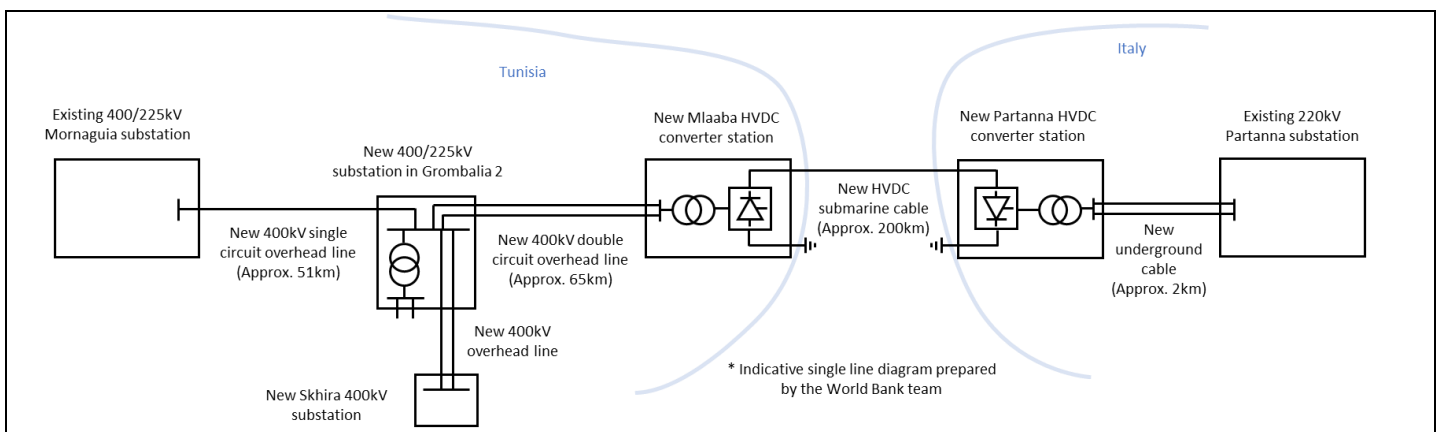


Figure 3: Schematic diagram of Project and associated facilities

1.3 Project Risk Rating

The risk rating of the Project is classified as "substantial" under the ESF. This is based on the information currently available, in particular the greenfield and transboundary nature and technical complexity of the project, the possible use of worker camps, attendant social risks, as well as the anticipated significant OHS risks for workers (such as work at height and sea, risk of electrocution, work with heavy machines, vehicles and vessels). The risk rating of the Project is also derived from the World Bank's SEA/SH risk assessment tool.

Amongst risks to community health and safety, the most severe and potentially irreversible impacts are those related to risks of Sexual Exploitation and Abuse (SEA) of community members by project workers and the risk of Sexual Harassment (SH) amongst project workers, as further specified below.

The transboundary nature is further complicated by the influx of immigrants from Bizette, Tunis and Cap Bon to Sicily. The number of foreign migrants attempting to cross from Tunisia to Europe rose substantially in 2020. 2722 foreign migrants were intercepted along the country's coastline and offshore, compared to 1 257 in 2019. Italian authorities recorded a similar jump, with 1 816 foreigners recorded as embarking from Tunisia, versus 979 in 2019. Available Tunisian and Italian data indicates that, between 2018 and 2021, nationals from Côte d'Ivoire, Guinea, Cameroon, Burkina Faso, Mali, Niger, Chad, Sudan, Ghana, Gambia, Somalia, Algeria, Morocco, Syria and Iraq attempted to cross.¹

Most foreign migrants departing from Tunisia are male. However, similar to Tunisian migrants, a growing number of foreign women, children and infants have been among the flow of migrants leaving. In 2020, for example, Tunisian security and defense forces reported catching at least 249 foreign female migrants, 51 children and 3 infants, although, due to sometimes unspecific reporting, the actual numbers in all categories are likely higher. This increases the risk of SEA/SH incidences amongst these vulnerable groups.

Amongst risks to community health and safety, the most severe and potentially irreversible impacts are those related to risks of Sexual Exploitation and Abuse (SEA) of community members by project workers and the risk of Sexual Harassment (SH) amongst project workers. In recognition of this, the Project Labour Management Procedure (LMP) includes a provision for the preparation of a project Code of Conduct with specific clauses on expected behaviour, especially related to the definition and prohibition of sexual exploitation and abuse of community members and sexual harassment amongst project workers, and the consequences of violations of the Code of Conduct, including in relation to SEA/SH.

To this end, this plan outlines:

- The necessary protocols and mechanisms to address the SEA/SH risks; and how any SEA/SH allegations that may arise will be addressed.
- Awareness raising strategy, which describes how workers and local communities will be sensitized to SEA/SH risks, and the worker's responsibilities under the Code of Conduct;
- How the project will provide information to employees and the community on how to report cases of SEA/SH, in violation of the Code of Conduct, to the GM;
- The GM process for notifying the contractor of allegations and,
- The need for GBV service providers to which GBV survivors, including SEA/SH survivors, will be referred.

1.4 Purpose of the Action Plan

This Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) Action Plan has been prepared in accordance with the requirements of the World Bank's Environmental and Social Framework (ESF) and the World Bank's Good Practice Note "Addressing Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) in Investment Project Financing involving Major Civil Works" (3rd edition, 2022).

The plan reflects the commitment of Republic of Tunisia as the Borrower (Project Management Unit - PMU) and STEG as the Implementing Agency (IA) to develop and implement the World Bank's SEA/SH safeguard provisions to ensure compliance with the standards set by the ESF and applicable Tunisian legislation. In accordance with the loan agreement, where there are differences the more stringent provisions will be applied. The purpose of the Plan is to enable the Project to safeguard, educate and redress SEA/SH and to promote gender equity. Specifically the Plan supports the following objectives:

- Promoting compliance with the ESF, the provisions of the Good Practice Note and applicable Tunisian legislation;
- Avoiding the occurrence of project-induced SEA/SH ;
- Building capacity of project management and staff, implementing partners and contractors for mainstreaming SEA/SH prevention and response in the project within the country context of operations;
- Enhancing the GRM and implementing actions to prevent and mitigate SEA/SH risks throughout the duration of project implementation;
- Ensure that a SEA/SH - sensitive GRM is in place to allow for the reporting and response of SEA/SH incidences;

¹ Herbert, M. 2022. LOSING HOPE. Why Tunisians are leading the surge in irregular migration to Europe. Research Report. GI-TOC's Observatory of Illicit Economies in North Africa and the Sahel.

- Creating awareness among project staff, employees and beneficiaries on zero-tolerance for SEA/SH, their rights, SEA/SH risks, mitigation, and response measures and GRM;
- Ensuring that efforts to address SEA/SH are monitored, evaluated and learnings incorporated into updates of the SEA/SH policy and this action plan; and
- Ensuring that survivors of SEA/SH are informed of available GBV support services and receive support to access these services.

A SEA/SH Action Plan is traditionally structured around three key steps that cover project preparation and implementation as follows:

- **Step 1:** Identification and assessment of the risks of SEA/SH. This is carried out during project preparation, although SEA/SH risk assessment is a continuous process which takes place throughout the project life-cycle as SEA/SH can occur at any moment.
- **Step 2:** Addressing the risks by identifying and implementing suitable SEA/SH risk mitigation and monitoring measures.
- **Step 3:** Responding to any reported GBV allegations, whether related to the project or not. To this end, a suitable monitoring and evaluation mechanism is set out, in alignment with the World Bank's requirements on SEA/SH.

In the absence of this process and adequate information, this plan addresses basic requirements to be put in place by the PIU and provides for the undertaking of a more detailed SEA/SH risk assessment and development of a management plan leading to the revision of the Action Plan.

1.5 Scope and Content of the Action Plan

The SEA/SH requirements set out in this Action Plan are applicable throughout the Project's life cycle, from construction through to operations and decommissioning. The Plan applies to the Tunisian section of the Project and covers the offshore section to the landfall of the cable, the underground line, the converter station at Mlaabi and the OHL to Mornaguia.

The Plan deals with the risks of SEA/SH involving community members (and potentially migrant women who may be forced into the sex trade who are present in the vicinity of the project) by Project workers. It deals with multiple risks relating to the Project and contractor workforce including the likely presence of migrants or seasonal workers and the risk of unmanaged labor influx. The Plan is applicable across the entire workforce at all skill levels and encompasses contractors and all parties in the supply chain. It includes measures related to the management of workers engaged by third parties and the management of workforce-related risks within the supply chain. All contractors and sub-contractors will be required to follow the policies, measures and procedures set out in the Action Plan.

This Action Plan needs to be read in conjunction with the following Management Plans:

- Labour Management Procedure (LMP)
- Project Grievance Mechanism
- Stakeholder Engagement Plan (SEP)
- Resettlement Policy Framework (RPF)

The content of the Action Plan is as follows:

- **Section 2 - Understanding SEA/SH**
- **Section 3 - Description of the SEA/SH Baseline**
- **Section 4 - World Bank and Legal Requirements**
- **Section 5 - SEA/SH Action Plan**
- **Section 6 - Grievance Mechanism**
- **Section 7 - Monitoring, Evaluation and Reporting**
- **Section 8 - Organisational Structure to Support SEA/SH**
- **Section 9 - Next Steps**

2. UNDERSTANDING SEA/SH

2.1 Defining SEA/SH

SEA and SH are manifestations of Sexual and Gender Based Violence (SEA/SH). SEA/SH is a broad term for any harmful act directed at an individual based on their sex, gender identity or perceived observance to culturally defined norms regarding masculinity and femininity. It includes physical, psychological, economic and sexual violence which can manifest as abuse, harassment, exploitation, threats, coercion, indiscriminate denial of freedom, and economic deprivation in either public or private life.

