



## CHAPTER 1

# The State of Women's Legal Rights

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## Introduction

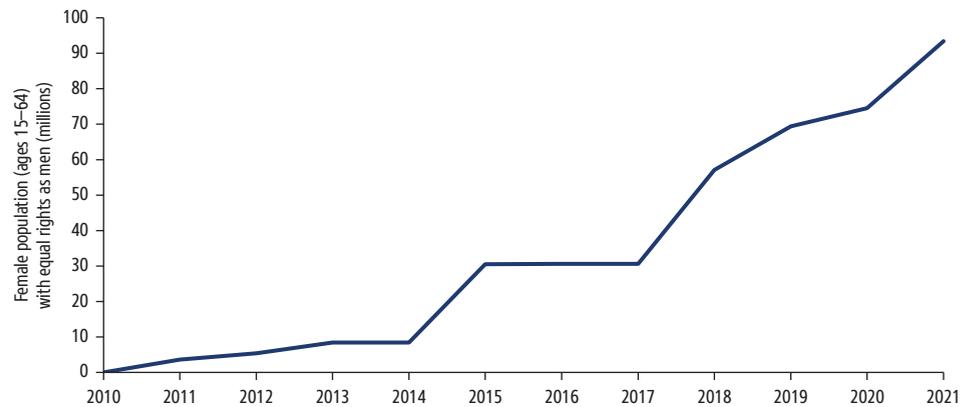
After decades of subjugation to her husband's will, in 2021 a woman in South Africa challenged his marital power in court and won (Arekapudi and Mazoni 2022). In Costa Rica in 2022, the female president of the Legislative Assembly successfully ensured that a woman could freely pursue a job of her choice, eliminating archaic prohibitions on the types of work a woman can perform (Sequeira 2022). In Côte d'Ivoire, the work of national government agencies tasked with consolidating the rights of women led to the adoption of the country's first law on domestic violence and legislation enabling women's employment and entrepreneurship.

These women's successes are recent, and yet they build on the accomplishments of those who have tirelessly worked to remove the legal barriers that hinder women's full enjoyment of rights and opportunities. Their stories are powerful examples of the elements that make change possible, illustrating lessons learned and proving that achieving gender equality takes a concerted effort by persons from all corners of society.

*Women, Business and the Law* has tracked regulatory changes in some of the areas key to women's economic empowerment from 1970 to today, offering objective and measurable benchmarks for global progress toward gender equality in 190 economies. Gender equality is essential to end extreme poverty and boost shared prosperity. Yet discriminatory laws persist in all regions, threatening not only women's human rights, but also their ability to participate meaningfully in the global economy. In 2010 no woman in the world had the same legal rights to economic opportunity as men in the areas measured by *Women, Business and the Law*. Between 2010 and 2022, this situation changed, as more than 93 million women of working age (15–64) gained the same legal rights as men in the areas measured (figure 1.1). However, the progress is

### FIGURE 1.1 | MORE THAN 90 MILLION WOMEN OF WORKING AGE HAVE GAINED LEGAL EQUALITY IN THE LAST DECADE

*Number of working-age women with the same legal rights as men, 2010–21*



Sources: *Women, Business and the Law* database and World Development Indicators database.

not fast enough, as worldwide across all regions, nearly 2.4 billion women of working age still do not have the same legal rights as men. More than half of these women live in East Asia and Pacific (710 million) and South Asia (610 million), followed by Sub-Saharan Africa (330 million), Organisation for Economic Co-operation and Development (OECD) high income (260 million), Latin America and the Caribbean (210 million), Middle East and North Africa (150 million), and Europe and Central Asia (140 million).

*Women, Business and the Law 2023* identifies where and in what areas of study this inequality prevails, providing an important resource for achieving women’s economic empowerment. The ninth in a series, this study presents a data set and index that highlight opportunities for reform and findings from historical data that can inspire current and future efforts to seek equality.

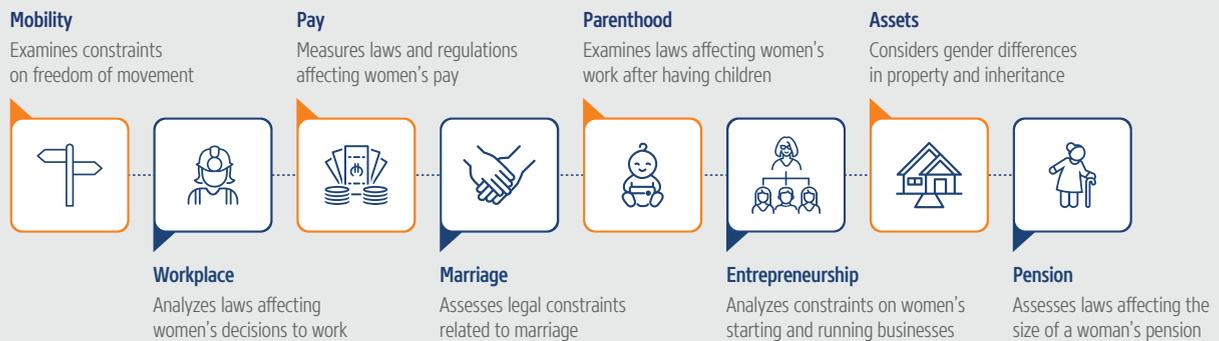
For nearly 15 years, *Women, Business and the Law* has served as a framework that governments and civil society alike can use to identify and remove barriers to women’s success and boost labor force participation. Since 2020, an index structured around a woman’s working life has guided the analysis, celebrating the progress made while emphasizing the work still to be done (box 1.1).

The findings are an important tool for use in policy discussions about the state of women’s empowerment and overall economic resilience. Indeed, research undertaken by the *Women, Business and the Law* team reveals that more equal laws are associated with more women working, higher wages, more women-owned businesses, and more women in managerial positions.<sup>1</sup> With evidence mounting of these positive effects, gender equality needs to become an international priority. This development is especially relevant in view of the pressing challenges that continue to confront the global economy (World Bank 2023). The threat of a global recession, climate crisis, conflict, and the lingering effects of COVID-19 not only threaten economic resilience, but also disproportionately affect women’s lives and livelihoods (Akrofi, Mahama, and Nevo 2021; De Paz, Gaddis, and Muller 2021; ILO 2022; Torres et al. 2021).

### BOX 1.1 ABOUT WOMEN, BUSINESS AND THE LAW

**Women, Business and the Law** identifies laws that restrict women's economic inclusion. Its index aligns different areas of the law with the economic decisions that women make throughout their lives and careers (figure B1.1.1).

**FIGURE B1.1.1 | THE EIGHT WOMEN, BUSINESS AND THE LAW INDICATORS**



Source: *Women, Business and the Law* team.

**The eight Women, Business and the Law indicators coincide with milestones that many women experience and reflect the international legal framework.** The questions under each indicator were chosen based on evidence from the economic literature and statistically significant associations with outcomes related to women's economic empowerment, such as employment and business ownership. The international legal framework on women's human rights, as set out in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and International Labour Organization conventions, also provides underlying justification for each question. The indicators measure explicit discrimination in the law as well as the legal protection of rights and provision of benefits—areas in which reforms can bolster women's economic participation.

**In total, 35 questions are scored across the eight indicators.** Indicator-level scores are obtained by calculating the simple average of the four or five binary questions within that indicator and scaling the result to 100. Overall scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score and indicating equal rights and opportunities for men and women in all 35 areas of measurement (see the data notes in appendix A for details). This score can be interpreted as the absence of legal inequality for a woman throughout her working life. Although other rights not part of the *Women, Business and the Law* data set are certainly also important, these 35 areas constitute a foundational set of rights essential for equal economic opportunities between women and men throughout their working lives. The final score summarizes good-practice legal provisions on gender parity in each economy. Thus, the index serves as a gauge of the enabling environment for women as entrepreneurs and employees.

**The Women, Business and the Law index relies on a series of assumptions.** This approach has both strengths and limitations (table B1.1.1). For example, the woman in question is assumed to reside in the main business city of her economy and to be employed in the formal sector. This approach may not capture restrictions applicable to areas outside the main business city or to informal workers. However, four of the eight indicators have direct relevance for women who work in the informal sector—for example, laws affecting women's freedom of movement, their ability to own or inherit property, or protections against domestic violence. Additionally, legal protections affecting the formal sector provide a foundation for economic inclusion and offer incentives for women to be employed in or start businesses in the formal sector and to transition from the informal to the formal economy. Still, the interplay of other factors, such as access to quality education, infrastructural and institutional capacity, and social and cultural norms may prevent women from entering the workforce. This study recognizes these limitations. Although they may come at the expense of specificity, they also ensure that the data are reliable and comparable.

(Box continues next page)

**BOX 1.1 ABOUT *WOMEN, BUSINESS AND THE LAW* (continued)**

<b>TABLE B1.1.1    METHODOLOGICAL STRENGTHS AND LIMITATIONS OF THE <i>WOMEN, BUSINESS AND THE LAW</i> INDEX</b>		
<b>Feature</b>	<b>Strength</b>	<b>Limitation</b>
Use of standardized assumptions	Data are comparable across economies, and methodology is transparent.	The scope of data is smaller; only regulatory reforms in the areas measured can be tracked systematically.
Coverage of largest business city only	Data collection is manageable, and data are comparable.	In federal economies, data may be less representative where laws differ across locations.
Focus on the most populous group	Data are comparable across economies where parallel legal systems prescribe different rights for different groups of women.	Restrictions that apply to minority populations may not be captured.
Emphasis on the formal sector	Attention remains centered on the formal economy, where regulations are most relevant.	The reality faced by women in the informal sector, which may be a significant population in some economies, is not fully reflected.
Measure of codified laws only	Indicators are actionable because the law is what policy makers can change.	Where systematic implementation of legislation is lacking, regulatory changes alone will not achieve the desired results; social and cultural norms are not considered.

