

WORLD BANK GROUP GENDER THEMATIC POLICY NOTES SERIES: **EVIDENCE AND PRACTICE NOTE**

ACCELERATING GENDER EQUALITY THROUGH REFORMING LEGAL FRAMEWORKS

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OVERVIEW

This thematic note emphasizes the role of laws and regulations in safeguarding women's economic opportunities, for the purpose of informing the World Bank Group Gender Strategy (2024–2030). The note demonstrates the importance of legal gender equality and draws on data and analysis from the World Bank's Women, Business and the Law initiative and other evidence to explore legal barriers that hinder women's economic participation and showcase successful reforms. It also offers examples of how World Bank projects have addressed legal frameworks toward gender equality and concludes with proposals for future areas of operational focus and research.

Key messages:

- Evidence highlights that reforms of discriminatory laws are essential for economic development. *Women, Business and the Law* data document progress toward legal equality between men and women, but this progress has been uneven across regions and over time.
- Globally, women are found to have just over three-quarters of the legal rights afforded to men. Significant gaps and legal barriers remain in areas related to human capital accumulation, access to jobs, ownership of assets, and women's voice and agency.
- Women, Business and the Law data and analysis have provided a
 framework to identify entry points for reforms for strengthening gender
 equality. Specifically, World Bank projects have used Women, Business
 and the Law data and analysis to develop the analytical underpinnings for
 project design, identify key gender gaps in laws and regulations, support
 prior actions in development policy operations, set results targets, and
 inform reform recommendations.
- For continued progress in closing legal gender gaps globally, the World Bank needs to focus on key sectoral priorities and critical areas of intervention based on sound analysis of *Women, Business and the Law* data and other evidence.
- Looking forward, some of the priorities include the implementation of laws; availability, affordability, and quality of care services; women's health and safety; gender inequalities in fragile and conflict situations; women with disabilities; women's leadership; gendered tax policy and gendersensitive climate policies.





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This thematic policy note is part of a series that provides an analytical foundation for the World Bank Group Gender Strategy (2024–2030). This series seeks to give a broad overview of the latest research and findings on gender equality outcomes and summarizes key thematic issues, evidence on promising solutions, operational good practices, and key areas for future engagement on promoting gender equality and empowerment. The findings, interpretations, and conclusions expressed in this work are entirely those of the author(s). They do not necessarily reflect the views of the World Bank Group or its Board of Directors.

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WHY GENDER EQUALITY IN THE LAW MATTERS



A legal environment that supports women's economic participation is the foundation of more equal societies and more prosperous economies. The World Bank estimates that, globally, the difference between men's and women's total expected lifetime earnings is \$172.3 trillion, equivalent to twice the world gross domestic product (GDP) (Wodon et al. 2020). Adopting laws that strengthen women's rights and opportunities is an essential first step toward a more resilient and inclusive world.

Since 2009, the World Bank's *Women, Business and the Law* initiative has measured global progress toward gender equality in 190 economies by identifying the laws and regulations that restrict and incentivize women's economic participation. Governments can use this data and analysis to identify barriers to women's success, remove them, and boost economic inclusion. Looking across the four pillars of the 2016–23 *World Bank Group's Gender Strategy*—focusing on human capital, jobs, assets, and empowerment—reveals the range of positive outcomes associated with improvements in legal equality between women and men.¹

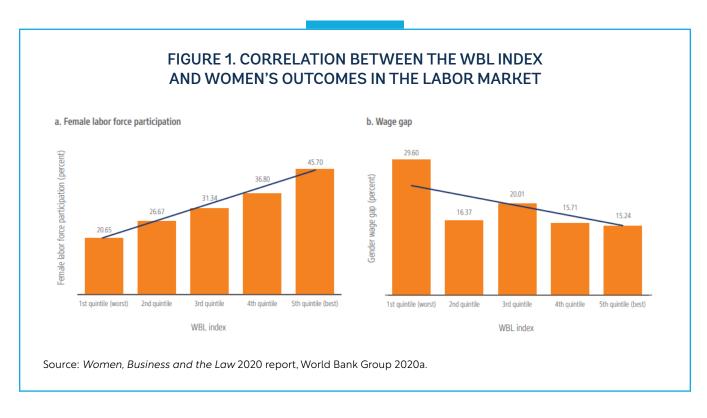
There is a significant and growing body of evidence suggesting that there are positive associations between legal equality and the accumulation of human capital. For example, research shows a link between equality and women's educational attainment (Branisa et al. 2013; Deininger et al. 2013 and 2019; Harari 2019; Roy 2015). There is also evidence of a positive correlation between reforming gender discriminatory laws and women's health outcomes (Anderson 2018; Harari 2019), and other measures of human capital (Ali, Deininger, and Goldstein 2014). Recent research finds that domestic violence legislation is associated with reduced mortality for women (Amin, Islam, and Lopez-Claros 2021), and that equality under the law can accelerate the path to the convergence of income levels (Sever 2022). UN Women (2019) also highlights the need to advance progress toward legal equality between men and women, and the associated benefits for women's health, education, and general well-being. The World Bank's Africa Human Capital Plan² also underscores the important link between legal frameworks and gender for improving



https://www.worldbank.org/en/publication/worldbank-africa-human-capital-plan [Accessed: September 2, 2022]

² https://www.worldbank.org/en/publication/worldbank-africa-human-capital-plan [Accessed: September 2, 2022]

Empirical evidence establishes the link between legal equality and removing constraints for more and better jobs. For example, the positive association between legal equality and women's participation in the workforce is well documented (Gonzales et al. 2015; Hallward-Driemeier, Hasan, and Rusu 2013; Hyland, Djankov and Goldberg 2020; Islam et al. 2018; Christopherson et al. 2022). Legal equality in the areas covered by *Women, Business and the Law* is associated with not just more women working, but with more women employed in the formal sector (Hyland, Djankov and Goldberg 2021) and women working in better jobs (i.e., those requiring higher skill levels, offering higher wages, or presenting an opportunity to manage others) (Hallward-Driemeier and Gajigo 2015; Islam et al. 2019). Heymann et al. (2022) highlight the importance of anti-sexual harassment laws in facilitating women's participation in the economy and note that, while progress has been made, important gaps remain in terms of both legislation and implementation of laws. As Figure 1 illustrates, legal equality, as captured by the *Women, Business and the Law* index (WBL index), is positively correlated with the female labor supply, and negatively correlated with the gender wage gap.