It is one of the most widespread forms of violence, affecting individuals and communities everywhere, and disregards class structure, age, religion, education levels, and geography. It is a universal problem rooted in inequality and power imbalances and cross cuts all sectors. Within the workplace SEA/SH refers to a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, economic or sexual harm.

2.2 Classifying SEA/SH

SEA/SH can happen in both the private and public spheres and there are various types relevant to the workplace in Infrastructure development.

Type	Description
Sexual Abuse	Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.
Sexual Harassment:	Any unwelcome sexual advance, request for sexual favor, verbal or physical conduct or gesture of a sexual nature, or any other behavior of a sexual nature that might reasonably be expected or be perceived to cause offense or humiliation to another, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment
Rape	Rape is a sexual assault involving sexual intercourse carried out against a persons will.
Sexual Violence	Sexual violence encompasses any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise, directed against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting .
Physical Assault	An act of physical violence that is not sexual in nature and can include hitting, slapping, choking, cutting, pushing, burning, shooting (use of any weapon), acid attacks or any other act resulting in pain, discomfort or injury.
Sexual Exploitation	Sexual exploitation involves any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.
Denial of Resources, Opportunities or Services	Denial of rightful access to economic resources / assets or livelihood opportunities, education, health or other social services. Examples include a widow prevented from receiving an inheritance, earnings forcibly taken by an intimate partner or family member, a woman prevented from using contraceptives, a girl prevented from attending school, etc. Reports of general poverty are not recorded.
Psychological / Emotional Abuse	This is the infliction of mental or emotional pain or injury and can include threats of physical or sexual violence - whether by force or under unequal or coercive conditions, intimidation, humiliation, forced isolation, stalking, verbal harassment, unwanted attention, remarks, gestures or written words of a sexual and / or menacing nature, request for a sexual favour and the destruction of cherished things.

2.3 Where does SEA/SH Occur

Although SEA/SH is one of the most widespread forms of violence, affecting individuals and communities everywhere, the risk of SEA/SH is related to country context and tends to be higher where:

- gender inequality is high, with widespread discrimination against women, causing vulnerability to exploitation and a lack of resources to seek help;
- gender stereotypes are strong, in particular, the widespread belief that men are naturally aggressive and justified in perpetrating SEA/SH, which allows it to be perpetrated without challenge;

- intimate partner violence is widespread, which indicates an elevated risk of other forms of SEA/SH to national legislation on SEA/SH is weak or entirely lacking, or existing laws are weakly enforced, meaning perpetrators of SEA/SH can act with impunity;
- poverty and discrimination are high, increasing people’s vulnerability to exploitation and restricting their access to information and resources to seek help;
- corruption among local authorities is widespread, including among government officials, the police and security services, reducing action against SEA/SH and enabling perpetrators to act with impunity;
- fragility and conflict exist, which weakens the rule of law and often increases other SEA/SH risk factors.

Gender-based violence can happen in both the private and public spheres and there are various types relevant to the workplace in Infrastructure development.

Type	Description
Rape	Rape is a sexual assault involving sexual intercourse carried out against a persons will.
Sexual Violence	Sexual violence encompasses any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise, directed against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting .
Physical Assault	An act of physical violence that is not sexual in nature and can include hitting, slapping, choking, cutting, pushing, burning, shooting (use of any weapon), acid attacks or any other act resulting in pain, discomfort or injury.
Sexual Exploitation	Sexual exploitation involves any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.
Denial of Resources, Opportunities or Services	Denial of rightful access to economic resources / assets or livelihood opportunities, education, health or other social services. Examples include a widow prevented from receiving an inheritance, earnings forcibly taken by an intimate partner or family member, a woman prevented from using contraceptives, a girl prevented from attending school, etc. Reports of general poverty are not recorded.
Psychological / Emotional Abuse	This is the infliction of mental or emotional pain or injury and can include threats of physical or sexual violence - whether by force or under unequal or coercive conditions, intimidation, humiliation, forced isolation, stalking, verbal harassment, unwanted attention, remarks, gestures or written words of a sexual and / or menacing nature, request for a sexual favour and the destruction of cherished things.



2.4 Recognising SEA/SH

SEA/SH is based on an imbalance of power, a sense of superiority and is carried out with the intention to assert that superiority, harm, humiliate and render a person or group people inferior and /or subordinate. Manifestations of SEA/SH are often multiple, interrelated and / or recurring and can range from its most widespread form, intimate partner violence to acts of violence perpetrated in the online space. It can be experienced as violence in the family, in the community or at the hands of the State, with some forms of violence (such as trafficking and in situations of armed conflict) extending into further settings.

It can be sexual, physical, verbal, psychological, or socio-economic and it can take many forms, from verbal violence and hate speech on the Internet, to rape or murder. It can be perpetrated by anyone: a current or former spouse/partner, a family member, a colleague from work, schoolmates, friends, an unknown person, or people who act on behalf of cultural, religious, state, or intra-state institutions.²

Factors influencing the nature of violence include ethnicity, caste, class, migrant or refugee status, age, religion, sexual orientation, marital status, disability and /or HIV status. Women are more vulnerable to SEA/SH than men with the majority of cases globally perpetrated against women. SEA/SH is instilled in the social and cultural structures, and norms and values governing societies. It is often perpetuated by a culture of denial, accompanied by silence.

² UN Women New York, 2012, *Handbook for National Action Plans on Violence Against Women*

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3. DESCRIPTION OF SEA/SH BASELINE

Assessing the project-related SEA/SH risk, three essential levels of context need to be considered. Firstly, the global context and general response to SEA/SH, secondly the country and/or regional context in which the project takes place, and finally, the potential risks that the project may bring. These SEA/SH risks are assessed throughout the project's life, assessing the effectiveness of risk mitigation measures, and adapting them accordingly.

3.1 Global Context

Globally, one in three women have experienced some form of physical or sexual violence in their lifetime with SEA/SH perpetrated in all countries. Findings by the World Economic Forum and the United Nations Women Organisation suggest that currently progress towards gender parity is stalling. Research found that although there was an increase towards parity (68.1%) in 2022, the current growth rate would only see full parity reached in a 132 years. This slightly up from 2021 where full parity was estimated at 136 years both estimates are higher than 2020 where full parity was set to take 100 years. This increase is due to the knock on effect of the pandemic and an increase in conflict.

3.2 Tunisian SEA/SH Context

Whereas Tunisia is frequently quoted as being at the forefront of women's rights in the Arab world because of the unique status of Tunisian women³, there is the potential for discrimination against women or members of other groups (e.g. workers with disability). In spite of progress in legislation to reduce gender inequality and the expansion in female education (particularly tertiary education), there are still many laws, customs, and practices in place that impede the fulfilment of women's rights and enable violence. Tunisia also still has low participation of women in the labour force, with women's share of the labour force not surpassing 25% (National Institute of Statistics). Tunisia ranks 95th out of 189 countries in regard to the global gender gap (UNDP Human Development Index 2018).

Rural women in Tunisia are especially vulnerable, as regional disparities and inequality between the urban and rural areas are dramatic: per capita income is about half that of the Tunisia's wealthiest regions, the poverty rate is three times higher, and educated women have the highest rate of unemployment, as most employment in rural areas is either unpaid family work or seasonal work with the lowest wages in the country. This is reinforced by cemented gender roles within the family, which have a negative effect on women's labour market participation.⁴

Alongside low pay and exploitation in the absence of basic labor rights and protection, rural women are dependent on their families and unable to leave if they are a victim of their husbands' abuse. Moreover, most rural women do not have the ability to realize or defend their rights since they are typically working outside a contractual framework. Without any protections, rural women in agricultural or domestic work are also exposed to an elevated risk of sexual violence; a survey by the Association of Tunisian Women for Research and Development ("AFTURD") on full-time domestic workers found that 15% of respondents claim to have been victims of sexual abuse by their employers.⁵

According to AFTURD, most acts of violence and harassment go unreported, as women in informal work have no legal protection. Adding to this, illiteracy for women in rural governorates is as high as 46%, compared to 20% for women in the Greater Tunis District. This disparity is linked to the lack of transport systems to get women and girls to school and severe poverty forcing young women to drop out of school and contribute to their families through farm and housework.⁶

Although Tunisia has adopted laws safeguarding against SEA/SH, reports show there is a disparity between law and practice. For example, in 2017, Tunisian Parliament adopted the Law on Eliminating Violence Against Women but women continue experience high levels of violence. According to a survey from the Ministry of Women, at least 47% of women in Tunisia have experienced domestic violence in their lifetime, with this number increasing since the onset of the Covid-19 pandemic. The Ministry of Women also found that in 2020 there were seven times more gender-based violence cases compared to previous years. In certain regions of Tunisia, moreover, Sharia law holds more legitimacy

³ Since the enactment of the Personal Status Code (PSC) in 1956, Tunisian women have played a greater role in the country's development

⁴ UN Committee on the Elimination of Discrimination against Women for consideration in the formulation of the List of issues during the 75th Pre-Sessional Working Group (22-26 July 2019), submitted by the International Human Rights Center, Loyola Law School, Los Angeles, CA and the Association Tunisienne des Femmes Democratiques.