Source: *Women, Business and the Law* database.

**To construct the index, *Women, Business and the Law* surveys more than 2,000 experts in family, labor, and violence against women legislation.** Questionnaire respondents include lawyers, judges, academics, and members of civil society organizations working locally on gender issues. Although many legal experts contribute over consecutive report cycles, the base of respondents has been expanded over time to include new voices and contributions. *Women, Business and the Law* collects the texts of relevant laws and regulations and verifies responses to questionnaires for accuracy. Responses are validated against codified sources of national law in areas such as labor, social security, civil procedure, violence against women, marriage and family, inheritance, nationality, and land. All of the data used to construct the index are available on the *Women, Business and the Law* website (<https://wbl.worldbank.org>).

Reforming in ways that incentivize women to enter the labor force as employees and entrepreneurs will both level the playing field and make the economy more robust in the face of shocks (Halim, O’Sullivan, and Sahay 2022; Ubfal 2022) (box 1.2). While progress has been made over the last 53 years, at the current pace of legal reform it will take at least another 50 years for economies to reach equality in the areas measured. *Women, Business and the Law* will continue to explore these challenges and the critical relationship between economic outcomes and to build the case for gender equality in all areas of life.

## Data update

*Women, Business and the Law 2023* updates its index to account for legal reforms that took place from October 2, 2021, to October 1, 2022. During that period, the global average score rose about half a point over the previous cycle, reaching 77.1 out of 100. Five years ago, the global average score was 73.8. Women in just 14 of 190 economies have the same legal rights as men in all of the indicators measured: Belgium, Canada, Denmark, France, Germany, Greece, Iceland, Ireland, Latvia, Luxembourg, the Netherlands, Portugal, Spain, and Sweden (table 1.1). For the complete *Women, Business and the Law* data set, see the economy data in appendix B.

### BOX 1.2 HOW WOMEN, BUSINESS AND THE LAW DATA AND FINDINGS CAN BE USED TO PROMOTE POLICY REFORM

*Women, Business and the Law* research and data can provide important evidence to inform the design of policy interventions that promote women's economic empowerment. Increasingly, the World Bank Group's lending and technical assistance operations are using *Women, Business and the Law* data to provide the analytical underpinnings for project design. In 2019, the World Bank's Investing in Human Capital Development Policy Financing supported the government of Madagascar's ambitious agenda to improve human capital, including by strengthening legal frameworks for the protection of women and girls. *Women, Business and the Law* data helped to identify critical legislative gaps, such as lack of legal protection against domestic violence, leading to the adoption of the country's first violence against women legislation. The following year, the Lifting Legal Barriers to Women's Employment in Azerbaijan project provided technical assistance to the government of Azerbaijan and led to the adoption of labor reforms removing job restrictions for women identified by *Women, Business and the Law* data. In 2021, *Women, Business and the Law* data informed the design of Benin's Unlocking Human and Productive Potential Development Policy Operation and helped to identify key legal gender gaps in the area of gender-based violence. In Sierra Leone, the 2022 Inclusive and Sustainable Growth Development Policy Operation used *Women, Business and the Law* data to advance reforms prohibiting sex-based discrimination in the provision of financial services.

*Women, Business and the Law* data are also used by other institutions to influence policy change. For example, together with UN Women and the Organisation for Economic Co-operation and Development, *Women, Business and the Law* contributes its data and expertise to inform Sustainable Development Goal 5.1.1 (<https://unstats.un.org/sdgs/metadata/>): "Whether or not legal frameworks are in place to promote, enforce, and monitor equality and non-discrimination on the basis of sex." The Millennium Challenge Corporation (<https://www.mcc.gov/who-we-select/indicator/gender-in-the-economy-indicator>) uses *Women, Business and the Law* data in its Gender in the Economy indicator, which is used to assess economies' commitments to promoting gender equality. Several other institutions use *Women, Business and the Law* data to construct their own indexes, such as the Georgetown Institute for Women, Peace, and Security's index (<https://giwps.georgetown.edu/the-index/>), the Heritage Foundation's Index of Economic Freedom (<https://www.heritage.org/index/>), the Atlantic Council's Freedom and Prosperity Indexes (<https://www.atlanticcouncil.org/programs/freedom-and-prosperity-center/>), the International Trade Center's SheTrades Outlook (<https://intracen.org/resources/tools/shetrades-outlook>), the Equal Measures 2030's SDG Gender Index (<https://www.equalmeasures2030.org/2022-sdg-gender-index/>), and the Global Governance Forum's Gender Equality and Governance Index (GEGI) (<https://globalgovernanceforum.org/global-issues/gender-equality/>), among others. Arizona State University's Global SDG 5 Notification Tool (<https://globalfutures.asu.edu/sdg5-training/>) also provides users with insight into country-level progress on legal gender equality and aims to inform parliamentarians about the status of their laws ahead of the United Nations Human Rights Council's Universal Periodic Review for their country.

These are just a few examples of how different stakeholders can use *Women, Business and the Law* data to achieve the same goal—removing discriminatory laws that hinder women's economic inclusion and promoting good-practice legislation that incentivizes women's economic participation.

Globally, 44 economies in six regions score above 90. Among them, 28 are in OECD high income, 7 are in Europe and Central Asia, 3 are in East Asia and Pacific, and 3 are in Latin America and the Caribbean. In 2022, 1 economy in the Middle East and North Africa region (Malta) and 2 economies in the Sub-Saharan Africa region (Côte d'Ivoire and Gabon) also score above 90 for the first time. No economy in the South Asia region has reached a score of 90.

**Economies in the low- and middle-income groups made significant progress toward legal gender equality in the past year.** Seven lower-middle-income economies implemented 15 reforms, leading to an increase of 0.8 points in average score. Upper-middle-income economies also improved their average score by 0.8 points with 12 reforms. Low-income economies followed with an increase of 0.2 points, reaching an overall score of 66.3, after enacting four reforms. Although the average score of

TABLE 1.1 WOMEN, BUSINESS AND THE LAW 2023 SCORE									
Economy	Score	Economy	Score	Economy	Score	Economy	Score	Economy	Score
Belgium	100.0	Malta ✓	91.3	St. Lucia	83.8	Burundi	76.3	Botswana	63.8
Canada	100.0	Taiwan, China	91.3	São Tomé and Príncipe	83.1	Kiribati	76.3	Mali *	63.8
Denmark	100.0	United States	91.3	Burkina Faso	82.5	Seychelles	76.3	Dominica	62.5
France	100.0	Bulgaria	90.6	Fiji	82.5	Belarus	75.6	Haiti	61.3
Germany *	100.0	Mongolia ✓	90.6	Mozambique	82.5	Kazakhstan ✓	75.6	Micronesia, Fed. Sts.	61.3
Greece	100.0	Romania	90.6	Singapore	82.5	Morocco	75.6	Cameroon	60.0
Iceland	100.0	Ecuador	89.4	Türkiye	82.5	Bhutan *	75.0	Papua New Guinea	60.0
Ireland	100.0	Mauritius	89.4	United Arab Emirates	82.5	Ghana	75.0	Lebanon	58.8
Latvia	100.0	Bolivia	88.8	Togo	81.9	Honduras	75.0	Myanmar	58.8
Luxembourg	100.0	El Salvador	88.8	Bahamas, The	81.3	Samoa	75.0	Pakistan ✓	58.8
Netherlands ✓	100.0	Mexico	88.8	Cambodia	81.3	Trinidad and Tobago	75.0	Tonga	58.8
Portugal	100.0	Uruguay	88.8	Liberia	81.3	India	74.4	Congo, Rep. ✓	58.1
Spain	100.0	Georgia	88.1	Tanzania	81.3	Jamaica ✓	74.4	Algeria	57.5
Sweden	100.0	Lao PDR	88.1	Uganda ✓	81.3	Guatemala *	73.8	Niger	56.9
Estonia	97.5	South Africa	88.1	Zambia	81.3	Guinea	73.8	Solomon Islands	56.9
Finland	97.5	Switzerland	88.1	Grenada	80.6	Maldives	73.8	Palau	56.3
Italy	97.5	Vietnam *	88.1	Israel	80.6	Suriname	73.8	Vanuatu	55.6
New Zealand	97.5	Armenia	87.5	Kenya	80.6	Russian Federation	73.1	Brunei Darussalam	53.1
United Kingdom	97.5	Moldova	87.5	Nepal	80.6	Senegal ✓	72.5	Equatorial Guinea	51.9
Australia	96.9	Guyana	86.9	Barbados	80.0	Sierra Leone	72.5	Egypt, Arab Rep.	50.6
Austria	96.9	Zimbabwe	86.9	Chile	80.0	Djibouti *	71.3	Libya	50.0
Hungary	96.9	Cabo Verde	86.3	Malawi ✓	80.0	Saudi Arabia ✗	71.3	Malaysia	50.0
Norway	96.9	Dominican Republic	86.3	San Marino	80.0	St. Kitts and Nevis	71.3	Bangladesh	49.4
Slovenia	96.9	Namibia	86.3	Angola	79.4	Indonesia ✓	70.6	Iraq ✓	48.1
Côte d'Ivoire ✓	95.0	Nicaragua	86.3	Argentina	79.4	Uzbekistan	70.6	Mauritania	48.1
Gabon ✓	95.0	Timor-Leste	86.3	Belize	79.4	Eritrea	69.4	Jordan	46.9
Peru	95.0	Bosnia and Herzegovina	85.0	Panama	79.4	Gambia, The	69.4	Somalia	46.9
Cyprus	94.4	Brazil	85.0	Azerbaijan	78.8	Madagascar *	69.4	Eswatini	46.3
Paraguay	94.4	Korea, Rep.	85.0	Congo, Dem. Rep.	78.8	Bahrain ✓	68.1	Guinea-Bissau	42.5
Croatia	93.8	Montenegro	85.0	Japan	78.8	St. Vincent and the Grenadines	68.1	Syrian Arab Republic	40.0
Czechia	93.8	North Macedonia	85.0	Philippines	78.8	South Sudan	67.5	Oman	38.8
Lithuania	93.8	Slovak Republic	85.0	Tajikistan	78.8	Antigua and Barbuda	66.3	Kuwait	35.0
Poland	93.8	Ukraine	85.0	China ✓	78.1	Chad	66.3	Afghanistan ✗	31.9
Serbia	93.8	Venezuela, RB	85.0	Lesotho	78.1	Nigeria *	66.3	Iran, Islamic Rep.	31.3
Costa Rica ✓	91.9	Colombia	84.4	Thailand	78.1	Marshall Islands	65.6	Qatar	29.4
Hong Kong SAR, China	91.9	Benin ✓	83.8	Central African Republic	76.9	Sri Lanka	65.6	Sudan	29.4
Kosovo	91.9	Puerto Rico (US)	83.8	Ethiopia	76.9	Comoros	65.0	Yemen, Rep.	26.9
Albania	91.3	Rwanda	83.8	Kyrgyz Republic	76.9	Tunisia	64.4	West Bank and Gaza	26.3