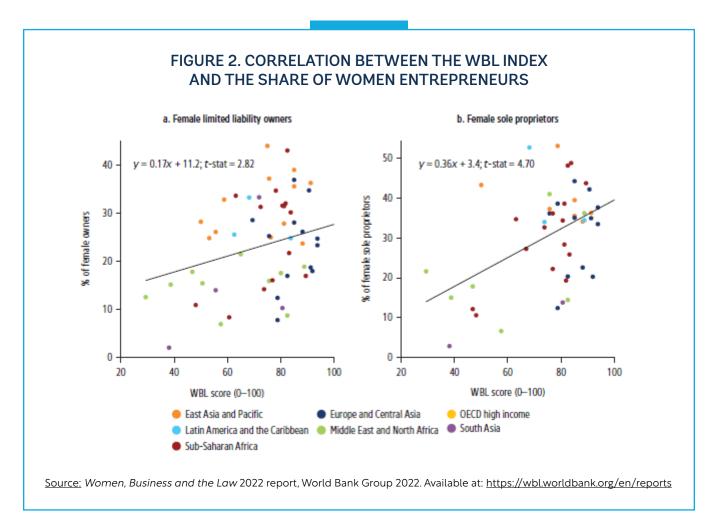


Removing barriers to women's ownership and control of assets is closely tied to legal reform. Evidence shows that stronger property rights strengthen women's intrahousehold bargaining power and decision making (Haldar and Stiglitz, 2013, 2016; Anderson 2018; Harari 2019; Heath and Tan 2020). Also related to the topic of legal equality and asset ownership, divorce legislation that does not discriminate against women has been shown to boost their ownership of assets (Voena 2015). Furthermore, better legal frameworks that ensure legal equality for women are associated with more women entrepreneurs (Paoloni and Lombardi, 2020; Strawser, Hechavarría and Passerini, 2021). The correlation between the WBL index and the share of women entrepreneurs in an economy is presented in Figure 2.

Good legal frameworks are also crucial to enhancing women's voice and agency and engaging men and boys. For example, data show a positive correlation between legal equality and women's political representation (Hyland, Djankov and Goldberg 2021). However, the

causality may plausibly run in either direction as research based on 159 developing economies demonstrates that countries with greater female representation in parliament are more likely to pass laws on sexual harassment, rape, divorce, and domestic violence (Asiedu et al. 2018). Of note is the example of Botswana, where women Members of Parliament (MPs) were instrumental in passing the 2008 Domestic Violence Bill, the 2009 Children's Bill, and the 2004 Abolition of Marital Power Act (Asiedu et al. 2018).

Empirical evidence highlights that legal reform of discriminatory law is essential for economic development. Furthermore, granting women rights to services, such as reproductive health, boosts women's human capital and economic empowerment (Finlay and Lee 2018). The macroeconomic and developmental implications of reform are significant (European Institute for Gender Equality 2017; Ostry et al. 2018; Christopherson et al. 2022; Fernandez et al. 2022), yet governments around the world have not been able to reap the full benefits because reform is happening too slowly and is at risk of deceleration.



In 2022, Women, Business and the Law recorded 34 positive reforms across 18 economies—the lowest number of reforms since 2001. There is a risk that existing inequalities are exacerbated due to the multiple crises faced by modern societies, notably, the COVID-19 pandemic (De Paz Nieves, Gaddis and Muller 2021; Torres et al. 2021). Fabrizio et al. 2021 show that epidemics are more deleterious to the educational attainment of girls than boys. The COVID-19 crisis has also underscored the importance of childcare for closing gender gaps (Goldin 2021). Sidik (2022) points out that the COVID-19 crisis has exacerbated pre-existing inequalities in terms of income and health, and it has increased the prevalence of violence against women. This serves as a call to action for governments to reform laws that discriminate against women. It is also an important reminder that strong legal frameworks and justice systems need to be accessible to and protect the vulnerable in times of crisis.

Even if laws are reformed, inadequate implementation and weak enforcement of laws can block women from the full realization of their rights. Analyzing the supportive frameworks that enable the implementation of such laws is key to fully understanding women's realities around the world. Evidence of constitutional protections for core social and economic rights from around the world suggests that such protections, when coupled with guarantees of gender equality, can help women to realize equality in practice (Sprague, Heymann, and Raub 2022).

Discriminatory social norms can also present a challenge to the effectiveness of legal reform. Evidence suggests that legal reforms may be ineffective in situations in which women face substantial cultural pressure not to seek legal recourse (Gedzi 2012). The interplay of pervasive social norms and legal pluralism may also pose a challenge to legal gender equality (Holden and Chaudhary 2013). Laws that are strongly in conflict with social norms may be difficult to enforce, and a gradual reform of laws may be more effective than sudden, large-scale reform (Acemoglu and Jackson 2016). Other evidence suggests, however, that legal reform can exert a positive influence on social norms (Aldashev et al.), and that laws and norms may be mutually reinforcing (Williamson and Kerekes 2011). Moreover, evidence from a group of low and middleincome economies showed that maternity leave policy is associated with increased decision-making power for women within their households and improved attitudes to women's work (Chai et al. 2022). Taken together, this evidence highlights that the design of legal reform should make careful consideration of how cultural norms can influence or be influenced by new legislation.



LEGAL BARRIERS TO WOMEN'S ECONOMIC PARTICIPATION

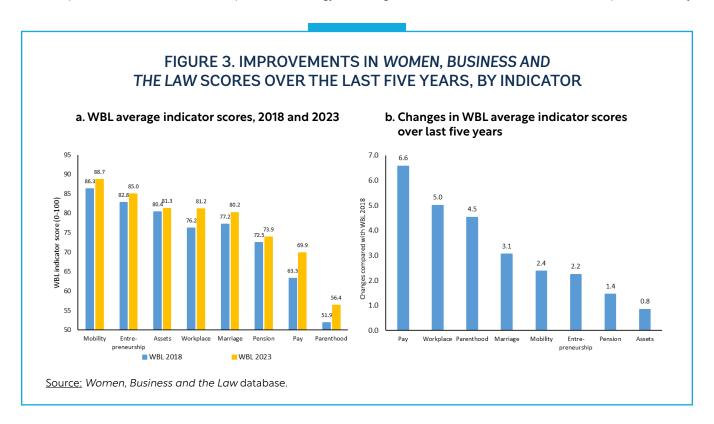


Amid development challenges that disproportionately affect women, a legal environment that supports women's economic participation is crucial. Yet, nearly 2.4 billion women still do not have the same legal rights as men. Women, Business and the Law data provide a framework to identify gaps and entry points for reform. It uses eight indicators structured around women's interactions with the law as they progress through their lives and careers: Mobility, Workplace, Pay, Marriage, Parenthood, Entrepreneurship, Assets, and Pension. These indicators fit into three broad areas of research: labor and employment, family, and criminal law.

