

THE STOCKHOLM FORUM ON GENDER EQUALITY

WOMEN, BUSINESS AND THE LAW – 2018 REPORT AND DATASET

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OVERVIEW

Find out in how many countries women are barred from certain jobs simply because they are women, where there are no laws on sexual harassment in employment, and where husbands can get their wives fired from work. Women, Business and the Law 2018 is the fifth in a series of biennial reports measuring gender discrimination in legal treatment and examining its economic consequences. This session discussed the main findings from the Women, Business and the Law 2018 report.

KEY TAKEAWAYS

Where are we?

The World Bank's report and work on these issues are of great importance. The Women, Business and the Law 2018 report is a reality check – the reality of concrete lives. The report is measuring gender discrimination in legal treatment and examining its economic consequences. For example, keeping the women out of the workforce not only decreases the potential tax revenue but also the potential of half of the population. In over 100 countries, women are kept out of certain jobs and in fifty-nine countries there are no laws on sexual harassment.

Getting a job, owning land, preventing violence, and responsibility for childcare are all matters that are of great importance for women.

Economic discrimination against women should be the starting point for women.

What are we doing?

Sarah Iqbal's presentation of the report:

Fifteen years ago, Doing Business started measuring legal and regulatory obstacles to entrepreneurship. Ten years ago, the World Bank Board asked the Doing Business team to examine how legal and regulatory barriers affect women's entrepreneurship. That request became the genesis of the Women, Business and the Law project. And what we found is that when it comes to getting a job or starting a business, the law is a straight line for men while for women it's a maze.

The World Bank (WB) takes the questions from an academic perspective and encourages our colleagues to apply a gender equality perspective.

The WB has been measuring gender equality in the law for 10 years. In its fifth edition, *Women, Business and the Law 2018* expands its analysis to 189 economies.

Goal: shine a light on 1) where laws discriminate against women, 2) where the law does not adequately protect them from discrimination and 3) fail to put them on an even footing with men.

16 additional economies added in the 2018 report: Cape Verde; the Central African Republic; the Comoros; Cyprus; Eritrea; Gambia; Guinea-Bissau; Kiribati; Libya; the Marshall Islands; the Federated States of Micronesia; Palau; Samoa; San Marino; the Solomon Islands; and Vanuatu.

The seven Women Business and the Law indicators:

accessing institutions, getting a job, providing incentives to work, protecting women from violence, using property, going to court, building credit. For the first time, each economy is assigned a score at the indicator level, ranging from 0 (worst) to 100 (best).

Why score? Scoring helps make sense of all the data, so countries can see at a glance where they are doing well and where there is room for improvement.

Women's economic inclusion promotes growth and boosts shared prosperity. Spending on early education and childcare can increase women's labour force participation and reduce gender gaps. USD 28 trillion can be added to global growth by advancing women's equality. The gender asset gap can undermine women's bargaining power and capacity to engage in economic activities.

- Research estimates that closing the gap in women's labour force participation across OECD countries would lead to gains of 12 per cent by 2030, including an astounding 20 per cent in Japan and Korea, and 22 per cent in Italy.
- According to the World Economic Forum Global Gender Gap Report, analysis shows that countries in which the gender gap is closest to being closed are those that are more economic prosperous and secure.
- McKinsey released a study assessing the global gains of gender equality in the workforce at USD 28 trillion globally. Or, to put that another way, at about 26 per cent of annual global gross domestic product, if we only close the gap between men and women by 2025.
- There are studies that suggest that women are more likely to use resources to benefit their families and communities for things like health care, education and sanitation. And that has a discernible multiplier effect.

How does the law affect a woman's ability to get a job or start a business?

104 economies restrict women's employment, including in industries such as manufacturing, construction, energy, agriculture, water and transportation. Globally, over 2.7 billion women are legally restricted from having the same choice of jobs as men

Remnants of colonial law and legacy legislation are widespread. Many restrictions come from legacy legislation. Laws that were introduced in a previous era, mainly to protect women with safety standards that are now outdated. For example, India, Pakistan and Bangladesh all have a version of the colonial era factories act, which prohibits women from working in some factory jobs.