Source: Women, Business and the Law database.

Note: Economies with a green check (✓) saw an improvement in score due to reforms in one or more areas. Economies with a red X (✗) introduced at least one legal change that reduced the score. Economies with an asterisk (\*) saw a change in their score due to revisions made as a result of new information (Djibouti, Germany, Guatemala, Vietnam) and coding consistency (Bhutan, Madagascar, Mali, Nigeria).

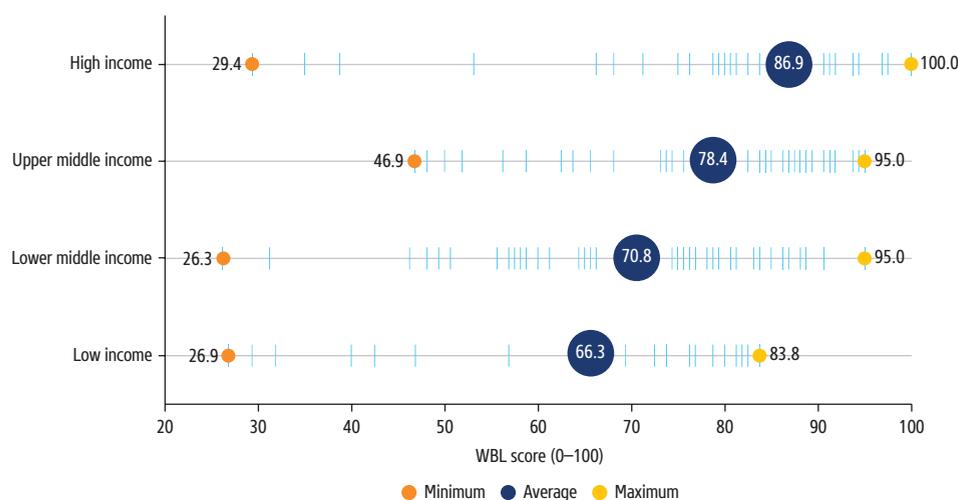
high-income economies is 86.9, some economies in this group still have scores as low as 29.4. In fact, in all income groups gaps of at least 48 points are evident between the lowest- and highest-scoring economies, indicating that women still face significant differences in their legal standing even in places at similar levels of economic development (figure 1.2). Many factors drive differences in scores within the same income level. For example, conflict and fragility can contribute to lack of reforms toward gender equality. Violent conflicts and high levels of institutional and social fragility affect the quality of policy and institutions, including government capacity to undertake reforms. Out of 27 low-income economies examined, 11 economies with the lowest *Women, Business and the Law* scores are also fragile and conflict-affected situations, consisting of Afghanistan, Chad, Eritrea, Guinea-Bissau, Mali, Niger, Somalia, South Sudan, Sudan, the Syrian Arab Republic, and the Republic of Yemen.

**The state of women's legal equality varies within and among regions.** Regions with average scores higher than the global average of 77.1 are OECD high income, Europe and Central Asia, and Latin America and the Caribbean. The Middle East and North Africa and South Asia remain the two regions with the lowest average scores (figure 1.3). The gap between the lowest-scoring and highest-scoring economies in Sub-Saharan Africa and the Middle East and North Africa is close to 65 points. Economies in these regions can learn from their neighbors or inspire others to reform.

**Thanks to reforms in Sub-Saharan Africa, this year the pattern among regions has changed for the first time since 2004.** This year, Sub-Saharan Africa surpassed the

**FIGURE 1.2 | SCORE GAPS OF MORE THAN 50 POINTS EXIST ACROSS ALL INCOME GROUPS**

*Dispersion of Women, Business and the Law average scores, by income level*

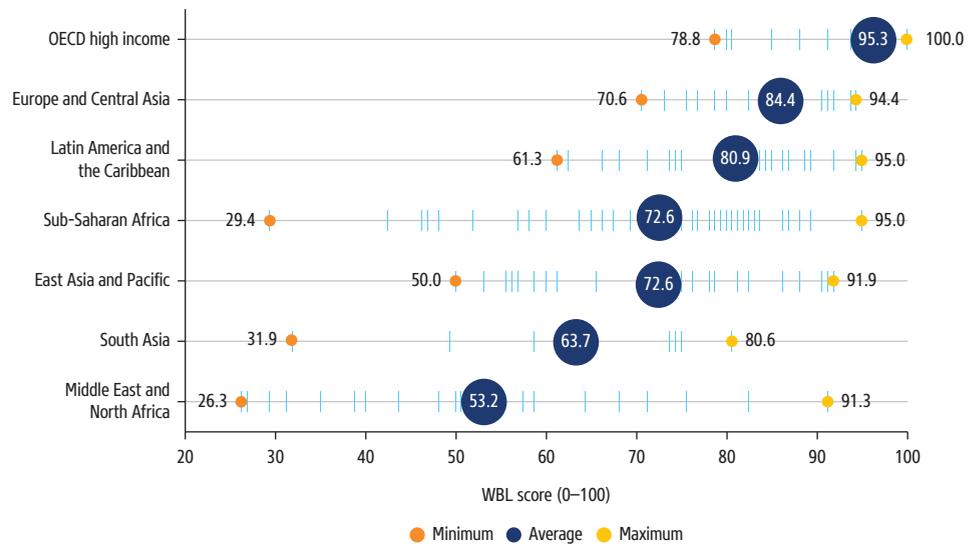


Source: *Women, Business and the Law* database.

Note: Each vertical line represents the score of an economy in its respective income group. Each blue circle indicates the average score for an income group. The minimum and maximum scores within each group are specified. All income groups are classified as of 2022, except for República Bolivariana de Venezuela, which is included in the upper-middle-income group, as last classified in 2021.

**FIGURE 1.3 | THE LARGEST GAPS ARE IN THE MIDDLE EAST AND NORTH AFRICA AND IN SUB-SAHARAN AFRICA**

*Dispersion of Women, Business and the Law 2023 average scores, by region*



Source: *Women, Business and the Law* database.