The Women, Business and the Law 2023 report finds that the global average Women, Business and the Law score is 77.1 out of 100, indicating that a typical woman has just over three-quarters of the rights of men in the areas measured. Data indicate the following opportunities for change along the four pillars of the World Bank Group Gender Strategy.

Indicators for *Parenthood* and *Pension* point to gaps in human capital accumulation. Social protection plays a critical role in addressing vulnerability and fostering economic inclusion (World Bank 2015), which is key to improve human endowments. *Women, Business and the Law* collects data on important social protection measures, such as laws and regulations affecting women's work after having children, including laws mandating paid leave policies for working parents measured by the *Parenthood* indicator. Among the eight *Women, Business and the Law* indicators, *Parenthood* still has the lowest score despite improvements in the past five years (see Figure 3).

Maternity protection is central to decent work, women's productivity, and gender equality at work (ILO 2014). While the number of paid leave days granted to mothers increased substantially between 1970 and 2022 in all regions—and today, 118 economies guarantee the International Labor Organization (ILO) standard of 14 weeks of paid maternity





leave—the granting of paternity leave days has stagnated. Studies show that a smaller gap between mothers' and fathers' leave is associated with a higher female labor force participation rate, suggesting that women's participation in the workforce could be increased by shrinking the leave gap between parents (Hyland and Shen 2022). Globally, 117 economies provide fathers with paid leave for the birth of a child. Although a similar number of economies provide both maternity leave (118) and paternity leave (117), the length of leave differs drastically, with an average of 192.8 days for mothers and just 22.5 days for fathers. Women are disproportionately responsible for unpaid care work and paid paternity and parental leave schemes can help recognize and redistribute unpaid household care responsibilities.

For example, in Colombia the average unemployment rate was 18.1 percent for women and 10.6 percent for men from June-August 2021 (World Bank, 2022b). A major contributing factor to women's high levels of unemployment is the disproportionate responsibility they have for household tasks and care work, particularly in rural areas. For example, in 2017, 28.6 percent of women and 1.1 percent of men said that family reasons prevented them from looking for a job. More recently, data collected through the World Bank highfrequency phone surveys in 2021 shows that 13 percent of women reported experiencing unfair treatment at work due to having children (World Bank, 2022). It is estimated that the potential economic losses over the long term due to gender gaps in Colombia's labor market amount to 17.6 percent in gross income per capita (Cuberes and Teignier, 2016).

Differences in women's working lives relative to those of men can also result in unequal economic outcomes in retirement. Early retirement, for example, can widen the potential gender gap in pension levels and increase women's risk of poverty in old age. The *Pension* indicator assesses laws affecting the size of a woman's pension. With an average score of 73.9, below the global average, the *Pension* indicator identifies significant gaps affecting women's economic security after retirement. In 118 economies, there is room to improve laws to achieve gender equality concerning women's pensions.

The indicators for Pay, Workplace, and Entrepreneurship reveal stubborn barriers to more and better jobs for women. Removing these constraints is central to the World Bank Group's twin goals of eliminating extreme poverty and boosting shared prosperity (World Bank 2015). Women, Business and the Law data highlight gaps directly affecting women's prospects as employees and entrepreneurs. The Pay indicator, for example, identifies legal barriers affecting occupational segregation and the gender wage gap. Women, Business and the Law finds that laws in 119 economies could be improved in one of these aspects to reduce the gender pay gap. One of the most common barriers is the lack of equal remuneration for men and women who perform work of equal value, which is mandated in only 97 out of 190 economies.

Additionally, restrictions are often imposed on women's employment. For example, women cannot work the same night hours as men in 22 economies. They cannot work in industrial jobs in the same way as men in 65 economies,

or in jobs deemed dangerous in 49 economies. Nine economies impose all three restrictions, shutting women out of many high-paying jobs. Such restrictions can have a detrimental effect on women's livelihoods. Women farmers are predominant in most countries around the world. However, in 18 economies women are prohibited from working in agriculture, with the majority of the economies concentrated in the regions that face the most food insecurity, such as Sub-Saharan Africa³ and the Middle East and North Africa.

In **Azerbaijan**, legal restrictions prevent women from working in the same industries as men, including in mining, construction, factories, agriculture, energy, water and transportation. Additionally, women cannot carry heavy items and pregnant workers or women having children under three years of age cannot work during the night, overtime, on non-business days or go on job-related travel (World Bank, 2020b). According to the ILO, blanket bans on dangerous work as well as night work and overtime for all women are contrary to the principle of equality of opportunity and treatment in employment and occupation and contribute to gender-based discrimination at work (ILO, 2014).

Other indicators that examine constraints to more and better jobs are Workplace, analyzing laws affecting women's decisions to enter and remain in the labor force, and Entrepreneurship, examining constraints to women's ability to start and run a business. They have an average global score above 80, meaning that most economies have removed restrictions or introduced the relevant legal rights and protections measured by these indicators. Nonetheless, the Workplace indicator finds room for improvement in 69 economies. Under the Entrepreneurship indicator, 101 economies still lack a legal provision that expressly prohibits gender-based discrimination in access to credit. Five economies legally restrict women from registering a business in the same way as men, six economies do not allow women to open a bank account in the same way as men, and two economies do not allow women to sign a contract in the same way as men. In Equatorial Guinea and Eswatini women entrepreneurs face all of these legal restrictions.

The Assets indicator shows uneven progress on removing barriers to women's ownership and control of assets. This is vital for generating income, facilitating access to financial services, and strengthening women's ability to respond to shocks (World Bank 2015). Women, Business and the Law examines gender differences in property and inheritance law, which affect women's ability to control assets, through the Assets indicator. This indicator scores above the global average, at 81.3. However, of the 190 economies studied, 76 (40 percent) limit women's property rights. In 19 economies, women do not have equal ownership rights to immovable property. Worldwide, 43 economies still do not grant equal inheritance rights to surviving husbands and wives, and 41 economies prevent daughters from inheriting in the same way as sons.

For example, in **Tanzania**, sons and daughters and male and female surviving spouses do not have the same inheritance rights. Furthermore, even though the law grants women equal ownership rights over immovable property, improper implementation makes it difficult for women to enforce their rights. According to the FAO women often lack the financial support to enforce their rights.