⁵ Ibid.

⁶ Ibid.

					
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than any domestic or international law, and thus many rural women are either unaware of their rights under the Organic Law No 58 or they have no meaningful significance.

Moreover, existing counseling and health services for survivors of SGBV are limited and inadequate, especially in rural regions due to lack of access and financial resources. Health institutions, for example, are not adequately equipped to receive victims of SGBV and do not offer the anonymity or privacy essential for their safety. There is also a shortage of shelters, even though the incidence of SGBV is higher in the rural governorates of the country.

Note: Whereas Organic Law No 2017-58 sets out ambitious policies and programs aimed at assisting women victims of violence, it does not stipulate how the state will fund these measures and the current budget does not account for them. While the law requires authorities to refer women to shelters if they are in need, it does not set aside money for shelters and includes no provisions for funding either governmental or non-governmental shelters. It also fails to set out mechanisms for the government to provide financial assistance to meet women's needs or help in finding long-term accommodation.⁷

Irregular migration from Tunisia to Europe has been a long-standing phenomenon. Irregular migration has occurred from the country's littoral areas since the early 1990s, with most migrants aiming to land in Italy, either in Sicily or the Pelagic Islands¹. Historically, Tunisian irregular migrants have been male youths, mainly between the ages of 18 and 35 from economically marginalized families, often with limited education and few job prospects. The type of Tunisians migrating irregularly has started shifting to including whole families and middle-class citizens. This increases the number of vulnerable groups potentially exposed to SEA/SH incidences. The identification of these vulnerable groups need to be captured in the Project Social Baseline Study.

Tunisia has also become an immigration and transit country, with migrants coming mainly from the Maghreb and from Sub-Saharan Africa whose aim is to reach Europe through irregular migration from the Tunisian coast, especially from the Cap Bon peninsula (see **Figure 3**).⁸ This too increases the contextual risk of SEA/SH during the project construction phase. SEA/SH is thus a known risk in Tunisia, with risks related to the management of project workers including:

- potential risks to women project workers travelling in remote areas (management of this risk should not result in any discouragement of employment of women in relevant capacities);
- potential risks of SGBV committed by contractors' workers, both those temporarily resident in site camps for construction works or housed with neighbouring communities; and
- potential for negative interactions between vulnerable migrant women that are likely to be in the area of the project and project workers.

Although there are no official statistics available on the level and extent of sexual harassment, evidence suggests that women are often subjected to sexual harassment in public institutions and in the workplace. Violence against women and girls is also a concern. According to the first national survey on violence against women in Tunisia (ENVEFT) in 2010, violence against women appears to be increasing with the resurgence of certain Islamist ideologies, which can view women as second-class citizens.

Sexual harassment in the workplace has been receiving increasing attention, particularly as women's participation rates in the labour force have once again increased (28.3%) after declining from the 2016 level of 28.9%. A study conducted found that most women in Tunisia do not seem to recognize sexual harassment and that therefore studies on a larger scale as well as educational and informative campaigns seem to be necessary⁹. Adding to this, the aforementioned absence of suitable support infrastructure for SEA/SH victims in rural areas is a concern. These are issues that the Project will need to address, in collaboration with its contractors and the Government.

⁷ NGO Parallel Report on the Republic of Tunisia's Seventh Report on the Implementation of the Convention on the Elimination of all Forms of Discrimination Against Women, submitted to the UN Committee on the Elimination of Discrimination against Women for consideration in the formulation of the List of issues during the 75th Pre-Sessional Working Group (22-26 July 2019), submitted by the International Human Rights Center, Loyola Law School, Los Angeles, CA and the Association Tunisienne des Femmes Democratrices.

⁸ The migrant issue in the Cap Bon area is less visible than in Sicily, in large part due to its clandestine nature. Most migrants intending to travel to Europe tend to go to larger cities such as Tunis and Sfax rather than stay in rural areas where there is no support network.

⁹ McLaughlin H, Uggen C, Blackstone A. THE ECONOMIC AND CAREER EFFECTS OF SEXUAL HARASSMENT ON WORKING WOMEN. *GenD Soc.* 2017 Jun;31(3):333-358. doi: 10.1177/0891243217704631. Epub 2017 May 10. PMID: 29056822; PMCID: PMC5644356.

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3.3 Potential SEA/SH Project Risks

The potential social risks likely to occur during implementation of the project and that translate into an elevated SEA/SH risk are:

1. A large new male workforce and / or an influx of workers is required, whose relatively high income may create opportunities for sexual exploitation of people in the local community;
2. A need for temporary, informal and / or migrant workers, who may be cut off from their support networks and be more vulnerable to SEA/SH and less likely or able to report it. Conversely, potential perpetrators may also go unidentified due to lack of background checks on temporary and informal workers;
3. Seasonal deadlines are commonplace, with heavy fluctuations in workload, where managers and supervisors resort to verbal harassment and physical violence as ineffective attempts to increase workers' productivity;
4. Transportation of goods over long distances and overnight through remote communities is required, where drivers may perpetrate or themselves be vulnerable to SEA/SH ;
5. Community engagement in greenfield projects is required, particularly in poor communities, where individual workers have decision-making power over access to resources, creating opportunities for sexual exploitation;
6. Services are provided, especially luxury services or highly sought-after basic services, where workers can perpetrate or be vulnerable to SEA/SH
7. Security personnel are used who are meant to provide protection but who may abuse their positions of power and status to perpetrate SEA/SH, particularly where they have access to areas where workers sleep;
8. Worksites are in remote locations, increasing the risks of sexual or physical abuse out of sight of others and where people have limited access to resources to report SEA/SH and receive support

3.4 SEA/SH in the Marine Context

There is also the risk of sexual harassment in the context of the marine component of the Project. The Project will need to monitor for this and adopt suitable mitigations. In particular marine contractors would need to have adequate safeguards that meet the World Bank standards in this area, including the provisions set out in the Good Practice Note on Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) in Major Civil Works (3rd edition, 2022).

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4. WORLD BANK AND LEGAL REQUIREMENTS

4.1 Introduction

The Project is subject to a combination of World Bank requirements, national regulatory requirements and relevant international standards covering social impacts. This section provides a summary of applicable World Bank, international legal and relevant Tunisian regulatory requirements in relation to SEA/SH. It is noted that in the case of conflict between these standards, the more stringent applies.

The World Bank (WB) policies are developed to protect the safety, dignity and well-being of communities affected by World Bank-supported infrastructure and other area-based investment projects. The WB systems, tools and processes are designed to prevent and mitigate against the risk of sexual exploitation and abuse as well as other forms of gender-based violence (GBV).

4.2 WB Good Practice Note on SEA/SH

The World Bank GBV Good Practice Note (GPN) and SEA/SH Risk Mitigation Good Practice Note builds on World Bank experience and international industry good practices to assist Project team identifying risks of GBV and SEA/SH, that can emerge in major civil works contracts. The GPN provides advice on how to best manage such risks. The purpose of the GPN identifies the issues, stakeholders, possible service providers and assessment of their capacity that aid in the grievance redressal. The GPN focuses on some corresponding mitigation measures to sensitize the communities and other stakeholders, strengthening the institutional capacities to mitigate project related potential risk of GBV in the project affected population. A survivor-centric approach is followed all through, and victim/survivors' care and providing access to different referral mechanisms are considered key aspects.

The GPN is guided by several key principles:

- Be **survivor-centered**: Approach considerations related to GBV prevention, mitigation and response through a survivor-centered lens,5 protecting the confidentiality of survivors; recognizing them as principal decision-makers in their own care; and treating them with agency, dignity and respect for their needs and wishes.
- **Emphasize prevention**: Adopt risk-based approaches that aim to identify key risks of SEA/SH and to undertake measures to prevent or minimize harm.
- **Build on existing local knowledge**: Engage community partners—local leaders, civil society organizations, gender and child advocates—as resources for knowledge on local-level risks, effective protective factors and mechanisms for support throughout the project cycle.
- Be **evidenced-based**: Build on existing global research and knowledge on how to address GBV effectively.
- **Be adaptable**: Adapt and adjust prevention and mitigation measures to respond to the unique drivers and context in any given setting, using the operational guidance presented in this GPN, which provides the foundation for an effective SEA/SH risk management approach.
- **Minimize harm to women and girls**: The project staff must be trained on how to preserve the safety of women while interviewing/collecting data on this topic. Women may suffer physical harm and other forms of violence if partners/perpetrators discover that they have been talking to others about their personal relationships. Because many violent partners/perpetrators control the actions of women with whom they are in a relationship, even the act of speaking to another person without their permission may trigger a woman's beating. As such, asking women about violence should be confidential, and should take place in complete privacy, with the exception of children under the age of two. Consent for any data collection, even as part of a case file, should be offered and if anonymity can be guaranteed, it should also be provided
- Enable **continuous monitoring and learning**: Ensure operations integrate mechanisms for regular monitoring and feedback to track effectiveness and to build internal knowledge of what works to prevent, mitigate and respond to SEA/SH.

4.3 ESF and ESS Requirements

The ESF's Environmental and Social Standards (ESSs) sets out the requirements for Borrowers relating to the identification and assessment of environmental and social risks and impacts associated with projects supported by the World Bank. While the ESF itself does not explicitly mention SEA/SH, various ESSs are in alignment with the recommendations of the GPN for addressing SEA/SH, including:

- ESS1: Assessment and Management of Environmental and Social Risks and Impacts;
- ESS2: Labor and Working Conditions;
- ESS4: Community Health and Safety; and
- ESS10: Stakeholder Engagement and Information Disclosure.