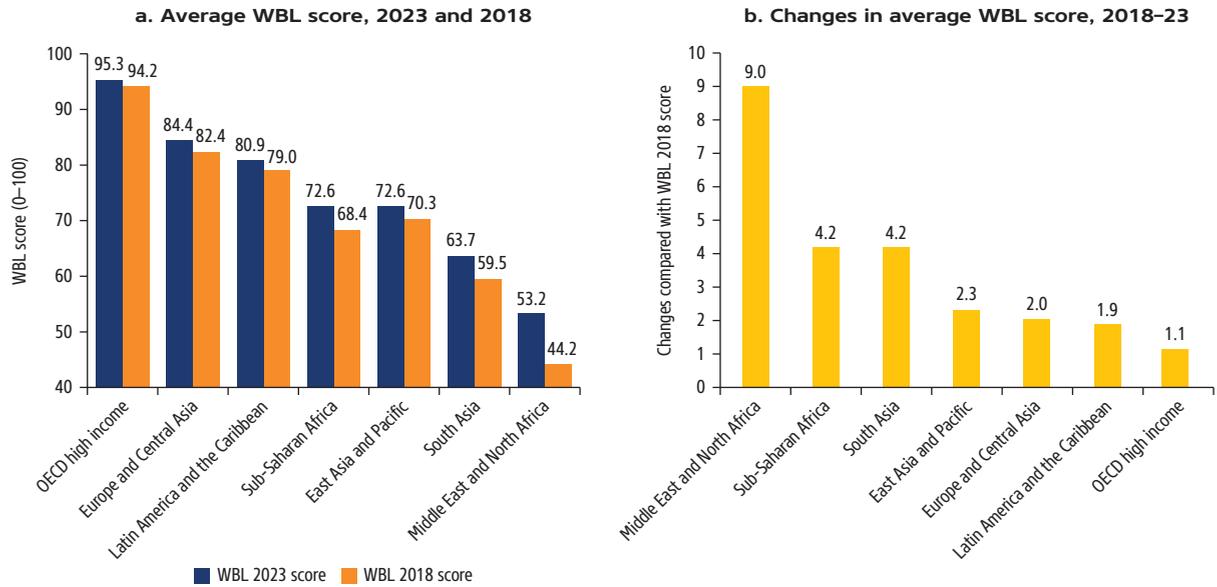
Note: Each vertical line represents the score of an economy in its respective region. Each blue circle indicates the average score for a region. The minimum and maximum scores within each region are specified. OECD = Organisation for Economic Co-operation and Development.

average score of East Asia and Pacific for the first time in the past 53 years (figure 1.4, panel a). OECD high-income economies continue to have the highest average scores, followed by Europe and Central Asia and Latin America and the Caribbean. The region that advanced the most due to reform efforts is the Middle East and North Africa, the lowest scoring region, with an increase of over 9 points in its overall score over the last five years. Economies in Sub-Saharan Africa and South Asia, with scores below the global average, have increased their score by more than 4 points since 2017, substantially improving legal equality for women (figure 1.4, panel b).

**Seven of the eight indicators improved in score over the past year** (annex 1B). For Mobility, legal changes widening the gender gap resulted in a decrease of 0.1 points. This year, apart from Parenthood (56.4), Pay (70.0), and Pension (73.9), all other indicators score 80 or above on average. The Pay indicator has the second-to-lowest average score, and it increased by 1.3 points—the largest improvement among all indicators. This is followed by an increase of 0.7 points in Parenthood and Workplace, respectively, and 0.5 points in Entrepreneurship. The indicator sequence has not changed substantively, with Mobility, Entrepreneurship, and Assets still having the highest scores and Pay and Parenthood having the lowest scores today as well as five years ago (figure 1.5, panel a). Despite lower scores, however, indicators that improved the most are Pay and Workplace, both with an increase of at least 5 points over the last five years (figure 1.5, panel b). Parenthood’s score also has increased by 4.5 points since 2017, indicating improved legal equality for women after they have children.

**FIGURE 1.4 | OVER THE LAST FIVE YEARS, REGIONS SCORING THE LOWEST IMPROVED THE MOST**

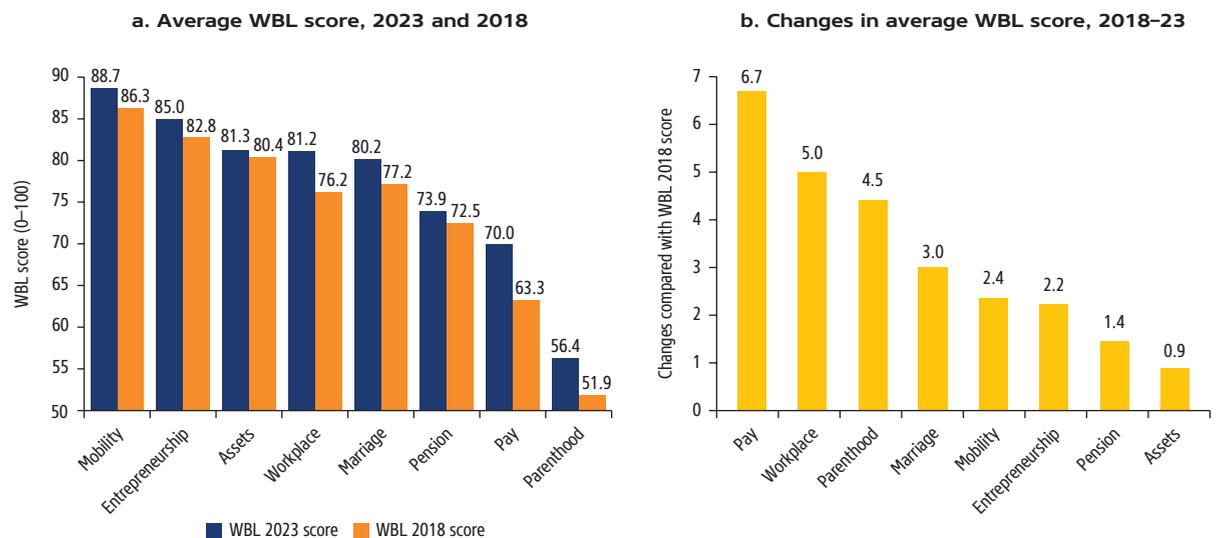
*Improvements in Women, Business and the Law scores, 2018–23, by region*



Source: Women, Business and the Law database.  
 Note: OECD = Organisation for Economic Co-operation and Development.

**FIGURE 1.5 | DESPITE IMPROVEMENTS IN THE PAST FIVE YEARS, PAY AND PARENTHOOD STILL HAVE THE LOWEST SCORES**

*Improvements in Women, Business and the Law scores, 2018–23, by indicator*



Source: Women, Business and the Law database.

## Where are laws changing?

In the past year, 18 economies in all regions introduced 34 reforms across all indicators to accelerate progress toward achieving legal gender equality (table 1.2).

Seven economies in Sub-Saharan Africa—Benin, the Republic of Congo, Côte d’Ivoire, Gabon, Malawi, Senegal, and Uganda—implemented 18 positive reforms (box 1.3). The region accounts for more than half of all reforms in the past year (figure 1.6, panel a). The International Labour Organization (ILO) estimates suggest that in Sub-Saharan Africa, 90 percent of working women are employed informally compared to 83 percent of men (ILO 2022), meaning that they are employed in work that does not provide legal protections. In Côte d’Ivoire alone, more than 80 percent of women are employed in nonagricultural work in the informal sector compared with 60 percent of men. This means that the impact of some of the reforms, including Workplace, Pay, Parenthood, and Pension, and the reality faced by women in the informal sector may not always be fully reflected. Informality is an important factor in understanding the distinction between legal changes on paper and their application in practice. However, reforms in Mobility, Marriage, Entrepreneurship, and Assets apply to women regardless of their official employment.

Three economies in the East Asia and Pacific region—China, Indonesia, and Mongolia—also enacted five positive legal changes. Despite the region’s relatively high average score, two economies in Latin America and the Caribbean implemented four changes boosting gender equality: Costa Rica and Jamaica. Three reforms were

TABLE 1.2 IN 2021–22, ECONOMIES IMPLEMENTED THE HIGHEST NUMBER OF REFORMS TO IMPROVE GENDER EQUALITY IN THE PAY INDICATOR			
Indicator	Number of reforms	Economies	Details of reforms
Mobility	2	Gabon, Uganda	Gabon enacted legislation allowing women to apply for a passport in the same way as men. Uganda granted women the same rights to choose where to live as men.
Workplace	6	Congo, Rep.; Indonesia; Jamaica	The Republic of Congo, Indonesia, and Jamaica enacted legislation on sexual harassment in employment, including criminal penalties and civil remedies.
Pay	10	Costa Rica, Côte d’Ivoire, Gabon, Kazakhstan, Mongolia, Senegal	Costa Rica, Côte d’Ivoire, Gabon, Kazakhstan, and Senegal eliminated various types of restrictions on women’s employment. Mongolia and Gabon mandated equal remuneration for work of equal value.
Marriage	2	Congo, Rep.; Côte d’Ivoire	The Republic of Congo and Côte d’Ivoire enacted legislation protecting women from various forms of domestic violence.
Parenthood	7	China, Costa Rica, Malawi, Malta, Mongolia, the Netherlands, Senegal	China, Malta, and the Netherlands introduced paid parental leave. Costa Rica, Malawi, and Mongolia introduced paid paternity leave. Senegal prohibited the dismissal of pregnant workers.
Entrepreneurship	4	Benin, Côte d’Ivoire, Iraq, Pakistan	Benin, Côte d’Ivoire, and Iraq prohibited discrimination based on gender in access to credit. Pakistan allowed women to register a business in the same way as men.
Assets	2	Uganda	Uganda equalized inheritance rights for spouses and between sons and daughters.
Pension	1	Bahrain	Bahrain equalized the ages at which men and women can retire with full pension benefits.

Source: *Women, Business and the Law* database.

Note: “Number of reforms” refers to data points that changed because of the reform implemented. For the full list of reforms, see annex 1B.