The indicators for Mobility, Marriage, and Workplace indicate constraints to women's voice and agency, which are hindered not only by poorly designed legal frameworks, but also by social norms affecting their freedoms and exposing them to the risks of gender-based violence. These often have heavy tolls on development outcomes, causing impacts that reverberate across the four pillars of the Gender Strategy (Ouedraogo and Stenzel 2021). The Mobility indicator, examining constraints to women's agency and freedom of movement, shows that the law treats men and women differently in 55 economies. Legal constraints related to marriage and divorce persist throughout the world. Such barriers weaken women's decision-making powers within the family and threaten their safety and livelihoods. The Marriage indicator shows that in 18 economies, a married woman is required by law to obey her husband, and in 28 economies, the husband is legally designated as head of household. The Workplace indicator shows that in 19 economies, a husband can legally prevent his wife from working.

³ According to FAO (2021), half of the population in Africa face moderate or severe food insecurity. Source: https://www.fao.org/state-of-food-security-nutrition/2-1-2/en/

The Marriage and Workplace indicators also examine the existence of domestic violence and sexual harassment legislation. Gender-based violence, including intimate partner violence and sexual harassment, hinder women's ability to make decisions about their own lives. As the economic consequences of violence against women can cost countries a significant financial burden, addressing it is essential to boost women's economic participation, achieve fundamental labor market goals, and close the gender pay gap. The Marriage indicator shows that 28 out of 190 economies do not have legislation addressing domestic violence. In the remaining economies, many do not have provisions prohibiting economic and financial abuse. Sexual harassment in the workplace is still pervasive. Globally, 43 economies still do not have legislation on sexual harassment in employment. Of the 147 economies that do, eight do not have civil remedies or criminal penalties available for such cases. Legal frameworks fail to address both domestic violence and sexual harassment in employment in Equatorial Guinea, Haiti, Mali, Mauritania, Myanmar, Qatar, the Russian Federation, Somalia, the Syrian Arab Republic, Uzbekistan, West Bank and Gaza and the Republic of Yemen.

Gender inequality is a cross-cutting issue that permeates women's experiences beyond their homes and workplace.

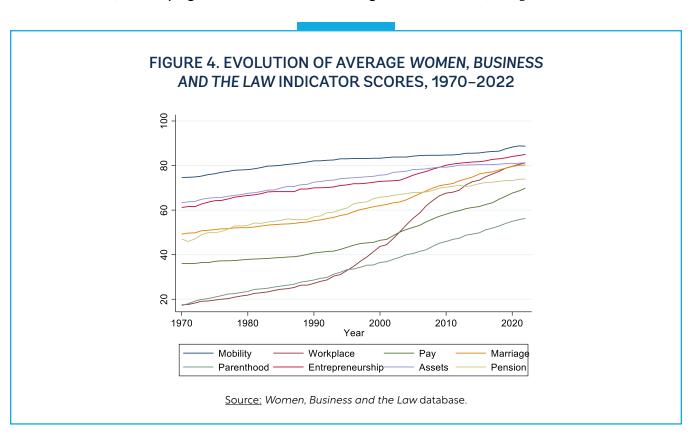
Legal frameworks must take into account women's challenges in the context of climate change, migration and displacement, conflict and fragility, and other intersectional areas such as sexuality, race, gender identity, religion, family status, ethnicity, nationality, disability, and many other grounds. While such topics are not presently covered by *Women*, *Business and the Law*, they present a valuable opportunity to develop its research agenda and contribute to further knowledge on women's legal rights and associated outcomes.



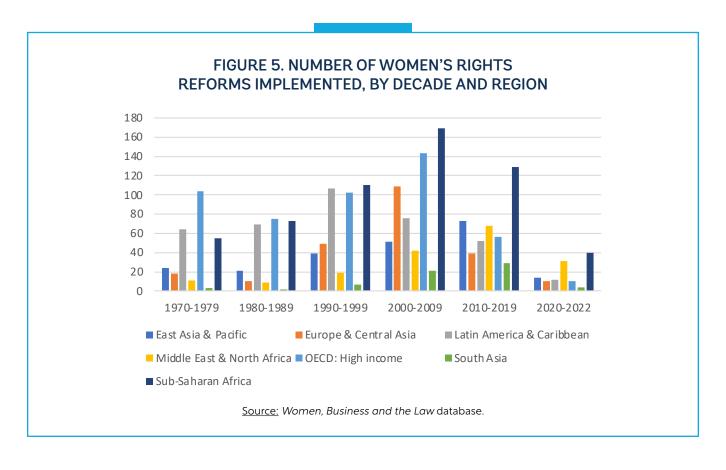
WHERE LAWS ARE CHANGING



Despite existing gaps, progress has been made to advance legal gender equality worldwide. Over the course of 53 years (1970–2022) and in the 35 areas measured, the average *Women, Business and the Law* score has improved from 45.8 in 1970 to 77.1 in 2022, but this progress has been uneven across regions and over time (see Figure 4).

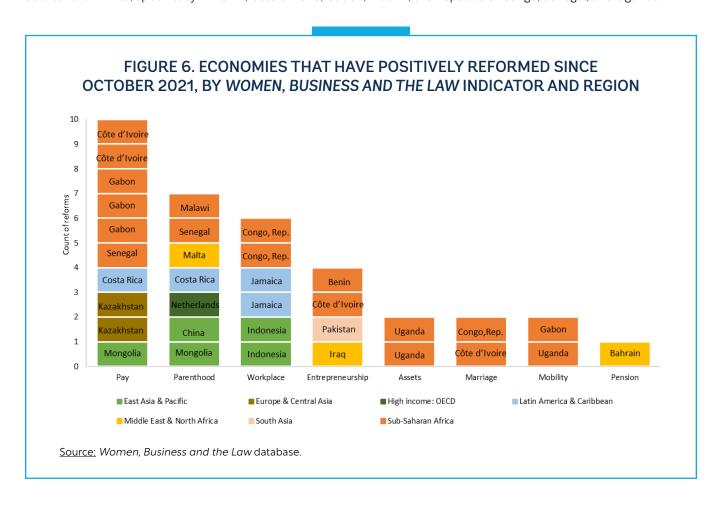


These historical data are an important tool for understanding the geographical and chronological dimensions of legal barriers facing women. In the last five decades, the global average of the *Women, Business and the Law* score has improved by over 50 percent because of more than 2,000 reforms to expand women's legal rights around the world (see Figure 5). Every economy has implemented gender equality reforms, but only 14 economies—Belgium, Canada, Denmark, France, Germany, Greece, Iceland, Ireland, Latvia, Luxembourg, the Netherlands, Portugal, Spain, and Sweden—score 100 in *Women, Business and the Law* 2023, meaning that women are on an equal legal standing with men across all of the areas measured.