Every country in the world has a gender-based gap. Women are sorted into occupations which are paid less. It is difficult for women to switch to higher paid sectors. Gender equality in

labour law is associated with more women working and earning more relative to men.

One in three economies restricts women's freedom of movement or agency.

- Actions that women cannot legally perform in the same way as men:
- Apply for a passport (37 countries)
- Be head of household (31 countries)
- Travel outside the home (17 countries)
- Apply for a national ID card (11 countries)
- Register a business (4 countries)
- Open a bank account (3 countries)

This includes the 18 economies that require women to get their husbands' permission to work or where husbands can get their wives fired if they deem it's not in the interests of the family.

Where laws limit women's decision-making abilities, there are fewer women leaders.

75 economies constrain women's property rights. Access to property helps women influence finances, to start and grow businesses. Access to property offers a possibility to have security for loans and business creation. Women are less likely to hold leadership positions in business when they lack property rights.

Gender gaps are smaller in accessing a mortgage where inheritance rights are equal for women and men.

59 economies do not legally prohibit sexual harassment in the work place, leaving over 520 million women without legal protection. Where sexual harassment is prohibited, there are more women entrepreneurs.

On average, OECD high-income economies perform best across most indicators.

What can the data in the Women, Business and the Law report be used for?

Purpose of our data:

- Identify good practices
- Incorporate an economic analysis
- Influence change, e.g., CSO engagements

Identify good practices: Women, Business and the Law is committed to informing research and policy discussions about the state of women's economic prospects and outcomes.

Incorporate an economic analysis:

Equality of opportunity: Governments reform laws, unleashing women's full potential.

More women work: women pursue employment and entrepreneurship.

Economic growth soars: Communities all over the world benefit from GDP growth.

The legal and regulatory landscape can limit women's economic participation around the globe.

Visit worldbank.org for more, and [#WomenBizLaw](#), [#Get2Equal](#).

RECOMMENDATIONS

Where do we go from here?

1) Mohammad Naciri – You are from the Mena-region, Egypt. What are the challenges and possibilities in the region in this issue?

– There are severe challenges to get access to the governments and regions. So, we shouldn't generalise regions or countries. There are many different groups working on these issues ranging from the feminist groups to other sectors in society. The World Bank report combines different areas and is targeting different governments. Unfortunately today, the different regions and many countries do move in the wrong direction in terms of gender equality. The Egyptian government has decided to prohibit women working night shifts, etc. Another challenge is how we can get access to conflict-ridden countries or areas such as Syria, Yemen or parts controlled by ISIS. The other issue is how we are going to get information and access to the informal sector where many women are working. The informal sector is a high-risk environment as there are no laws to protect them. Financial and political willingness is needed and would encourage progress. We also need mechanism to measure the progress/regression and from there take action whenever it is possible.

Thanks to the World Bank report, we can now measure and get some necessary data on the gender equality related issues, which wasn't possible for a long time. It is clear that there is not always a correlation between educated women and women in business. Political and legal frameworks are absolutely necessary to move forward – and this is a collective challenge for many of us.

2) Aruna Devi Narain – How can the information in this report be used and what are the challenges in applying this data?

– I am a judge of the Supreme Court and I think this report is valuable to the parliamentarians and for the people dealing with legislations as well. These kinds of reports that demonstrate the situation in different countries may actually inspire policymakers. Professionals such as lawyers who work are engaged in these issues may well make good use of this kind of information. It is necessary to get people from different areas of society together in a joint discussion. The World Bank uses the collected data to gather people from different areas of society around the table which opens up for constructive discussions and outcomes. This report, with gathered data on the gender equality situation in so many countries, is not only useful to the WB but also for other institutions. Many of us are facing the same challenges and problems, not least within the legislation area.

The governments may not always include discriminative issues in their country reports, making the World Bank data even more important. ■

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