### BOX 1.3 SPOTLIGHT ON SUB-SAHARAN AFRICA

*Women, Business and the Law* has observed a rise in reform activity in Sub-Saharan Africa since October 2021, leading to a 1.1-point increase in the region's average score. Eighteen positive reforms were implemented by seven economies—Benin, the Republic of Congo, Côte d'Ivoire, Gabon, Malawi, Senegal, and Uganda—accounting for more than half of all reforms captured. Although from the same region, these economies are relatively diverse: two are low income (Malawi and Uganda), four are lower middle income (Benin, the Republic of Congo, Côte d'Ivoire, and Senegal), and one is upper middle income (Gabon). Progress is also occurring widely across the whole region, with reforms captured in West, Central, East, and southern Africa and across all indicators, with the exception of Pension.

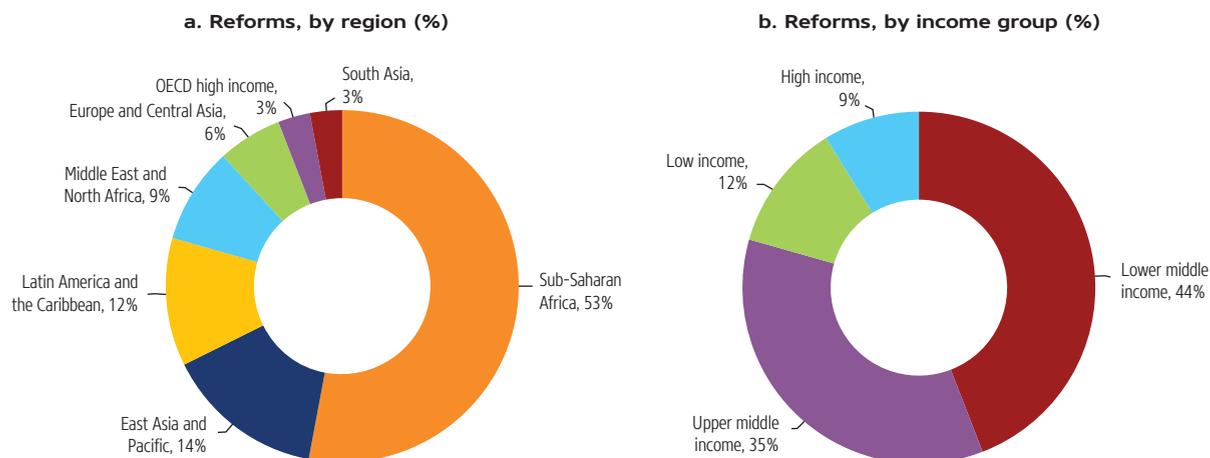
Côte d'Ivoire and Gabon have had impressive reform agendas, becoming the first two economies in Sub-Saharan Africa with scores of at least 90. Both economies embarked on substantial revisions of legislation affecting women's **pay**. Côte d'Ivoire's Decree No. 2021-919 removed all existing restrictions on the employment of women in certain types of jobs and industries, whether dangerous, arduous, or morally inappropriate. Similarly, Gabon's 2021 amendments to its labor code removed restrictions on women's ability to engage in hazardous and arduous work. Furthermore, 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. Senegal also reformed in this area, removing restrictions on women working in industrial jobs.

The Republic of Congo and Côte d'Ivoire also made remarkable strides in addressing **gender-based violence against women**. Specifically, both economies adopted laws addressing domestic violence for the first time. Both laws address all forms of domestic violence, including physical, sexual, psychological, and economic forms of abuse, with criminal penalties and special procedures to obtain protection orders against perpetrators. The Republic of Congo also criminalized sexual harassment in employment, with penalties ranging from a fine to imprisonment of up to 10 years.

Benin and Côte d'Ivoire promoted women's **financial inclusion** by prohibiting gender-based discrimination in financial services. Benin's 2022 Order No. 2349-5 prohibits credit institutions, banking-type financial institutions, and decentralized financial systems from discriminating based on gender in access to credit. Côte d'Ivoire's Law No. 2021-893 amends the criminal code to sanction sex-based discrimination in the provision of goods, credit, and services with a fine and imprisonment of up to three years.

Change in the region is also occurring in areas harder to reform because of inherent costs, such as **paid family leave**, or social norms, such as **mobility and inheritance**. In Malawi in 2021, amendments to the Employment Act entitled fathers to at least two weeks of paternity leave with full pay. Senegal amended its Labor Code and prohibited the dismissal of pregnant women. Gabon and Uganda removed important restrictions on women's mobility. By eliminating the requirement for married women to obtain marital authorization when applying for a passport, Gabon made it easier for women to travel abroad. Uganda's 2022 Succession (Amendment) Act also removed an existing requirement for women to acquire their husbands' domicile upon marriage by adopting gender-neutral language that now allows a woman to choose where to live in the same way as a man. Remarkably, the same act also amended previous provisions that favored sons over daughters in inheritance and denied widows any entitlements to the matrimonial home and other property, redefining a legal heir to include females and guaranteeing equal distribution of the property of an intestate. The law was passed after years of delay to update antiquated provisions and finally addressed a notoriously difficult area of reform.

Although the sequencing of reforms in these economies has varied based on the specific country context, the changes in the region demonstrate that both targeted and comprehensive reforms are possible with the right conditions and motivations. As this pattern of steady reform demonstrates, holistic reform efforts can lead to a considerably more favorable legal environment for working women in Sub-Saharan Africa.

**FIGURE 1.6 | SUB-SAHARAN AFRICAN AND LOWER-MIDDLE-INCOME ECONOMIES REFORMED THE MOST***Reforms, by region and income group*Source: *Women, Business and the Law* database.

Note: OECD = Organisation for Economic Co-operation and Development.

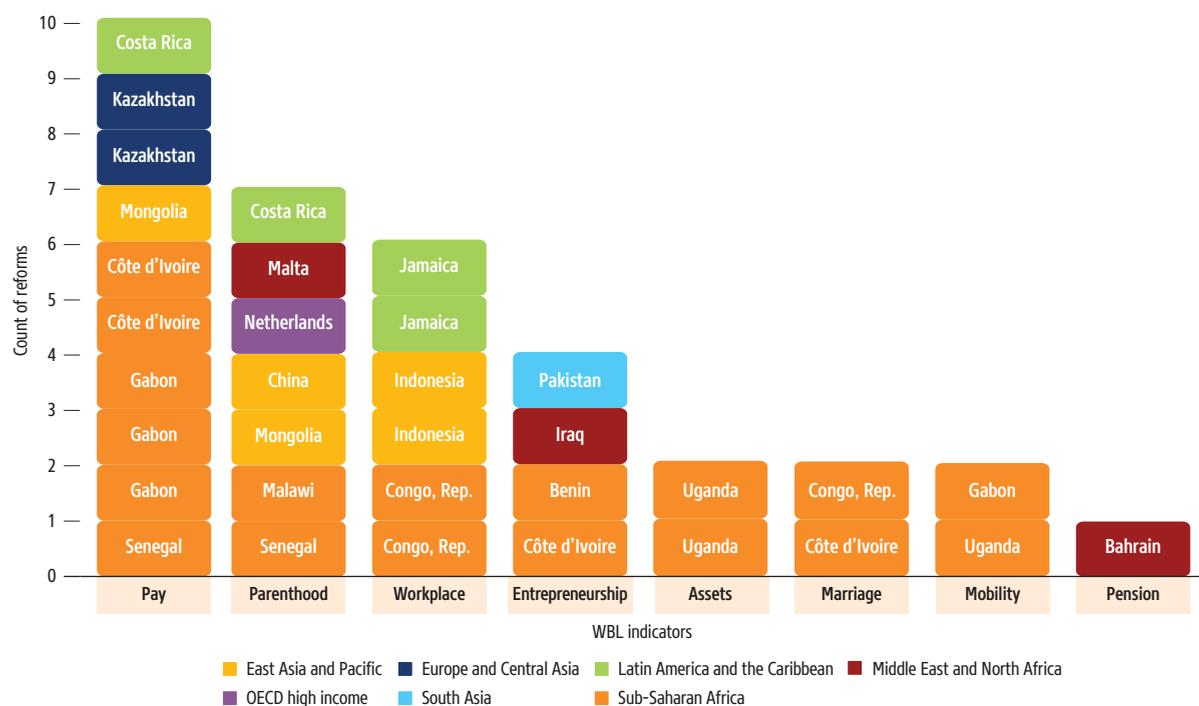
implemented in the Middle East and North Africa: one each in Bahrain, Iraq, and Malta. The remaining reforms were in Kazakhstan in Europe and Central Asia, the Netherlands among the OECD high-income economies, and Pakistan in South Asia.

Among the economies that implemented at least one reform that improved legal equality for women, lower-middle-income economies account for close to 45 percent, upper-middle-income economies for more than 35 percent, and low-income economies for more than 10 percent (figure 1.6, panel b). High-income economies account for the smallest share of all reforms (9 percent), but these economies already had the highest scores. Among the economies in Sub-Saharan Africa that improved laws on gender equality, Côte d'Ivoire stands out for having implemented four reforms in three areas: Entrepreneurship, Marriage, and Pay. More specifically, it enacted laws that prohibit discrimination in access to credit based on gender and that address domestic violence and include physical, sexual, and psychological abuse. Côte d'Ivoire also no longer restricts women's employment in certain types of jobs and industries. As a result of these reforms, Côte d'Ivoire increased its score by almost 12 points (from 83.1 to 95.0) and became one of the first two countries in Sub-Saharan Africa to score at least 90. The other country is Gabon, which continued down the reform path it launched last year by equalizing the process for obtaining passports, mandating equal remuneration for work of equal value, and removing all job restrictions for women.