In 2022, 18 governments sought to address gender inequality in the law by introducing legal reforms to improve women's economic empowerment (see Figure 6). Of the 33 laws that changed because of these reforms, 17 were enacted in Sub-Saharan Africa, specifically in Benin, Côte d'Ivoire, Gabon, Malawi, the Republic of Congo, Senegal, and Uganda.



Among these economies, Côte d'Ivoire and Gabon stand out as the first two economies in Sub-Saharan Africa to score above 90. Côte d'Ivoire enacted reforms that prohibit discrimination in access to credit based on gender, address domestic violence, and remove restrictions on women's employment. In 2021, Gabon undertook a series of important reforms, including amendments to its civil and labor codes, which caused the economy's score to rise from 57.5 in 2020 to 95 in 2023 (see Box 1).

BOX 1. LEGAL REFORMS FOR GENDER EQUALITY IN GABON

In 2021, Gabon undertook broad legal reforms captured by six of the eight *Women, Business and the Law* indicators in the 2022 and 2023 editions of the report: *Mobility, Workplace, Pay, Marriage, Entrepreneurship*, and *Assets*. As a result of the reform efforts, Gabon's WBL index score increased from 57.5 in 2020 to 82.5 in 2022 to 95 in 2023.

A comprehensive reform of the civil code gave women the same rights as men to choose where to live, head a household, get jobs without permission from their husbands, open a bank account, own immovable property, and exercise equal administrative authority over assets during marriage. Additionally, the amended civil code no longer requires a married woman to obey her husband. By eliminating the requirement for married women to obtain marital authorization when applying for a passport, Gabon also made it easier for women to travel abroad. Further reforms prohibited gender-based discrimination in financial services, making it easier for women to access credit.

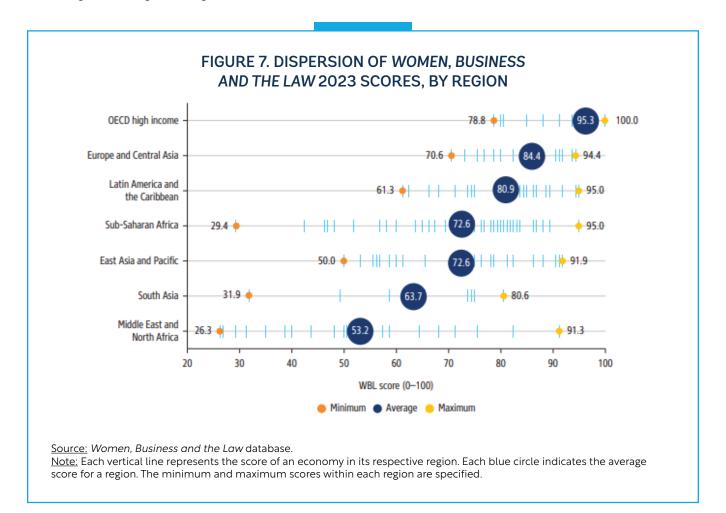
Following a period of advocacy work guided by the government's objective of addressing gender-based violence—and domestic violence in particular—Gabon enacted its first national law on the elimination of violence against women in September 2021. This new law targets physical, sexual, psychological, and economic forms of abuse and provides harsher punishment for domestic violence and protection orders for victims of violence.

Finally, Gabon's 2021 amendments to its labor code removed restrictions on women's hazardous and arduous work. The amendments mandate for the first time that for work of equal value, equal remuneration should be provided for all workers regardless of their origin, opinion, sex, or age.

A government task force, Gabon Equality, was instrumental in bringing about these reforms, as was the work of civil society organizations, including the Sylvia Bongo Ondimba Foundation. The World Bank Group's *Business Regulations for Gender Equity* program (part of the Business Regulatory Environment Unit) also provided technical assistance in the drafting of reforms to the Civil, Criminal, and Labor Codes.

Women, Business and the Law, in collaboration with the World Bank country office, organized several workshops to support these efforts. At the launch of the Women, Business and the Law 2020 report in Libreville in January 2020, policy makers and women's rights advocates from 14 West and Central African economies discussed the barriers that stop women from fully and equally participating in society. Discriminatory laws were identified as one of the key barriers.

The highest-scoring regions remain the OECD high-income countries, Europe and Central Asia, and Latin America and the Caribbean, where economies score above the global average. The Middle East and North Africa and South Asia have the lowest regional averages (see Figure 7).



HOW WORLD BANK OPERATIONS ADDRESS LEGAL FRAMEWORKS TOWARD GENDER EQUALITY



Over the past decade, World Bank operations have increasingly focused on addressing legal frameworks and promoting reforms for gender equality, strengthened by technical support provided by gender experts from across the institution. This includes development policy operations (DPOs) which are used to support a program of policy and institutional reforms that can anchor priorities in a wider government program and amplify the effects of complementary operations. DPOs are increasingly embedding policy actions to tackle gender gaps, including legal policy reform on childcare, labor law, pensions, gender-based violence, and other critical areas. In recent years, there has been a trend to leverage DPOs to reshape policies around gender-based violence, childcare, and disaster response and resilience.

The share of DPOs being used as an instrument to promote gender equality at the policy level has grown from 24 percent in fiscal year (FY) 2017 to 85 percent in FY22. DPOs are bolstered by diagnostic work and, due to their multisectoral nature, they consolidate expertise across the Word Bank Group and collaborate with government ministries. The in-depth policy dialogue embedded in the development policy financing process has proved critical to building awareness around gender issues and their developmental implications. Prior actions have resulted in important results for gender equality, including women gaining better access to finance and property, increases in women's jobs, more preschool participation, strengthened child protection, increased access to education and health care, better connections to internet and electricity, reductions in girls' school dropout rates, more support to survivors of gender-based violence, and greater female representation in local elections, among others.

The DPO instrument can help connect complementary interventions in the country portfolio to strengthen gender developmental outcomes. *Women, Business and the Law* data and analysis have been used in several such initiatives to identify key gender gaps in laws and regulations, support prior actions, set results targets, and supplement reform recommendations. The following examples are complemented by a more comprehensive list of operations in the Annex.