In addition, the World Bank has adopted a Good Practice Note on Community Health and Safety as follows:

GUIDANCE NOTES FOR BORROWS: ESS4 COMMUNITY HEALTH AND SAFETY

ESS4_GN5.3. Where an assessment identifies risks, for example Gender-Based Violence (GBV) or Sexual Exploitation and Abuse (SEA) of children, or communicable diseases, which may arise from the interaction of project workers with local communities, the environmental and social documents for the project describe such risks and measures to address them. Such measures can include, more generally, the use of skilled trainers to raise awareness among project workers of the risks, expected behaviors, and consequences of violations, communicated through training, and publicized codes of conduct. It may also be important to raise awareness of the risks among community members and local health authorities and inform them about available grievance mechanisms. Where appropriate, the risks and mitigation measures relating to project workers should also be reflected in the labor management procedures for the project as discussed in GN9.4 of ESS2.

4.4 ESF Requirements on Labor Influx

Although the overall number of workers on the project is not expected to be significant, there is still likely to be a degree of labor influx. In an effort to reduce the impacts associated with labor influx, as well as to provide temporary or more long-term employment opportunities to some of the affected communities, the World Bank mandates that the borrower is to require contractors to recruit construction workers from the country, with preference given to recruitment of workers from Project-affected communities. To this end, borrowers are to abide by the World Bank's Good Practice Note on Assessing and Managing the Risks of Adverse Impacts on Communities from Project-Related Labor Influx.

Whereas impacts related to labor influx are expected to be small-scale and temporary, the risks of communicable diseases, SGBV, illicit behavior and tensions with the local communities cannot be entirely excluded. To address these risks, a requirement to carry out a prior influx and SGBV risk assessment, will likely be included in the terms of reference for the contractors as necessary. This will involve the inclusion of provisions in the bidding and contractual documents to ensure that the civil works comply with core labor standards, environmental and social considerations, and that the contractors put in place a Code of Conduct for their management and labor force.

In addition, the World Bank has adopted a Good Practice Note on Labor Influx as follows:

GOOD PRACTICE NOTE: ASSESSING AND MANAGING THE RISKS OF ADVERSE IMPACTS ON COMMUNITIES FROM PROJECT-RELATED LABOR INFLUX

The GPN (2nd Edition, June 2021): Recognising that the influx of workers and followers can lead to adverse social and environmental impacts on local communities, especially if the communities are rural, remote or small, or existing resources are limited, the GPN provides guidance on identifying, assessing and managing the risks of adverse social and environmental impacts that are associated with the influx of labor to Bank-supported projects. The Note contains guiding principles and recommendations for the design, preparation and implementation of projects with civil works that require labor from outside the project area. It does not introduce new requirements, but rather provides good practice on how to approach such issues as part of the environmental and social assessment process and throughout the project life cycle.

4.5 Tunisian Regulatory Requirements

Applicable Legislation

Legislation aimed at strengthening equal opportunities and addressing harassment within Tunisia including vulnerable groups and gender includes the following:

- Decree of 18 August 1958, Code of Personal Status stating equal rights between genders;
- Law 85-68 of 12 July 1958 ratifying the CEDAW convention about discrimination's elimination against women (modified 17 April 2014);

- Article 21 and 46 of the Tunisian Constitution (January 2014), all citizens have same rights and obligations, and the State guarantees to protect all women's acquired rights;
- Law 58 of 11 August 2017 concerning the elimination of violence against women.(covers prevention, suppression and protection against violence, along with compensation.)
- In article 46, the state commits to protecting women's accrued rights and to working "to strengthen and develop those rights," and also commits to taking "all necessary measures in order to eradicate violence against women."
- Decree No 626 of 25 May 2016, creation of a National Peer Council for Equality and Equal Opportunities between Women and Men (an advisory council to integrate the gender equality perspective in public institutions and mandated to issue opinion on draft Laws relative to women's rights.)¹⁰
- Law No 58 of 26 July 2017 on Eliminating Violence against Women

Law No 58 of 26 July 2017 on Eliminating Violence against Women adopts a broad definition of violence against women, including physical, psychological, sexual, political and economic violence, and seeks to address violence through prevention, protection, penalization of perpetrators, as well as procedures, services and institutions for women survivors. Under the law, the Ministry of Health is responsible for implementing SEA/SH programs in medical trainings, provide examinations, treatments, and follow-ups to women and children residing with them, provide special units for women survivors as well as health and psychosocial services; the Ministry of Social Affairs should provide training for social intervention workers, build their capacity, provide protection services through social centers for vulnerable populations; and the Ministry of Women, Family and Childhood, is responsible for providing services at the social centers including shelter, psychological counselling, medical care and legal advice.

Applicable ILO Conventions

Tunisia has been a member of the ILO since 1956 and has ratified some 61 international conventions, including the following:

Convention name	Ratified by Tunisia
• ILO Convention 29 Forced Labour Convention (1930)	17/12/1962
• LO Convention 105 Abolition of Forced Labour Convention (1957)	12/01/1959
• ILO Convention 87 Freedom of Association and Protection of the Right to Organize (1948)	18/06/1957
• ILO Convention 98 Right to Organize and Collective Bargaining (1949)	15/05/1957
• ILO Convention 100 Equal Remuneration Convention (1951)	11/10/1968
• ILO Convention 111 Discrimination Employment and Occupation (1958)	14/19/1959
• ILO Convention 182 Worst Forms of Child Labour (1999)	28/02/2000
• ILO Convention 183 Maternity Protection Convention (5 Months)	Not Ratified
• ILO Convention 190. Violence and Harassment Convention, (2019)	Not Ratified

Tunisian Institutional Framework

The institutional framework regarding gender issues in Tunisia is as follows:

- Ministry of Social Affairs: in charge of implementing social policies and ensuring fair social development;
- The National Strategy for the Economic and Social Empowerment of Women and Girls in Rural Areas 2017-2020: (to address gender disparities in rural areas and disparities between women in urban and rural areas, covering economic empowerment of rural women and girls and continued education);
- The National Action Plan 2022, for the Integration and Institutionalization of the Gender Perspective (aimed at the integration of the gender perspective in planning, programming and budgeting. Review of discriminatory laws, support of women's participation in political life and in the conduct of public affairs. Implementing the National Strategy for violence against women and the social, economic and educational empowerment of rural women).
- NGOs and Civil society: several NGOs and associations operate to protect against SEA/SH
 - The Parfait Project, which aims to improve the participation of women in local governance in Tunisia
 - The L'Association Tunisienne des Etudes sur le Genre (ATEG) and
 - The Association of Women Democrats (ATFD) provide support from shelter to legal help.

¹⁰ https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/CSW/64/National-reviews/Tunisia_En.pdf

5. SEA/SH ACTION PLAN

5.1 SEA/SH Risk Mitigation Measures

The key SEA/SH mitigation measures to be adopted by the project will include the following:

- Adopting a Project Code of Conduct which is signed by project staff and contractors and disseminated to staff and communities.
- Putting in place/reviewing an existing project GRM to be responsive to SEA/SH. Accountability and grievance committees to be formed.
- Engaging with and carrying out awareness raising among the affected labour and community population (especially vulnerable women and girls) on SEA/SH risks,¹¹ in line with the project SEP, and informing them of their rights, how to report through the established GRM, the existing referral pathways and response support protocol for such incidents.
- Mapping out available SEA/SH services (e.g. shelters, legal, financial and health support), especially in the wider project area (establishing quality and capacity) and develop referral pathway in project area. Engaging as needed with existing service providers such as recognised Tunisian NGOs focused on SGBV and gender issues.
- Informing community members, including vulnerable groups, of existing SEA/SH referral pathways. In the event that victims of SEA/SH choose to use these pathways, and require assistance to access these services, the Project will provide targeted assistance (e.g. travel and accommodation support).
- Carrying out SEA/SH, safety and security risk audits to monitor the effectiveness of mitigation measures, identify new risks and ensure risks are adequately addressed.
- Training on the overall Environmental Social Risk Management Framework (ESMF) including SEA/SH, provided to PMU/IA management/leadership, project staff, Implementing Partners, contractors and communities.
- Obtaining the support of National Ministries to disseminate / develop referral pathways and liaising with relevant departments at national, governorate and local levels for effective support of survivors, including matters on transportation, justice, security, psychosocial and case management and, medical and health care.
- Organizing regular monitoring sessions including spot checks to monitor the effectiveness of the grievance mechanism and community engagement.