Most positive reforms in 2022 were within the Parenthood and Pay indicators (figure 1.7). These indicators also have the most room to improve. Seven economies in five regions implemented changes to laws as measured by the Parenthood indicator. Specifically, three economies (China, Malta, and the Netherlands) mandated paid parental leave, three economies (Costa Rica, Malawi, and Mongolia) introduced paternity leave for fathers, and one economy (Senegal) amended its law to prohibit the dismissal of pregnant women.

**FIGURE 1.7 | IN 2021–22, 18 ECONOMIES ENACTED REFORMS ACROSS ALL WOMEN, BUSINESS AND THE LAW INDICATORS**

*Count of reforms since October 2021, by economy, indicator, and region*



Source: Women, Business and the Law database.

Note: OECD = Organisation for Economic Co-operation and Development.

Within the Pay indicator, six economies in four regions enacted reforms that lift restrictions on hiring women or introduce equal remuneration for work of equal value. Costa Rica, Côte d'Ivoire, Gabon, Kazakhstan, and Senegal removed restrictions on women's work. Gabon and Mongolia introduced provisions mandating equal remuneration for work of equal value. Sub-Saharan African economies enacted a breadth of reforms not present in other regions, encompassing seven of the eight indicators.

Two economies enacted laws diminishing equality. In March 2022, Saudi Arabia enacted its first codified personal status law, which regulates matters related to family life. The law restricts a married woman's ability to choose where to live and travel, and it further requires her to obey her husband. Saudi Arabia previously enacted legislation to protect women from sexual harassment and prohibit gender discrimination in employment and access to finance, and it eliminated all restrictions on women's employment. In 2019, Saudi Arabia allowed women to be head of household, removed the legal obligation for a married woman to obey her husband, and improved women's mobility by removing restrictions on obtaining a passport and traveling abroad. Legal amendments also equalized a woman's right to choose where to live and to leave the marital home. However, the personal status law promulgated by Royal Decree M73 reintroduced some of the restrictions into the law.

The interim Taliban administration in Afghanistan issued guidelines and decrees also limiting women's freedom of movement and ability to get a job (annex 1B). The recent regime change in the country has negatively affected both the economy and the welfare of the Afghan people, in particular, women and girls. Access to secondary education for girls has been significantly constrained, and nearly half of women in salaried work have lost their employment (World Bank 2022a). More recently, the government suspended university education for all female students and barred women from working in nongovernmental organizations in the country. Many of these restrictions are imposed by verbal decree and remain unpublished by an official source. Given the uncertainty over the applicable legal framework in Afghanistan, and because unwritten rules are not considered under the *Women, Business and the Law* methodology, the final count of changes widening the legal gender gap there are based only on what is identifiable in writing.

### **Mobility**

Women's agency through freedom of movement, as measured by the Mobility indicator, is a fundamental first step toward economic empowerment. Mobility tracks differences in the laws and regulations that govern the rights of men and women to choose where to live, travel outside the home, obtain a passport, and leave the marital home at will. Constraining a woman's physical mobility, often justified as a way to ensure her safety, affects a woman's bargaining position in the household and can lead to her lower participation in the economic and political spheres (Milazzo and Goldstein 2019). For example, limitations on a woman's mobility are likely to influence her decision to enter the labor force and to engage in entrepreneurial activity (Htun, Jensenius, and Nelson-Nuñez 2019). Conversely, removing restrictions on mobility can provide a woman with better employment opportunities (Hallward-Driemeier and Gajigo 2015). For example, Hallward-Driemeier and Gajigo (2015) show that changes in Ethiopia's family law strengthened a woman's economic rights and made it more likely that she would work outside the home. Furthermore, removing travel restrictions not only encourages a woman's entry into the private sector workforce, but also increases her likelihood of becoming a business owner (Islam, Muzi, and Amin 2019).

Although Mobility has the lowest number of restrictions among all *Women, Business and the Law* indicators, 55 economies worldwide continue to limit a woman's freedom of movement. Two of these—the Islamic Republic of Iran and South Sudan—score 0 on this indicator. In 14 economies, a woman cannot freely leave the home, and in 10 economies a woman cannot travel abroad in the same way as a man (table 1.3). In 34 economies, a woman cannot freely choose where to live in the same way as a man. In April 2022, Uganda enacted a reform in this area by adopting the Succession (Amendment) Act, which, in addition to equalizing inheritance rights, allows a married woman to choose where to live.

Constraints on a woman's mobility may also be due to discriminatory and more burdensome access to formal identification documents. In 28 economies, women are still required to present additional documentation when applying for a passport. In alignment with the country's Equality Strategy, Gabon reformed in this area by making passport application procedures equal for men and women. Previously, Gabon required the husband's authorization when issuing a passport to a married woman.

**TABLE 1.3 NUMBER OF ECONOMIES WITH ROOM TO REFORM LAWS GUARANTEEING A WOMAN'S FREEDOM OF MOVEMENT**

Question	Economies with a "yes"		Economies with a "no"	
	Number of economies	Percentage of economies	Number of economies	Percentage of economies
1. Can a woman choose where to live in the same way as a man?	156	82	34	18
2. Can a woman travel outside her home in the same way as a man?	176	93	14	7
3. Can a woman apply for a passport in the same way as a man?	162	85	28	15
4. Can a woman travel outside the country in the same way as a man?	180	95	10	5

Source: *Women, Business and the Law* database.

Now, a woman is no longer required to provide this authorization or a copy of her husband's identity card when applying for a passport.

In contrast to these amendments enhancing gender parity, Afghanistan and Saudi Arabia enacted laws that reduce gender equality in the area of Mobility. The interim Taliban administration in Afghanistan introduced legal restrictions on a woman's ability to travel abroad without a male chaperone. Saudi Arabia's first personal status law, based on the rules of Islam's Sharia law, regulates issues related to marriage, divorce, and custody of children. The law now includes restrictions on a married woman's ability to choose where to live and to travel.

## **Workplace**

The Workplace indicator analyzes laws affecting a woman's decision to enter the labor market, including her legal capacity and ability to work as well as protections against discrimination and sexual harassment. Evidence shows that a woman's inability to choose her profession freely is negatively associated with her chances of employment (Gonzales et al. 2015) and that the removal of legal barriers can encourage a woman's participation in paid employment and in jobs requiring higher levels of education (Hallward-Driemeier and Gajigo 2015). Moreover, data from the United States show that sexual harassment in the workplace can negatively affect a woman's career trajectory and increase financial stress (McLaughlin, Uggen, and Blackstone 2017).

In 69 economies, a woman faces obstacles affecting her decision to work, such as not being able to choose whether to work and not being protected from discrimination and sexual harassment in employment. In 19 economies, a woman cannot get a job in the same way as a man. In December 2021, the interim Taliban administration in Afghanistan issued a ban on women's ability to work. Now, Afghan women are mostly restricted from working outside the home.

Discrimination in employment is also a barrier to a woman's ability to get a job and to progress in a career. Although antidiscrimination legislation is positively associated with a woman's employment and earnings, in 30 economies gender discrimination in

**TABLE 1.4 NUMBER OF ECONOMIES WITH ROOM TO REFORM LAWS PROTECTING WOMEN IN THE WORKPLACE**

Question	Economies with a “yes”		Economies with a “no”	
	Number of economies	Percentage of economies	Number of economies	Percentage of economies
1. Can a woman get a job in the same way as a man?	171	90	19	10
2. Does the law prohibit discrimination in employment based on gender?	160	84	30	16
3. Is there legislation on sexual harassment in employment?	147	77	43	23
4. Are there criminal penalties or civil remedies for sexual harassment in employment?	139	73	51	27

Source: *Women, Business and the Law* database.

employment is still not prohibited (table 1.4). This number remained unchanged over the past year—that is, no economy implemented reforms in this area.

Sexual harassment in the workplace remains pervasive and continues to have regressive effects on women across the world. In addition to its physical and psychological impacts on women (Thurston et al. 2019), sexual harassment contributes to the gender wage gap (Folke and Rickne 2022; Hegewisch, Forden, and Mefferd 2021). Lower employee productivity, lower company profitability, and higher labor costs are some of the economic and social consequences of sexual harassment borne by employers, governments, and society as a whole (Hejase 2021). For example, a study conducted in Australia found that lost output deriving from sexual harassment cases totals about US\$2 billion annually (Deloitte Access Economics 2019).

Yet globally, 43 economies still lack legislation addressing sexual harassment in employment. Of the 147 economies that have such legislation, 8 do not have criminal penalties or civil remedies for such behavior. Over the last year, the Republic of Congo, Indonesia, and Jamaica implemented reforms in this area. In May 2022, the Republic of Congo adopted the Law Mouebarara, which addresses and criminalizes multiple forms of violence against women, including sexual harassment in employment. Indonesia’s 2022 Law on the Crime of Sexual Violence addresses both physical and nonphysical sexual harassment in employment and provides for criminal penalties and civil remedies. Jamaica adopted legislation exclusively addressing sexual harassment—the Sexual Harassment (Protection and Prevention) Act 2021, which also establishes civil remedies for survivors of such acts.