Human Capital Development (Examples from Madagascar and Tuvalu)

Significant gender gaps still exist in human capital globally, particularly in low-income countries, poor and lagging regions, FCV contexts, and among vulnerable populations.

In *Cameroon*, the *Cameroon First Fiscal Inclusive and Sustainable Growth DPF (P175249)* incorporated a prior action to mandate school authorities to allow pregnant girls to remain in school reversing a previous decades old policy that required pregnant and married girls to dropout. This discriminatory policy was the second most significant cause of school dropout rates for girls after financial problems and contributed to a gender gap in years of schooling between boys and girls.

The government of **Tuvalu**, under the *Tuvalu Second Resilience Development Policy Operation with Catastrophe Deferred Drawdown Option (P172614)*, through its Cabinet has approved the Disability-Inclusive Education Policy and Action Plan to improve access to and quality of education for children with disabilities. The Ministry of Education, Youth, and Sports started to regularly collect and report education statistics, including students with disabilities, and sex-disaggregated data.

Gender-based Violence (Examples from Egypt, Benin and Jordan):

Gender-based violence (GBV) is a constraint to women's voice and agency, and it remains widespread. GBV directly affects economic opportunities as a result of work absenteeism, lower productivity, and its negative impact on women's physical and mental health. Emerging evidence further underlines the impact of the COVID-19 pandemic on violence against women and girls, which has particularly affected girls' schooling and women's employment globally.

In an effort to address the issue in *Egypt*, the *Inclusive Growth for Sustainable Recovery Development Policy Financing (P171311)*, based on analytics from WBL Advisory and several other ASAs, has included various prior actions to enforce the national code of conduct to address sexual harassment in the railway sub-sector. The operation includes a phased rollout to other subsectors and establishes a one-stop center for survivors of GBV in Greater Cairo.

In Jordan, a series of Development Policy Financing (DPF) operations support the implementation of the government's GBV reform agenda. Jordan Second Equitable Growth & Job Creation Programmatic DPF (P168130) is set to improve female labor force participation in Jordan, which is at 14 percent and among the lowest in MENA region. A 2018 study estimated that 47 percent of non-working women in Jordan reportedly turned down job opportunities or did not seek work due to concerns about harassment in the transport sector (Hashemite Kingdom of Jordan 2018). Analytical work had already examined constraints to women's labor force participation, finding that laws restricting women from working in certain occupations or at particular times of day were important barriers. The first DPF supported the enactment of by-laws that allowed flexible work arrangements for women. The second DPF focuses on improving women's safety in the workplace and transportation as well as amending labor laws to reduce gendered labor segmentation.

In *Benin*, an analysis of the legal gaps based on *Women*, *Business and the Law* data was included in the *Benin First Unlocking Human and Productive Potential DPO Series* (P178042) and helped identify key legal gender gaps in the area of gender-based violence.

In *Madagascar*, The *Human Capital Development Policy Financing (P168697)* supported the government in strengthening the legal regime for the prevention and prosecution of acts of GBV and the protection of victims of GBV. As part of the DPF, the government enacted the 2019 Law on Combatting Gender-Based Violence.

Women's Economic and Financial Inclusion (Examples from Egypt, and Sierra Leone)

In **Egypt** the Inclusive Growth for Sustainable Recovery Development Policy Financing (P171311), has supported the Financial Regulatory Authority in issuing a decree prohibiting gender-based discrimination in access to non-banking financial services and activities and mandating the collection and quarterly reporting of sex-disaggregated data.

Women, Business and the Law data from 2020 was used to support a prior action in **Sierra Leone's** First Inclusive and Sustainable Growth DPO (P175342), leading to a reform that made access to credit easier for women by prohibiting gender-based discrimination in financial services.

Childcare (Examples from Bangladesh and Colombia):

Expanding access to quality, affordable childcare is among the most important investments that countries can make to build human capital and accelerate equality as currently childcare, elderly care and other care services, fall disproportionately on women.

The **Bangladesh** Second Programmatic Jobs Development Policy Credit (P168724) introduced policy reforms that strengthen regulation on childcare centers and increase government oversight to promote parental confidence in childcare provision. These reforms sought to create jobs for women in the sector and alleviate constraints on women's labor force participation across all sectors. Two planned investment projects help implement this policy reform: one focusing on strengthening the delivery of childcare services for early childhood development, and the other responding to the high demand for childcare services by setting up childcare service centers and providing training for caregivers (Boyreau et al. 2021).

The Government of *Colombia* under the *Equitable and Green Recovery DPF (P176788)*, has enacted measures that prohibit discrimination against women's access to employment, increase the length of paternity leave, and introduce shared parental leave to encourage the sharing of responsibilities for unpaid care work and to support women's economic empowerment.

Women's Labor Force Participation (Examples from Gambia and Azerbaijan)

Globally, there are still large gaps between male and female labor force participation rates (FLFP) and progress has remained stagnant for three decades. Labor force participation is around 53 percent for women versus 80 percent for men globally (Gender Data Portal).

Under the *Gambia* Second Fiscal Management, Energy and Telecom Reform DPF (P179543), to encourage women to take up leadership positions in the National Water and Electricity Company (NAWEC), the Government of Gambia approved a gender policy that addresses equal opportunity recruitment and employment measured by the proportion of female directors in NAWEC leadership team.

The Lifting Legal Barriers to Women's Employment in *Azerbaijan DPO (P173245)* used *Women, Business and the Law* data to provide support to the Ministry of Labor and Social Protection of the Population in lifting restrictions to jobs that were legally banned for women.



Disaster Response and Resilience (Examples from DRC and Cabo Verde)

Implementation of policies and laws to close gender gaps on the different impacts of climate change, biodiversity loss, and pollution, including disaster response and resilience initiatives is an urgent need.

The Dominica Disaster Risk Management Development Policy Credit with a Catastrophe Deferred Drawdown Option (P177807) supported the government of **Dominica** to increase women's resilience to climate and disaster by introducing a Flexible Hurricane Protection (FHP) policy. In 2021, FHP's pilot year, 36 percent of the policies were purchased by women entrepreneurs or working in agriculture.

Under the *Cabo Verde* Second Resilient and Equitable Recovery DPF (P176148), the government has enacted a decree establishing a shock-responsive safety net framework, indicating its features, implementation process, roles, and responsibilities, particularly supporting female-headed households to benefit from temporary income support in response to shocks, including climate-related shocks.