In relation to the marine component of the Project, the borrower will assess the risk of SEA/SH and ensure that bid packages include provisions on SEA/SH and require the marine contractor to assert a zero-tolerance policy to realize a work environment free from SEA/SH, and enhance the effective recruitment and retention of women seafarers. This will be done in a language comprehensible to all those on board, and where appropriate in their mother tongue. The borrower will further require the contractor to have an effective implementation scheme in place. Other measures to be adopted include requiring contractors to:

- Adopt and make known anti-SEA/SH policy and grievance procedures;
- Demonstrate that they have effective education, training and awareness raising programmes in place to deal with SEA/SH, including effective grievance procedures;
- Have reporting mechanisms in place that help victims and bystanders overcome the reluctance of victims to report out of fear of retaliation and victimization;
- Take measures to operationalise equality and SEA/SH-related clauses, for example by preparing, disseminating and making known a Best Practices Guide on Prevention of Sexual Assault and Sexual Harassment, including in the crew's mother tongue;
- Adopt a naming and shaming approach to bad behaviour;
- Have statements, formal presentations, and posters placed in conspicuous places, including reminders in the form of emails, social media, training and others - to properly combat SEA/SH to encourage harassed women and men to take a more assertive response;
- Carry out regular education and training programmes to prevent harassment on board (e.g. running workshops and/or seminars to ensure smooth implementation and understanding of the policy);
- Alert trainees about the impact of any form of sexual harassment upon the victim and ultimately the whole work environment, emphasising that all employees on board are responsible for a work environment free from SEA/SH, and that passive bystanders are to be considered accomplices of any abuse of power;

¹¹ Efforts will be made to ensure not to investigate personal experiences so as not to retraumatize survivors.

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- Ensure that not only top positions take the lead and that all employees are aware of their obligation to stand against SEA/SH and intervene in case they identify a situation as a form of sexual harassment, with strategic personnel encouraging the zero-tolerance policy;
- Demonstrate that there is no gender-based pay inequality in the maritime component of the project.

5.2 Risk Rating

The social risk rating is classified as Substantial under the ESF, based on the information currently available, and especially considering the greenfield nature, the transboundary scale, technical complexity of the project, and possible use of labour camps as well as the anticipated significant OHS risks for workers (such as work at height and sea, risk of electrocution, work with heavy machines, vehicles and vessels).

Amongst risks to community health and safety, the most severe and potentially irreversible impacts would be those related to risks of Sexual Exploitation and Abuse (SEA) of community members by project workers and the risk of Sexual Harassment (SH) amongst project workers, as further specified below.

Note: The LMP also includes a project-specific Code of Conduct with specific clauses on expected behaviour, especially related to the definition and prohibition of sexual exploitation and abuse of community members and sexual harassments amongst project workers. The Code provides detailed information regarding the consequences of violations of the Code of Conduct, in particular related to SEA/SH.

5.3 Goals and Objectives

The goals and objectives of the SEA/SH action plan are to enable the Project to Safeguard, Educate, Redress and promote Gender Equity – creating opportunities for vulnerable groups to engage with the project, within the country context of operations.

5.4 Action Plan (including Monitoring and Evaluation)

This plan outlines the content and elaboration/implementation process to address SEA/SH on the project. The plan addresses the risks that the project may engender and supplements existing risk management systems, which should include response measures to instances of SEA/SH covered under the GRM and a general monitoring mechanism for the project.



Action to address GBV Risks		Timing	Responsible Parties	Monitoring
1. SEA/SH safety and security audits carried out and the Grievance Redress mechanism enhanced				
1.1	Create SEA/SH safety audit resources/ tools to the project and project staff, implementing partners (IPs) trained on their use	At the start of the project period	STEG	Ongoing review during implementation.
1.2	SEA/SH safety audits carried out by all implementing agencies as per their areas of responsibility	Throughout project implementation - monthly	STEG	Ongoing review during implementation. Update project ESMP and Contractor's ESMP (C- ESMP) if risk situation changes
1.3	Ensure multiple channels for SEA/SH reporting are available, functional and accessible to communities	During preparation and throughout project implementation	STEG	Ongoing review during implementation
1.4	Raise awareness for beneficiaries on the availability/access of the GRM	During preparation and throughout project implementation	STEG	Reports on briefings
1.7	Continuous review of the GRM process to avoid causing more harm to survivors	Throughout project implementation	STEG	Ongoing review during implementation and note on functionality in reporting
2. Awareness raising among the affected population on SEA/SH, informing them on their rights and how to report through the established GRM				
2.1	Identify Gender/SEA/SH focal points responsible and train them on roles and responsibilities, survivor centered approaches, referral pathway, GRM, reporting procedures, tools and protocols	At the start of the project period	STEG	List of Gender / SEA/SH focal points with updates as necessary
2.2	Identify existing SGBV support infrastructure such as shelters as well as legal, financial and health support for victims in the project area, including the services provided by recognised Tunisian NGOs focused on SGBV and gender issues	At the start of the project period	STEG	List of SGBV support network infrastructure and contacts to assist potential victims in need of referral
2.3	All IPs fill in the Prevention of SEA/SH assessment form to inform the implementing team on their capacity on SEA/SH	At the start of the project period / during IP selection	STEG	SEA/SH /PSEA capacity and needs assessment reports
2.4	Translation of key messages on SEA/SH prevention and sexual harassment into local language	During project implementation	STEG	Communication materials



Action to address GBV Risks		Timing	Responsible Parties	Monitoring
2.5	Dissemination of PSEA/SH messages using the local radio, posters. Display visuals regarding PSEA and messaging centrally	Throughout project implementation	STEG	Communication strategy and materials, recordings of radio messages
2.6	Reporting and referral of SEA/SH survivors to service providers with their consent	Throughout project implementation	STEG	Reports of SEA/SH incidents
3. Training of PIU leadership/management, project staff, MAFS staff, IPs, contractors on the overall ESF principles including GBV, SEA, SH and AAP				
3.1	Training of all project staff, on SEA/SH	During preparation and implementation	STEG	Training reports
3.2	Continuous mentoring on GBV and backstopping of staff	Throughout project implementation	STEG	Training/mentoring reports
4. National and State Ministries of Gender Child and Social Welfare support partners in disseminating of referral pathways				
4.1	Map out available SEA/SH services (establish quality and capacity) and develop referral pathway in project areas	To be done at the start of the project and updated on bimonthly during implementation	STEG	Database of GBV services
4.2	Support dissemination of referral pathways	During implementation	STEG	Dissemination reports
4.3	Disseminate information on SEA/SH prevention to staff working in the project	During implementation	STEG	Dissemination reports
5. Using participatory and community engagement techniques to reduce SEA/SH risks				
5.1	All project activities should be carried out during the day	During implementation	STEG, EPC	Activity reports
5.2	Continuous consultations and engagement of communities especially on issues pertaining to SEA/SH, project and security risks. A variety of stakeholders (political, cultural or religious leaders, health teams, local councils, social workers, women's organizations and groups working with children) should be engaged with, with consultations occurring at the start and throughout the implementation of the project	Consultations need to be done in a quarterly basis	STEG, EPC	Monitoring implementation of Stakeholder Engagement Plan
6. Staff Codes of Conduct that the employees, Staff including implementing partners/contractors and suppliers sign and are obliged to abide by				



Action to address GBV Risks		Timing	Responsible Parties	Monitoring
6.1	Orient and ensure all project staff, IP staff and contractors sign a Code of Conduct	At the start of the project period and once a month if there are new hires	STEG, EP	Signed Code of Conducts
6.2	Routinely raise awareness on SEA/SH and Codes of Conduct	During project implementation - during all project meetings (at least once a month)	STEG, EP	Meeting reports
7. Create opportunities for vulnerable groups (especially women) to engage with opportunities (including employment) provided by the project				
7.1	Gender equity employment/hiring policy in place and included in labour requirements and recruitment strategies of the Project and IPs	At the start of the project	STEG, EP	Recruitment reports - monthly
7.2	Employment opportunities identified specifically for women	At the start of the project	STEG, EP	Recruitment reports - monthly
7.3	Communication and advertisement of opportunities ensure maximum access by women and marginalized groups	At the start of the project	STEG, EP	Recruitment reports - monthly
7.4	Skills development and training for women in technical roles	At the start of the project	STEG, EP	Monthly training reports
8. Inclusion of SEA/SH requirements and expectations in the bid documents				
8.1	Clearly define the SEA/SH requirements and expectations in the bid documents and evaluate contractor's capacity. Based on the project's needs, the Projects Standard Procurement Documents (SPDs), and the IA's policies and goals, define the requirements to be included in the bidding documents for a Code of Conduct which addresses SEA/SH <ul style="list-style-type: none"> Formulate and adopt SEA/SH informed bidding document. 	At the start of the project	STEG, EP Procurement	SEA/SH requirement and expectation are adapted in bid document.