## **Pay**

The Pay indicator examines whether laws are in place to ensure equal remuneration between men and women for work of equal value and whether they allow a woman to work at night, in industrial jobs, and in jobs deemed dangerous in the same way as a man. Gender biases and inequalities that have placed women in low-wage occupations, such as differences in jobs and hours worked, as well as women’s disproportionate caregiving responsibilities, contribute to the gender wage gap. The persistence of this income disparity between men and women negatively affects the growth of a country’s economy. Globally, in 119 economies legal frameworks could be improved to contribute to reducing the gender pay gap.

**TABLE 1.5 NUMBER OF ECONOMIES WITH ROOM TO REFORM LAWS ADDRESSING THE GENDER PAY GAP**

Question	Economies with a “yes”		Economies with a “no”	
	Number of economies	Percentage of economies	Number of economies	Percentage of economies
1. Does the law mandate equal remuneration for work of equal value?	97	51	93	49
2. Can a woman work at night in the same way as a man?	169	89	21	11
3. Can a woman work in a job deemed dangerous in the same way as a man?	141	74	49	26
4. Can a woman work in an industrial job in the same way as a man?	125	66	65	34

Source: *Women, Business and the Law* database.

Ninety-seven economies mandate equal remuneration for work of equal value (table 1.5). Over the last year, Gabon and Mongolia adopted new labor laws introducing the principle of equal remuneration for work of equal value for both men and women in alignment with the ILO Equal Remuneration Convention, 1951 (No. 100).

The adoption of more equal laws pertaining to a woman’s access to the workforce is positively associated with more equal labor market outcomes and improved human capital, which cannot be met only by male workers (Rostiyanti, Hansen, and Harison 2020). Restricting a woman’s occupational choices leads not only to job segregation, but also to labor market distortions, lower wages for women, and less innovation and productivity (Blau and Kahn 2017). Prohibiting a woman from working the night shift may negatively affect her career progression (Islam, Muzi, and Amin 2019). Currently, 21 economies limit a woman’s capacity to work at night. In 49 economies, a woman cannot work in hazardous jobs, and in 65 economies she cannot work in the same industries as a man (table 1.6).

Over the last year, Costa Rica, Côte d’Ivoire, Gabon, Kazakhstan, and Senegal eliminated restrictions on women’s job opportunities. In March 2022, Costa Rica adopted the Decree for the Freedom of Employment Choice of Women, which reformed the labor code by lifting restrictions on women’s work in jobs deemed dangerous. The restriction now affects only persons under the age of 18. Côte d’Ivoire also reformed in this area by adopting Decree No. 2021-919, which not only allows women to work in jobs classified as dangerous, but also removes restrictions on the employment

**TABLE 1.6 SIXTY-FIVE ECONOMIES PROHIBIT WOMEN FROM PERFORMING CERTAIN TASKS**

Industry	Economies with at least one restriction	Examples of restrictions
Agriculture	18	Manufacture of fertilizers and insecticides (Angola, Kuwait, Syrian Arab Republic)
Construction	29	Work on a scaffold of 10 meters or more above the ground (Thailand)
Energy	21	Exploratory drilling of oil and gas wells (Russian Federation)
Manufacturing	43	Greasing and cleaning of moving machinery, handling of belts, circular saws (Argentina)
Mining	54	Work underground in mines, quarries, and galleries (Cameroon)
Transportation	15	Work in railway or road transportation and civil aviation (Tajikistan)
Water	20	Work underground or under water, such as mine hearths, cable laying, sewerage, and tunnel construction (Türkiye)

Source: *Women, Business and the Law* database.

of women in certain types of jobs and industries. Gabon enacted a new labor code, which, by repealing the previous one, lifted all restrictions on a woman's capacity to work in certain industries and hazardous jobs. Kazakhstan amended its labor code and removed the list of jobs restricted to women as well as a prohibition on their work under dangerous conditions. Similarly, Senegal adopted Decree No. 2021-1469, which removed restrictions to employing women who are not pregnant and not nursing in certain industries.

## ***Marriage***

The Marriage indicator assesses legal constraints related to marriage and divorce, which also have critical effects on women's economic empowerment. Where and while these constraints persist, women's agency and decision-making powers within the household are weakened (Branisa, Klasen, and Ziegler 2013). Currently, women continue to face such restrictions in 89 economies. Family matters such as marriage and divorce, as well as other domestic issues such as domestic violence, are often considered private and determined by social norms and beliefs regarding a woman's role in society—one that is typically limited to the household. Reforming inherently private matters such as marriage is often met with opposition under the guise of protecting national or cultural identity. This antagonism cements the power equilibrium between men and women, with tangible consequences for women's economic empowerment.

Research shows that restraining a woman's ability to become head of household may negatively affect the representation of women in the labor force (Gonzales et al. 2015). Laws constraining women from becoming head of household diminish women's legal capacity and economic autonomy and may exclude them from public decision-making in multiple domains, such as the water sector (box 1.4). Where only husbands can become head of household, they are unilaterally assigned intrahousehold decision-making and given authority to make decisions on behalf of the family or to administer finances and assets exclusively (Hallward-Driemeier and Hasan 2013). When women have less bargaining power at home, their capacity to pursue professional roles outside their household is constrained (Htun, Jensenius, and Nelson-Nuñez 2019). This adverse power dynamic is aggravated when women cannot end a marriage because they do not have equal divorce rights (Christopherson et al. 2022). Unequal rights in marriage and divorce can further jeopardize women's financial security (Voena 2015). In turn, recent research has shown that domestic violence legislation is associated with reduced mortality for women (Amin, Islam, and Lopez-Claros 2021). By the same token, research has also shown that political stability is a key factor affecting the implementation of these policies, since people need the policies to be in place for long enough to be able to commit to deviating from the norm (Poyker 2021).

In the past year, no economy enacted reforms allowing women to be head of household in the same way as a man, resulting in 28 economies maintaining such a restriction (table 1.7). Similarly, no economy instituted reforms making it easier for women to divorce or remarry. Women remain unable to obtain a divorce in the same way as men in 46 economies. And globally, women in 68 economies face restrictions on their ability to remarry. Specifically, a woman is required to observe a waiting period varying between 90 and 365 days or prove that she is not pregnant before remarriage, whereas no conditions are placed on a man's remarriage. For example, although Benin

### BOX 1.4 WOMEN'S RIGHTS AND CONSTRAINTS RELATED TO THE WATER SECTOR

Access to clean water is essential for human well-being, and women play a central role in the provision, management, and safeguarding of water (Ray 2007). Climate change has a significant impact on water resources, and this impact is often felt disproportionately by women and girls (UN 2022). In many economies, women and girls bear the responsibility for collecting water for their households, which can result in lost time and opportunities for work, education, and leisure. As water becomes scarce and weather patterns change, women and girls are often responsible for collecting water from farther away or during more dangerous conditions. Climate change also creates more pressure on water, affecting the productivity of the agriculture sector, which is often the main source of income and food security for many women in developing economies (Mbwo et al. 2019).

**Laws measured by *Women, Business and the Law* can have enabling or restricting implications for women's access to water and related infrastructure.** For instance, laws preventing women from being head of household or owning land may adversely affect women's access to water and sanitation services; they may also systematically exclude women from participating in decision-making institutions related to water management where such power may be a formal or informal prerequisite (Meinzen-Dick and Zwarteveen 1998; van Koppen 2001). Growing evidence shows that equal participation of women in such decision-making institutions is positively associated with better water management, better-functioning water systems, expanded access, and economic and environmental benefits (Imburgia et al. 2020; Najjar, Baruahb, and El Garhi 2019).<sup>a</sup> In addition to facing tangible barriers of representation in water management, laws can also constrain women from working in typically male-dominated sectors, including several areas related to water. Specifically, laws can create barriers for women regarding type of work and work hours.

**As of today, women are restricted from working in areas related to water in 20 economies.**<sup>b</sup> Restrictions are in place across five regions, with the largest gaps concentrated in the Eastern Europe and Central Asia region, followed by Sub-Saharan Africa. For example, women in the Kyrgyz Republic cannot work as divers performing underwater work, such as plumbing blasters or pipe grinders, and cannot work repairing or cleaning sewer systems and trenches. Similarly, in Nigeria, women are prevented from working at night in sewers or water works. Globally, women tend to be underrepresented in the water sector, with less than one in five water workers being a woman (World Bank 2019b). The gender gap in water-related employment needs to be addressed in order to reach international commitments on water and sanitation for all (World Bank 2019).

a. While not measured by *Women, Business and the Law*, economies across regions specifically enshrine gender quotas into law, ensuring gender-balanced decision-making bodies—for example, Honduras in Acuerdo 300-2017 on Basin Organizations; Nepal in Irrigation Rules, 2056 (2000); or Namibia in Water Resource Management Act, 2013.

b. Azerbaijan, Bangladesh, Belarus, Belize, China, Dominica, Kyrgyz Republic, Madagascar, Malaysia, Nigeria, Papua New Guinea, the Russian Federation, Sierra Leone, Somalia, St. Kitts and Nevis, St. Vincent and the Grenadines, Sudan, Tajikistan, Thailand, and Türkiye.