Promoting Women's Leadership (Examples from Sierra Leone and Morocco)

The **Sierra Leone** Second Inclusive and Sustainable Growth DPF (P178321) addresses women's lack of inclusion in leadership in government institutions and weak land security. Women have less access to land and limited participation in land-based investment negotiations due to their lack of representation in local decision-making bodies. New land commissions are being established that are responsible for the enforcement and implementation of tenure security, demarcation, and management of forests and other ecological resources. Legislation introduced in the project mandates that at least 30 percent of commissioners appointed on the board of these commissions are women, thereby promoting their decision-making over land use, management, and allocation.

The *Morocco* Second Financial and Digital Inclusion Development Policy Financing Project (P174004) tackles gaps in women's leadership in the private sector. Womenled firms are scarce and there is a lack of diversity on corporate boards. To improve the performance and governance of public limited companies, a new law establishes measures more than doubling the share of female members of boards of directors of listed companies from 11 percent to at least 25 percent.

KEY RECOMMENDATIONS TO ADVANCE WOMEN'S LEGAL RIGHTS



Discriminatory norms and legal frameworks limit women's economic opportunities. Moreover, when laws fail to protect women from violence, or in the contexts of conflict, disease, and natural disasters, women face additional barriers to their full economic participation. The World Bank Group can support legal reforms toward gender equality focusing on building women's human capital, job quality and livelihood diversification, access to and ownership of assets, and leadership, voice, and agency. Furthermore, legal frameworks can also help to enhance the effectiveness of gender-sensitive climate action.

Women, Business and the Law research and data have the potential to generate significant social and economic value for women by informing policy and legal reforms that improve their economic and social participation. World Bank Group operational teams, development partners, civil society networks and government agencies can use this diagnostic framework to identify, address, and remove barriers to women's success and boost economic inclusion. Sufficient and adequate resources to implement national and international commitments to gender equality is essential for that purpose.

Looking ahead, the World Bank needs to make continued efforts in supporting not just the creation, but critically the enforcement of gender focused reforms, working closely with client countries based on new research and evidence. Some of the suggested areas of focus are discussed below.

• Implementation of laws: Laws need to be properly implemented and enforced to have the greatest beneficial impact for women and overall economic development. This may call for supporting mechanisms and policies that sequence legislation, provide regulating procedures, ensure access to fair and effective justice institutions, or guarantee social services. Legal reform and supporting policies can encourage women's participation in the workforce, bring about macroeconomic benefits, and change social norms and expectations around gender (Christopherson et al., 2022).

To present a fuller picture of the legal environment for women, Women, Business and the Law 2022 introduced a new conceptual framework and preliminary data for measuring the implementation gap. Pilot data from 25 economies examine both the supportive frameworks that create an enabling environment for working women and expert opinions of progress made toward gender equality of individuals on the ground. Building on that exercise, Women, Business and the Law 2024 will offer new data and analytics on the de facto environment for the economic participation of women in 190 economies, including measures to guarantee equal access to justice, safety regulations, online access, and clear guidelines, examined in tandem with the opinions of experts on the ground.

· Care: When the COVID-19 pandemic struck, childcare needs became suddenly more urgent and the importance of aligning childcare policies with the needs of working mothers even clearer. The enactment of policies to make childcare available, affordable, and of decent quality is a priority due to its potential to achieve better outcomes for women, children, and the economy as a whole. In support of this goal, Women, Business and the Law has developed a new conceptual framework for measuring the legal environment affecting the provision of childcare services. Women, Business and the Law 2022 presented preliminary data exploring current laws related to the availability, affordability, and quality of childcare in 95 economies. Going forward, a new Childcare indicator will offer a more complete measure of the laws and policy instruments that support the provision of childcare services.

Unpaid care work is not limited to childcare. The sharing of care responsibilities needs to be looked at holistically through a demographic lens at the country level and across a woman's lifetime, as elder and disability care often falls disproportionately on women. More research on the policy framework around the care economy is needed to fully address the impact of unpaid care responsibilities on women's economic participation.



· Women's health and safety: Strong legal frameworks and institutions protecting women from violence are crucial to their economic empowerment. Women, Business and the Law is expanding its research on women's safety to collect data in key areas, such as child marriage, marital rape, and sexual harassment in other contexts beyond the workplace where important legal gaps remain, which will inform a new indicator on Safety. For example, Arthur et al. (2018) document that, between 1995 and 2013, the number of countries worldwide that prohibit marriage under the age of 18 has increased, but important gaps remain in removing legal exemptions. Within this context, research on women's health is also warranted. Access to family planning is paramount to women's ability to choose where and when to work (Gammage, Joshi, and van der Meulen Rodgers 2020) and can improve women's agency, education, and participation in the labor force (Finlay and Lee 2018). Female genital mutilations (FGM) affect at least 200 million girls and women around the world (WHO 2022). This harmful practice has severe socioeconomic consequences and high costs for victims (Odukogbe et al. 2017). The World Bank has published a Compendium of International and National Legal Frameworks on FGM (World Bank 2022), but comprehensive research on the economic, health, and social impact of FGM is still lacking. Additional analysis of legal and regulatory barriers to women's access to health services would support operational

- efforts in identifying key gaps for interventions. For example, laws that prevent pregnant girls from remaining or limiting their participation in school can significantly affect their economic opportunities.
- · Gender inequalities in fragile and conflict situations: Gender inequality is magnified in fragile and conflict situations (FCS), where discriminatory social norms combine with lack of access to health, education, justice, and employment (World Bank Group 2020c). Gender inequality must be addressed both as a potential root cause for fragility and in efforts to transition out of FCS. Promoting women's economic participation is key in these contexts, especially because the share of women-headed households tends to increase during violence and conflict (World Bank Group 2020c). To better identify resilience and recovery pathways out of FCS, Women, Business and the Law is producing two thematic deep-dives in 10 selected economies experiencing fragility. They assess gaps and promising practices in the areas of gender-based violence and access to land, two areas where FCS have disproportionate, adverse impacts on women.
- Women with disabilities: Women are not a homogenous group but have overlapping identities, such as race, ethnicity, language, religion, sexual orientation, and gender identity and expression that can compound their exclusion both at the

individual and systemic levels. The barriers women with disabilities face in accessing socio-economic opportunities result in exclusion from the labor force and increased experience of gender-based violence. Under the World Bank Group's 10 Commitments on Disability-Inclusive Development, Women, Business and the Law continues to produce new data assessing nondiscrimination under gender and disability legislation, and the rights to family life, labor inclusion, and a life free from violence for women with disabilities, which can be used by the World Bank task teams to discuss updating legislations in client countries focused on assisting women with disabilities.