Action to address GBV Risks		Timing	Responsible Parties	Monitoring
	<ul style="list-style-type: none"> Inform the contractors and provide orientation Evaluate contractor's ability to meet project's SEA/SH prevention and response requirement prior to finalize the contract. Evaluate contractor's Code of Conduct 			
8.2	Review C-ESMP to verify that appropriate mitigation actions are included and confirm prior to finalising the contract the contractor's ability to meet the project's SEA/SH prevention and response requirements	During project implementation	STEG, EP Procurement	SEA/SH requirement and expectation are adapted in bid document.
8.3	Implement appropriate project-level activities to reduce SEA/SH risks in construction site prior to civil works commencing <ul style="list-style-type: none"> Have separate, safe and easily accessible facilities for women and men working on the site. Locker rooms and/or latrines should be located in separate areas, well-lit and include the ability to be locked from the inside. Visibly display signs around the project site (if applicable) that signal to workers and the community that the project site is an area where SEA/SH is prohibited. As appropriate, public spaces around the project grounds should be well-lit 	Prior to works commencing	STEG	Documentation of measures taken to reduce GBV risks Ongoing reporting Reviews during implementation support missions.
9. Organizing regular monitoring sessions including spot checks to monitor the effectiveness of the Grievance mechanism and community engagement				
9.1	Routinely review of the processes and GBV complaints received through the GRM. The monitoring will be towards;	During project implementation - monthly	STEG, EP	Ongoing reporting. Monitoring of complaints and their resolution



Action to address GBV Risks		Timing	Responsible Parties	Monitoring
	<ul style="list-style-type: none"> timeliness of referrals (ensuring prompt, safe and confidential responses to SEA/SH) and; actions taken to address them (Securing requisite support to SEA/SH survivors) 			
9.2	<p>M&E and reporting of SEA/SH action plan</p> <ul style="list-style-type: none"> Undertake regular M&E of progress on GBV activities, including reassessment of risks as appropriate. Conduct M&E field visits Review quarterly the action plan and progress against indicators listed Provide quarterly report 	During project implementation - monthly	STEG, EP	Successful implementation of SEA/SH Action Plan (Y/N). Quarterly report Monitoring of GRM. Ongoing reporting.
10. Appropriately Resources Project and Contactor teams with GBV specialist				
10.1	A social /environmental specialist to be secured in the supervising Engineer's team with GBV specific skills to supervise issues related to SEA/SH e.g. supervise signing of CoCs, verify working GM for SEA/SH is in place, refer cases where needed) and work with GBV service providers as entry points into service provision to raise awareness of the GM	During planning to implementation	<ul style="list-style-type: none"> STEG, EPC 	Suitable resource procured
10.2	GBV specialist to be included in the IA	<ul style="list-style-type: none"> During planning to implementation 	<ul style="list-style-type: none"> STEG, EPC 	Suitable resource procured
11. SEA and Children				
	In relation to the risk of SEA and children, which is a consideration in the context of labor influx and worker accommodation in or close to neighbouring communities, in accordance with World Bank policy ¹² , the borrower will ensure a) that all staff and contractors are aware of that	<ul style="list-style-type: none"> During planning to implementation 	<ul style="list-style-type: none"> STEG, EPC 	Suitable resource procured

¹² World Bank, Good Practice Note on Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) in Major Civil Works (3rd edition, 2022), Sections 23-27.



Action to address GBV Risks	Timing	Responsible Parties	Monitoring
<p>anyone under the age of 18, regardless of the provisions of national law, are not able to give free and voluntary consent and that any sexual activity between an adult and an individual below the age of 18 is considered child sexual abuse, except in cases of pre-existing marriage; and b) that the conditions of employment of project staff and contractors prohibit sexual contact or activity with anyone below the age of 18.¹³</p> <p>The borrower will also take steps to ensure that children who have experienced violence, including sexual violence, are dealt with using specific measures that differ from the response to GBV among adults. In particular, the provision of assistance/support to children should be guided by the application of best interests of the child principles.</p>			

¹³ The borrower will also ensure that all project staff and contractors are aware that mistaken belief regarding the age of a child is not a defense.

5.5 Existing Response Mechanisms

Accelerator Lab

The Accelerator Lab in Tunisia, in collaboration with UNDP's Reform of the Security System initiative, has been exploring different facets of GBV in Tunisia to make sense of this complex challenge that is shaped by various social, political, cultural and economic forces. This is against the background of Law 58 that was adopted in 2017 in Tunisia. Under this new law, the State is not only responsible for prosecuting those who have carried out violence against women, but also for the prevention of GBV and the protection of victims. Among others, the Ministries of Education, Health, Social Affairs, Justice and the Interior as well as the media are responsible for training staff and professionals in the prevention of violence against women.

The law also holds the police accountable for timely responses to victims' complaints and for reporting cases of violence. Following the implementation of Law 58 in the past four years, it was important to make sense of the emerging institutional ecosystem of support to GBV victims.

Note: This learning journey was intended to reinforce current efforts of UNDP to improve the quality of support provided to GBV victims in specialized units and adopt a portfolio approach to GBV in Tunisia. The focus of this learning journey has been primarily focused on a specific type of GBV, called Intimate Partner Violence (IPV) and is thus focused on violence in the context of marital relationships, which constitutes the majority of cases of GBV in Tunisia and globally.¹⁴

Code of Conduct

Since 2017, the World Bank's SPDs for large works have required that all contractors Personnel be provided with (and acknowledge receipt of) a Code of Conduct. A Code of Conduct clarifies an organization's mission, values and principles, linking them with standards of professional conduct. The Code of Conduct articulates the values the organization wishes to foster in leaders and employees and, in doing so, defines desired behavior. As a result, a written Code of Conduct can become a benchmark against which individual and organizational performance can be measured.

The SPD requirements for Code of Conducts include provisions for addressing SEA/SH and include prohibitions against sexual activity with anyone under the age of 18. Mistaken belief regarding the age of the child and consent is not a defense for engaging in sexual activity with minors. The Code of Conduct is associated with a SEA/SH Prevention and Response Action Plan, which includes an Accountability and Response Framework. The Framework outlines how complaints will be handled, in what timeframe, and the range of possible consequences for perpetrators of SEA/SH so that the Code of Conduct can be implemented effectively. The Code of Conduct may be used by bidders should they not have one of their own.

A key element of the Code of Conduct is the sanctions that may be applied if an employee is confirmed as a SEA/SH perpetrator. The sanctions need to be proportional to the violation. Prior to imposition of sanctions, if a worker raises a credible challenge to alleged violation with the Code of Conduct, the worker's employer should place the worker on administrative leave pending a full and fair review to determine the veracity of said allegation(s). Potential sanctions are outlined in **Table 1** below.

Table 1: Possible Repercussions for SEA/SH Violations

Unacceptable behavior	Sanctions
Sexual intercourse or engaging in sexual act without consent <ul style="list-style-type: none"> • Attempting to engage in sexual intercourse or sexual act without consent • Sharing private sexual materials of another person without consent • Kissing without consent • Touching inappropriately without consent • Inappropriately showing sexual organs to another person 	<ul style="list-style-type: none"> • Expulsion • Suspension/exclusion • Restrictions/conditions • Formal warning • Mandatory training session • Written or verbal apology

¹⁴ Nadia Ben Ammar, 2022, *Navigating through the wickedness of gender-based violence in Tunisia*, Programme des Nations Unies pour le développement. <https://www.undp.org/fr/tunisia/blog/navigating-through-wickedness-gender-based-violence-tunisia>

<ul style="list-style-type: none"> • Repeatedly following another person without good reason • Making unwanted remarks of a sexual nature 	
Threats to hurt another person <ul style="list-style-type: none"> • Abusive comments relating to an individual's sex, race, pregnancy, maternity, gender, disability • Acting in an intimidating and hostile manner 	<ul style="list-style-type: none"> • Expulsion • Suspension/exclusion • Restrictions/conditions

Recruitment of Labour

To minimize labor influx, STEG will require contractors to preferentially recruit unskilled labor from the local communities for simple works such as excavation, leveling, cleaning, load/uploading materials, watering sites etc. All Contractors and contracted workers will be required to sign and comply with the Code of Conduct prior to the commencement of work, which includes a provision to address the risk of SEA/SH. The Code of Conduct governs both on-site behavior (with colleagues) and conduct in the community. Relevant training will be provided to workers, such as induction and daily toolbox talks outlining expected conduct and local community values; and training on SEA/SH and GRM will be provided to communities located closed to the construction works.

The employment of project workers and contractors will be based on the principle of equal opportunity and fair treatment, and there will be no discrimination with respect to any aspects of the employment relationship, such as recruitment and hiring, terms of employment (including wages and benefits), termination and access to training. To address the risk of exclusion of vulnerable groups (such as women and persons with disabilities) from employment opportunities, the Project will require the contractor to employ such groups as part of their unskilled workforce.


Contractors will also be required to comply with the Tunisian Labor Code on gender equality in the work place, which will include provision of maternity leave and nursing breaks and sufficient and suitable toilet and washing facilities, separate from men and women workers. Contractors will be also required to enable safety in the workplace to address potential sexual exploitation or harassment in recruitment or retention of skilled or unskilled female workers supported, and potential discrimination along ethnic lines under the project.

Contractors will be fully responsible to ensure that their workers know and are trained on their obligations with respect to avoidance of any form of SGBV and SEA/SH. Continuous motivation, monitoring and reporting on the same is the responsibility of the Contractor. Contractors are also required to ensure that the assigned workers are adequately trained and briefed with overall safety arrangement, use of equipment, GRM procedure, working conditions of the project. Training SEA-SH and preparation and obtaining signed Code of Conduct are also Contractor's responsibility. Careful cross referencing to the Labor Management Procedure (LMP) in regard of the management of SEA/SH issues in the workplace is essential.

5.6 Labor Influx

Although the overall number of workers on the project is not expected to be significant, there is still likely to be a degree of labor influx. In an effort to reduce the impacts associated with labor influx, as well as to provide temporary or more long-term employment opportunities to some of the affected communities, the borrower will require contractors to recruit construction workers from the country, with preference given to recruitment of workers from Project-affected communities. The borrower will moreover abide by the World Bank's Good Practice Note on Assessing and Managing the Risks of Adverse Impacts on Communities from Project-Related Labor Influx.

Impacts related to labor influx are thus expected to be small-scale and temporary. However, the risks of communicable diseases, SEA/SH, illicit behavior and tensions with the local communities cannot be entirely excluded. To address these risks, a requirement to carry out a prior influx and SEA/SH risk assessment, will likely be included in the terms of reference for the contractors as necessary. Provisions will be included in the bidding and contractual documents to ensure that the civil works comply with core labor standards, environmental and social considerations, and that the contractors will put in place a Code of Conduct for their management and labor force.