- Women's leadership: Women's leadership and participation in decision-making positions (e.g., in the political positions, judicial sector, on the climate change agenda, and in the private sector) are also paramount for a more equitable representation of women's interests. Capacity building can complement these efforts, with a view to eliminating gender stereotypes and shifting harmful mindsets that foster, justify, or tolerate violence against women in communities, schools, and workplaces.
- **Gendered tax policy:** Tax policy has important implications for gender equality (Stotsky 1997, Grown and Valodia 2010, and Lahey 2018 among others). Tax policies can be designed to alleviate gender inequalities but can also exacerbate inequalities, due to the underlying differences between men and women in terms of labor force participation, pay, and asset ownership, among other factors. Gender biases can be found in many areas of taxation, including personal income tax, property taxes, and corporate income taxes. While this area is receiving renewed attention of late (Coelho et al. 2022 and OECD 2022), what is missing is a global stocktake and analysis of the interaction between tax policies and gender equality. Women, Business and the Law plans to address this knowledge gap by assessing and documenting gender dimensions of tax policies across the globe, which can be helpful to client countries in the design of tax policies.

• Gender-sensitive climate policies: Challenges to livelihoods, health, and safety have exacerbated preexisting inequalities and injustices for women, who are often the most adversely affected by crises. Gender is an important factor in determining how people are affected by climate change, and their capacity to respond to it (Global Gender and Climate Alliance 2016). Discriminatory laws and social norms cause women to have less access than men to land, farm inputs, credit, decision-making positions, and knowledge that would enhance their adaptive capacity to climate-related challenges (Aguilar 2008). As progress is made globally toward the green economy, there is a need to create policies and guidelines, and to enforce legislation, against harsh and unsafe working conditions for the women and children who work in affected sectors. Key international conventions and commitments on climate action have long called for gender-sensitive climate policies.4 Comprehensive data on gendersensitive climate laws and policies are needed to drive and inform the design of effective reforms in this area.

Achieving gender equality requires a much broader, long-term effort, by governments, firms, civil society, international organizations, and others, but legal and regulatory reforms can play a foundational role as an important first step embedded in the country, regional, and cultural contexts.

⁴ Paris Agreement to the United Nations Framework Convention on Climate Change, Dec. 12, 2015, T.I.A.S. No. 16–1104, Arts. 7(5) and 11(2); Enhanced Lima Work Programme on Gender, United Nations Framework Convention on Climate Change Conference of Parties Decision 3/CP.25, 2019; UN Committee on the Elimination of Discrimination against Women, General Recommendation No. 37 on Gender-related dimensions of disaster risk reduction in the context of climate change, par. 26, 2018; United Nations, Beijing Declaration and Platform of Action, adopted at the Fourth World Conference on Women, 27 October 1995.



WORLD BANK GROUP OPERATIONS WITH COMPONENTS ADDRESSING GENDER ASPECTS IN LEGAL FRAMEWORKS (APPROVED SINCE 2013, ALPHABETICAL BY COUNTRY)

Project name	Project number	Fiscal Year	Countries	Thematic areas
Albania Gender Equality in Access to Economic Opportunities DPF	P160594	2020	Albania	Jobs; Assets
Lifting Legal Restrictions on Women's Employment in Azerbaijan	P173245	2021	Azerbaijan	Jobs; Labor market reforms
Second Programmatic Jobs Development Policy Credit	P168724	2020	Bangladesh	Jobs; Childcare
First Unlocking Human and Productive Potential DPO Series	P176513	2022	Benin	Voice and Agency
Benin: Benin First and Second Unlocking Human and Productive Potential DPF series	P178042	2023	Benin	Human Endowments
BR State Of Goias Sustainable Recovery DPF	P177632	2022	Brazil	Human Endowments
Great Lakes Emergency Sexual and Gender Based Violence and Women's Health Project	P147489	2014	Burundi, Rwanda, and Democratic Republic of the Congo	Voice and Agency; Gender-based violence
Cameroon First Fiscal Sustainability, Inclusive and Sustainable Growth Development Policy Financing	P175249	2023	Cameroon	Human Endowments
CV-IDF-Strengthening the Rule of Law	P085572	2004	Cape Verde	Voice and Agency
Equitable and Green Recovery DPF	<u>P176788</u>	2022	Colombia	Human Endowments; Jobs; Labor market reform
Côte d'Ivoire Investment Climate Reform Program – Business Regulation	588607 (IFC)	2013	Côte d'Ivoire	Voice and Agency
Egypt Inclusive Growth for Sustainable Recovery	<u>P171311</u>	2022	Egypt	Assets; Jobs
KE-CB to Support Gender-Responsive Implementation of the Expanded Legal Sector Reform Program	<u>P087720</u>	2004	Kenya	Assets; Voice and Agency; Access to justice
Kiribati Second Inclusive Growth and Resilience Development Policy Operation	<u>P169179</u>	2021	Kiribati	Childcare; Jobs

Project name	Project number	Fiscal Year	Countries	Thematic areas
Madagascar Investing in Human Capital Development Policy Financing	P168697	2020	Madagascar	Human Endowments
Second Financial and Digital Inclusion Development Policy Financing	<u>P174004</u>	2021	Morocco	Voice and Agency; Leadership
Building Institutions And Human Capital Development Policy Financing	P175256	2022	Niger	Human Endowments
Pakistan Securing Human Investments to Foster Transformation II	P172628	2021	Pakistan	Jobs
Senegal Equitable and Resilient Recovery DPF	P172723	2022	Senegal	Jobs
SL First Inclusive and Sustainable Growth DPO	<u>P175342</u>	2022	Sierra Leone	Assets
Tanzania Citizen-Centric Judicial Modernization and Justice Service Delivery Project	<u>P172922</u>	2022	Tanzania	Voice and Agency; Access to Justice/ Implementation
Tonga Third Inclusive Growth Development Policy Operation Project	P159263	2019	Tonga	Jobs
Uganda Strengthening Social Risk Management and Gender-Based Violence Prevention and Response Project	P160447	2017	Uganda	Voice and Agency
Accelerating Uzbekistan's Transition DPO	P174274	2022	Uzbekistan	Jobs
The Vietnam Inclusive and Sustainable Recovery Development Policy Operation	P176717	2021	Vietnam	Jobs

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