					
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6. GRIEVANCE MECHANISM

6.1 Introduction

For GBV—and particularly SEA/SH—complaints, there are risks of stigmatization, rejection and reprisals against survivors. This creates and reinforces a culture of silence so survivors may be reticent to approach the project directly. Some survivors will choose to seek services directly and never report to the GM, which may lead to a discrepancy in the number of cases reported to the Bank by service providers and the GM operators. To enable women to safely access the GM, multiple channels through which complaints can be registered in a safe and confidential manner can be enabled.

6.2 GBV and SEA/SH Grievances

The existing project GRM will be strengthened to make it responsive to SEA/SH. The Project will set up the GRM based on local resources and mechanisms on SEA/SH response and the WB guiding model. Under this model, SEA/SH allegations can be reported, like any other project-related grievance, using multiple channels, including the regular project-level GRM channel. Specific procedures for SEA/SH, including confidential reporting with safe and ethical documenting of SEA/SH cases will be prepared, outside the project GRM channels, especially to address high risk situations. In support of this, training of the responsible officials in the project will be provided on how to receive and handle SEA/SH complaints. The Social Safeguards Specialist, supervision consultants, contractors and Project staff will be included in these trainings which will allow them to determine follow up modalities.

To make the GRM more responsive to SEA/SH issues, an information sharing protocol with SEA/SH service providers will be developed enabling survivor related information to be carefully managed, and confidentiality maintained. In addition, awareness campaigns and development of IEC materials on GRM will be undertaken for the communities and stakeholders using easily accessible methods. The communication materials will be disseminated among the communities and stakeholders through appropriate channels and media including the website and use of social media¹⁵.

Workers (direct workers, contracted workers) have the right to submit grievances regarding workplace concerns without submission through a separate SEA/SH GM system, potentially run by a GBV service provider—with feedback to the project GRM similar to that for parallel GMs operated by contractors and consultants. The GRM operators are to be trained on how to collect SEA/SH cases confidentially and empathetically (with no judgement).

The GM should primarily serve to: (i) refer complainants to the GBV service provider; and (ii) record resolution of the complaint. The project will have multiple complaint channels, and these must be trusted by those who need to use them. Community consultations may be one mechanism to identify effective channels (e.g., local community organizations, health providers, etc.). Thus no identifiable information on the survivor should be stored in the GM.

The GM should not ask for, or record, information on more than the following related to the SEA/SH allegation:

- The nature of the complaint (what the complainant says in her/his own words without direct questioning);
- If, to the best of the survivor's knowledge, the perpetrator was associated with the project;
- If possible, the age and sex of the survivor; and
- If possible, information on whether the survivor was referred to services.

The GM should assist SEA/SH survivors by referring them to GBV service provider(s) for support immediately after receiving a complaint directly from a survivor. The information in the GM must be confidential—especially when related to the identity of the complainant. The GBV service provider should have its own case management process to gather the necessary detailed data to support the complainant and facilitate resolution of the case referred by the GM operator.

The GBV service provider should enter into an information-sharing protocol with the GM operator to close the case. This information should not go beyond the resolution of the incident, the date the incident was resolved, and the closing of the case. Service providers are under no obligation to provide case data to anyone without the survivor's consent. If the survivor consents to case data being shared the service provider can share information when and if doing so is

¹⁵ Bangladesh Inland Water Transport Authority (Biwta) Ministry of Shipping, (2016), Sexual Exploitation & Abuse (SEA)/Sexual Harassment(SH) Risk Mitigation and Response Action Plan, *Bangladesh Regional Waterways Transport Project 1*.

safe, meaning the sharing of data will not put the survivor or service provider at risk of experiencing more violence (Figure 4).

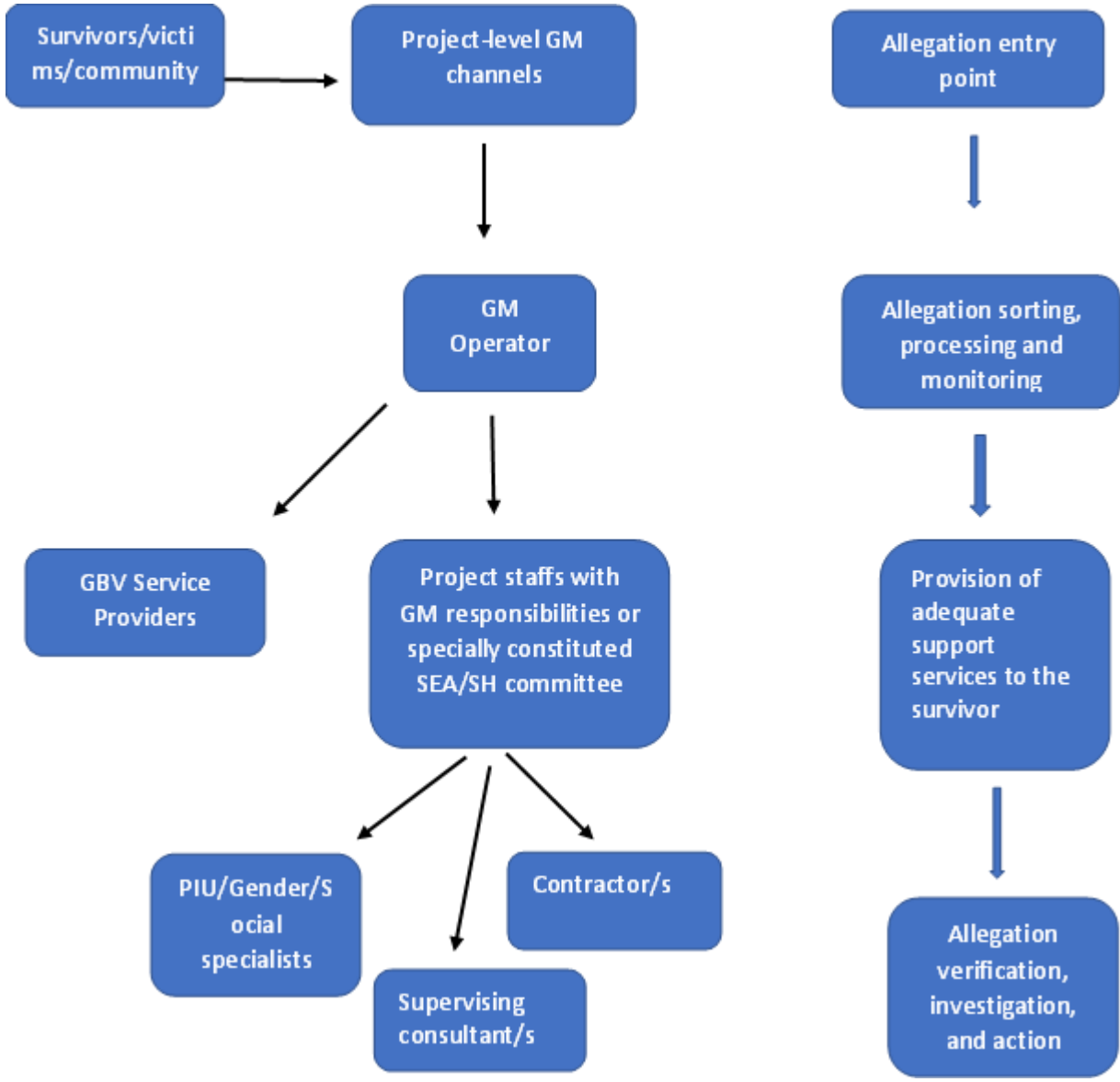


Figure 4: SEA/SH Sensitive Grievance Mechanism

					
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7. MONITORING, EVALUATION AND REPORTING

7.1 Monitoring and Evaluation (M&E)

It is essential that the project monitor SEA/SH prevention activities. M&E plays a key role in assessing the effectiveness of prevention and mitigation measures. As part of the M&E process, indicators need to be selected for inclusion in the project Results Framework. The project's Results Framework should include indicators related to: i) the SEA/SH prevention activities on the project; and ii) the GRM.

SEA/SH prevention indicators may include:

- Successful implementation of agreed SEA/SH Prevention and Response Action Plan (Y/N);
- Number of training courses related to SEA/SH delivered;
- Percentage of workers that have signed a Code of Conduct; and/or
- Percentage of workers that have attended Code of Conduct training.

A GRM indicator that is useful to monitor is the time it took to resolve the SEA/SH-related complaint. Projects have a significant role to play in supporting safe spaces for women and children to report their experiences of violence. It should be noted that an increase in the number of reported cases does not necessarily mean that SEA/SH incidents have increased; it can also reflect improved mechanisms for safe and confidential reporting and increased interest in accessing GBV support services..

STEG will manage and carry out ongoing monitoring of the implementation of the SEA/SH Action Plan and LMP by all categories of project workers during the construction phase. This will include inspections and periodic audits to ensure compliance with and effective implementation of the SEA/SH provisions. STEG will also manage and monitor the performance of contractors in relation to contracted workers, focusing on compliance by contractors with their contractual agreements and contractor SEA/SH. This will include periodic audits, inspections, and/or spot checks of project locations as well as of labour management records and reports compiled by contractors.

7.2 Reporting

STEG will carry out regular reporting on the SEA/SH performance onsite. Reporting of SEA/SH issues and outcomes will be provided inter alia in a dedicated section of the periodic and annual project reports.

Reporting will include the following parameters:

- Awareness raising materials produced and trainings undertaken;
- Outcomes of recruitment of direct project workers by age group, origin, gender and ethnicity;
- Records of the project direct worker grievance mechanism;
- Recording of SEA/SH incidents. These are to be systematically recorded and reported through the responsible IA or in a standard format including i) type of incident; ii) severity class of incident (major, moderate, minor); iii) incident classification; and iv) and notification timeframe (e.g. Immediately, within 72 hours, etc.).
- Cases of serious breaches of contractors' obligations under the SEA/SH Action Plan, and remedial actions taken.

The effectiveness of implementation of the SEA/SH Action Plan will be evaluated by an independent evaluator as part of the annual Project audit cycle described in the ESMP and ESCP. This evaluation will include confidential interviews with project workers in all categories to determine their awareness of their workplace rights and their experience of gender-related issue management under STEG.

7.3 Record Keeping

Record keeping will be an integral part of the SEA/SH monitoring process, in keeping with the provisions of Tunisian labor legislation, ESF and the requirements of the World Bank's Good Practice Note.

					
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7.4 Capacity Building

In the event that the provisions of the Action Plan exceed actual practice in terms of SEA/SH issue management in Tunisia, particularly in the Tunisian power sector, the Project will develop and deliver training sessions to project staff and prepare simple awareness raising materials. Capacity building and awareness activities are covered under the proposed budget in the umbrella instrument.

STEG will develop and deliver a short training courses for contractors and / or contractors site managers, explaining the obligations of the contractor as set out in the ESMP and SEA/SH Action Plan. Attendance at this course is to be a pre-condition for bidding for STEG works contracts. Supervising engineers are also to attend these courses.

7.5 Consultation

Consultation with stakeholders on STEG ESMP instruments including this SEA/SH Action Plan will be undertaken in parallel with appraisal – after the documents have been publicly disclosed in late March 2023. Disclosure and consultations will need to be planned to take place with interested and affected stakeholder. In view of government measures to avoid the spread of COVID-19 to transfer face-to-face consultations to virtual consultations to the extent possible and appropriate.

8. ORGANISATIONAL STRUCTURE AND INDICATIVE BUDGET

A suitable organisation structure to support the implementation of the Action Plan will be put in place prior to contracting. An indicative budget to implement the Action Plan is set out below.

Item	Budget (\$)
Training and Orientation/Awareness	26,150
Develop Communication materials	13,000
Information Dissemination	13,050
SEA/SH Grievance Management	5,600
Consultations with Local Communities/Stakeholders	13,100
Referral Services	24,300
Mapping	4,800
Total	100,000

9. NEXT STEPS

9.1 Identify and Assess SEA/SH Risk and Response Capacity

Next steps will require, inter alia: a community-level risk assessment; an assessment of the capacity and availability of quality and ethical services for survivors; a review of the ability of the project to respond to SEA/SH risks; the rating of the overall risk of the project using the [SEA/SH Risk Assessment Tool](#); establishing procedures to review and update risk assessments during project implementation; and an update of the SEA/SH Action Plan in response to the findings of periodic reviews.¹⁶

Relatedly, STEG will need to:

- Socialise the Action Plan within STEG;
- Agree on who/how this plan will be implemented;
- Establish SOPs (standing operating procedures) for addressing SEA/SH within the GRM;
- Adopt a SEA/SH policy;
- Train Contractors (including those in the planning stage) on SEA/SH and Cultural Awareness;
- Identify and assess the capacity of partners (NGO's) and other organisations to support plan implementation.

The assessment of SEA/SH risks should be undertaken by the borrower as part of project preparation, particularly during community consultations. When considering SEA/SH risks there are different "areas of impact" that influence both the nature of the risk and the appropriate prevention and mitigation measures that a project can implement as follows:

- **Direct Area of Influence:** The project site where the project's activities are being undertaken. This includes both the actual locations where civil works are conducted, and also the associated areas such as the locations of workers' camps, quarries, etc.
- **Indirect Area of Influence:** The indirect area of impact beyond the project site includes communities adjoining the project. This extends beyond the specific location where civil works are being carried out. These communities are also at risk of SEA/SH, particularly when workers are highly mobile.
- **Regional and National Impacts:** Regional and national areas of impact that will not be affected by the specific interventions of the project but which may benefit through institutional strengthening and other efforts to address SEA/SH risks.
- **Security Personnel:** Contractors may need to recruit police, peacekeepers or military personnel for security; however, these forces may not be subject to the national legal system but have their own internal judicial

¹⁶ It is understood there is an existing mapping of services that the World Bank's gender team carried out, which could be a good starting point to assess availability and quality of services near work sites.

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mechanisms that may either not have adequate enforcement, or not specifically prohibit GBV, especially SEA/SH, or be trained in relation to SEA/SH risks. The combination of these factors can significantly increase the risk for SEA/SH and should be carefully considered in project preparation and implementation. This relates in particular to training of security personnel, whether private or state security forces, in relation to SEA/SH risks and prevention.

*Note: No data collection related to SEA/SH from anyone who may be a survivor will be carried out without making SEA/SH referral services available to support them. If data collection is necessary, protocols must be in place to enable referral of participants disclosing experiences of violence before data collection commences to avoid retraumatizing survivors. Training of researchers must cover all safety and ethical guidelines related to GBV. No focus group discussions with community members asking about personal experiences of GBV or SEA/SH in particular should be undertaken. Given that GBV and/or non-partner sexual assault affects 35 percent of women aged 15-49, focus groups are likely to have women who are survivors of an incident of GBV. For more information on how to discuss GBV ethically, the borrower will consult suitable sources including: Ellsberg M, and L. Heise. 2005. *Researching Violence Against Women: A Practical Guide for Researchers and Activists*. Washington DC, United States: World Health Organization, PATH; World Health Organization. 2001. *Putting women first: Ethical and safety recommendations for research on domestic violence against women*; and World Health Organization. 2007. *WHO Ethical and safety recommendations*.*

9.2 Finalisation of the Action Plan

The Action Plan should be finalized with input from the contractor:

- The proposed approach on how to implement and monitor the Action Plan, including agreed sanctions pursuant to an Accountability and Response Framework, should be provided by the contractor and consultants as part of the C-ESMP (see below).
- Accountability and Response Framework detailing how allegations of SEA/SH will be handled (investigation procedures) and disciplinary action for violation of the Code of Conduct by workers. The Accountability and Response Framework should include at minimum:
- How allegations will be handled, in what timeframe, and the range of possible disciplinary actions for violation of the Code of Conduct by workers, taking account of due process;
- Procedures to report SEA/SH allegations internally for case accountability;
- A referral pathway to refer survivors to appropriate support services; and
- Procedures that clearly lay out confidentiality requirements for dealing with cases.

9.3 Contractors C-ESMP

The project's ESMP principles are embodied in the project's ESHS requirements and specifications, along with the other procurement-related elements that form the bidding documents, with the project ESMP often included as part of the bidding documents. In the bid, contractors have to provide a number of management plans and these ultimately become part of the C-ESMP which the contractor must follow during civil works.

The management plans will vary depending upon the nature of the projects, but SEA/SH needs to be included as appropriate. The C-ESMP is the plan prepared by the contractor outlining how it will implement the works activities in accordance with the ESMP's requirements and in accordance with the contract. The development of an effective C-ESMP is a cornerstone for addressing SEA/SH, and more broadly the ESHS risks, during implementation. Contractually, the contractor must follow the C-ESMP, which is why it is important that the C-ESMP build upon the findings and proposed measures identified in the project ESA and ESMP.

To ensure that the SEA/SH risks are managed, it is important that:

- The contractor prepares the C-ESMP in accordance with the requirements of the project ESMP. The C-ESMP should provide a detailed explanation of how the contractor will comply with the project's E&S requirements (embodied in the ESMP) and demonstrate that sufficient funds are budgeted for that purpose.
- The contractor not carry out any works, including mobilization and/or pre-construction activities (e.g., limited clearance for haul roads, site access and work site establishment, geotechnical investigations or investigations to select ancillary features such as quarries and borrow pits), unless the supervising Engineer is satisfied that appropriate measures are in place to address SEA/SH risks and impacts through the C-ESMP.

- Public consultations be held on the C-ESMP, with the active participation of the contractor and the supervising Engineer's E&S specialist. These consultations must be well documented and include separate consultations with women and girls.
- The World Bank's E&S and technical specialists review the C-ESMP and provide the Bank's technical "no objection" to it being used.
- The C-ESMP be publicly disclosed on the Borrower's project web site, and at other local locations.
- The approved C-ESMP should be reviewed periodically (typically not less than every six months), and updated in a timely manner, as required, by the contractor so that it contains measures appropriate to the works activities to be undertaken.

The C-ESMP should at a minimum include:

- Implementation of SEA/SH Prevention and Response Action Plan and Accountability and Response Framework;
- Code of Conduct: The agreed Code of Conduct to address behavior which will be used on the project for the contractor's workers, including sub-contractors and suppliers;
- Training Plan: The plan for training workers on SEA/SH;
- Community Consultation Plan: The strategy by which the communities adjoining the project will be advised on the project activities, how to make complaints, and what GBV support services are available; and
- Labor Influx Management Plan: Should the project involve the influx of labor, how this influx will be managed—particularly to address SEA/SH risks.
- Worker Accommodation Plan, setting out how and where contract workers will be accommodated, including, in the event that worker camps are used, how the applicable camp standards (e.g. EBRD/IFC Camp Standard) will be implemented in relation to camp siting, management and operation.