**TABLE 1.7 NUMBER OF ECONOMIES WITH ROOM TO REFORM LAWS RELATED TO MARRIAGE AND DIVORCE**

Question	Economies with a “yes”		Economies with a “no”	
	Number of economies	Percentage of economies	Number of economies	Percentage of economies
1. Is the law free of legal provisions that require a married woman to obey her husband?	172	91	18	9
2. Can a woman be head of household in the same way as a man?	162	85	28	15
3. Is there legislation specifically addressing domestic violence?	162	85	28	15
4. Can a woman obtain a judgment of divorce in the same way as a man?	144	76	46	24
5. Does a woman have the same rights to remarry as a man?	122	64	68	36

Source: *Women, Business and the Law* database.

recently removed a 300-day waiting period for women, it continues to require them to prove that they are not pregnant before they can legally remarry.

Positive reforms under the Marriage indicator were enacted in the area of domestic violence, with the Republic of Congo and Côte d'Ivoire introducing legislation addressing this issue for the first time. In the Republic of Congo, women now enjoy legal protections against various forms of domestic violence, including physical, sexual, psychological, and economic abuse. Violators of this law can face criminal penalties, including imprisonment, and protection orders are available for survivors. Côte d'Ivoire, through the enactment of the Law Mouebara, addressed various forms of domestic violence, including physical, sexual, and psychological abuse. At the same time, Côte d'Ivoire amended its penal code, which now imposes strict penalties for acts of domestic violence.

Domestic violence is a deprivation of agency that, besides its negative impact on women's health and ability to participate actively in the labor force, leads to economic costs that are estimated at 5 percent of global gross domestic product (Yount et al. 2022). Recent research shows that the negative effect of violence against women on economic development is aggravated in countries that also lack protective laws against domestic violence. Adopting and reinforcing laws against domestic violence, in addition to strengthening women's decision-making power, could help to curb the prevalence of domestic violence and its related economic costs (Ouedraogo and Stenzel 2021). Further, it would improve women's well-being in the workplace and increase their probability of being promoted and earning higher salaries (Gu, Li, and Peng 2022). Implementing domestic violence legislation is, therefore, critical to improving women's participation in the labor force.

Although the pace of reform in this area is largely positive, one economy enacted legislation limiting women's rights in marriage. Saudi Arabia's Personal Status Law of 2022 requires married women to obey their husbands. The law is not a regional exception; similar practices are codified in personal status laws in neighboring economies. For example, Bahrain, the Arab Republic of Egypt, and Kuwait still legally require married women to obey their husbands.

## ***Parenthood***

The Parenthood indicator examines laws affecting a woman's work during and after pregnancy, including paid leave, and laws prohibiting firms from dismissing workers because they are pregnant (table 1.8). Although 7 economies enacted reforms in this area over the past year, the law in 155 economies has gaps affecting a woman's work after having children. The highest-scoring regions in this area are OECD high income (94.7) and Europe and Central Asia (80.9), and the lowest are Middle East and North Africa (35.0) and South Asia (30.0).

Before a woman gives birth, protection from dismissal due to pregnancy is crucial, as established in the ILO Maternity Protection Convention, 2000 (No. 183). Protection of pregnant employees is essential to encouraging women to participate in the workforce. Employment protection during pregnancy ensures that women are not unfairly dismissed or discriminated against because of their biological ability to bear children (Behari 2021). In the past year, Senegal amended its Labor Code and introduced a provision that prohibits the dismissal of pregnant workers. Yet 41 economies still do not prohibit the dismissal of pregnant women.

**TABLE 1.8** NUMBER OF ECONOMIES WITH ROOM TO REFORM LAWS INCENTIVIZING A WOMAN TO WORK AFTER HAVING CHILDREN

Question	Economies with a "yes"		Economies with a "no"	
	Number of economies	Percentage of economies	Number of economies	Percentage of economies
1. Is paid leave of at least 14 weeks available to mothers?	118	62	72	38
2. Does the government administer 100% of maternity leave benefits?	99	52	91	48
3. Is paid leave available to fathers?	117	62	73	38
4. Is there paid parental leave?	53	28	137	72
5. Is dismissal of pregnant workers prohibited?	149	78	41	22

Source: *Women, Business and the Law* database.

The need for policy intervention also remains critical after a woman bears a child. Indeed, studies show a positive and statistically significant relationship between maternity leave and female employment (Del Boca, Pasqua, and Pronzato 2009; Ruhm 1998). The positive relationship is even stronger when maternity leave is fully funded by the government rather than being underwritten by the employer (Amin and Islam 2022). Seventy-two economies do not mandate at least 14 weeks of paid maternity leave as set out by the 2000 ILO Maternity Protection Convention. The count is the same as last year, as over the past year, none of them introduced new paid maternity leave policies or increased existing ones to reach 14 weeks. Currently, 118 economies grant working mothers paid maternity leave of at least 14 weeks. However, of these economies, only 80 provide maternity benefits through public funds such as social security. In 15 economies, the cost of maternity benefits is covered solely by the employer, while in 23 economies the cost is shared by employers and the government.

Although job-protected maternity leave of adequate length and pay is critical, offering only leave for mothers, especially above a threshold of 30 weeks, can be correlated with fewer women in the workforce (Del Rey, Kyriacou, and Silva 2021). 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 192.3 days for mothers and just 22.5 days for fathers.

Over the past year, three economies introduced paid paternity leave for the first time. Costa Rica now grants new fathers leave of two days a week at full salary for the first four weeks after the birth of a child. Fathers in Malawi are now entitled to two weeks of paid paternity leave with full pay. And Mongolia grants at least 10 working days of leave to new fathers, also with full payment of the worker's salary.

As for parental leave—that is, leave available for either parent—53 economies have adopted relevant legislation. Since October 2021, China, Malta, and the Netherlands have introduced paid parental leave policies that help parents to share care duties after childbirth. China introduced a parental leave policy that allocates five days of paid

parental leave to each parent each year at full pay until their child reaches age 3. The Work-Life Balance for Parents and Carers Regulation in Malta grants each parent the individual right to take two months of paid leave with half pay and an additional two months of unpaid leave. In the Netherlands, each parent is now entitled to nine weeks of paid parental leave, equivalent to 63 calendar days, at 70 percent of the employee’s daily wage. With this reform, the country now scores 100 in the *Women, Business and the Law* index.

## Entrepreneurship

Because running a business is an alternative to wage employment and often the preferred choice for women, the Entrepreneurship indicator examines barriers to a woman’s ability to start and run a business. Unequal legal treatment of women poses a significant barrier to female entrepreneurs and to women who plan to start a business (see, for example, Htun, Jensenius, and Nelson-Nuñez 2019; Hyland and Islam 2021). Starting a business constitutes an important avenue for women’s economic empowerment. While entrepreneurship is an equally important path to prosperity for men, women face significantly more barriers (for an overview, De Vita, Mari, and Poggesi 2014). As a result, women are less likely to become entrepreneurs, with 68 women entrepreneurs for every 100 men entrepreneurs active globally (GEM 2022). Recent estimates suggest that the gender gap is highest in lower-income economies. This disparity may have been exacerbated by the COVID-19 pandemic, as women-led businesses were hit disproportionately hard and were also less likely to receive public support (Torres et al. 2021). Similarly, women-owned firms, while more likely to have applied for a loan during the COVID-19 pandemic, were more than twice as likely to have their application rejected than men-owned firms (Hyland et al. 2021). Policies that promote women’s access to finance, especially by reducing the requirements for collateral, are important tools to increase the productivity and resilience of women-owned firms (Hess, Klapper, and Beegle 2021; Ubfal 2022). Removing constraints to women’s entrepreneurship can have a significant impact on economic inclusion. Although 89 economies achieve the highest score under the Entrepreneurship indicator, in many economies women still face legal constraints in access to finance, limiting their chances to become successful entrepreneurs (table 1.9). For example, estimates by the International Finance Corporation indicate that female entrepreneurs have an unmet demand for credit of US\$1.7 trillion (IFC 2017).

TABLE 1.9 NUMBER OF ECONOMIES WITH ROOM TO REFORM BARRIERS TO WOMEN’S ENTREPRENEURSHIP				
Question	Economies with a “yes”		Economies with a “no”	
	Number of economies	Percentage of economies	Number of economies	Percentage of economies
1. Does the law prohibit discrimination in access to credit based on gender?	89	47	101	53
2. Can a woman sign a contract in the same way as a man?	188	99	2	1
3. Can a woman register a business in the same way as a man?	185	97	5	3
4. Can a woman open a bank account in the same way as a man?	184	97	6	3

Source: *Women, Business and the Law* database.

To date, 101 economies still lack legal provisions that expressly prohibit gender-based discrimination in access to credit. The absence of this prohibition is evident in all regions, with 88 percent of economies in South Asia showing gaps in this area, 71 percent in Sub-Saharan Africa, 68 percent in East Asia and Pacific, 66 percent in Latin America and the Caribbean, 55 percent in the Middle East and North Africa, 26 percent in Europe and Central Asia, and 15 percent among OECD high-income economies.

Since October 2021, however, Benin, Côte d'Ivoire, and Iraq have taken steps to reduce discrimination in access to financial services. Benin's Ministry of Finance first issued a circular to prohibit gender-based discrimination in access to credit just for microfinance institutions. Then in September 2022, the government issued a ministerial order expanding the scope of the circular to all financial institutions. Similarly, Côte d'Ivoire amended its penal code, now mandating that goods, credit, or services be provided without discrimination based on sex. As for Iraq, its reform efforts to prohibit gender-based discrimination in access to credit are part of the central bank's commitment to enhancing financial inclusion. With the issuance of a central bank circular, Iraq joins regional reform efforts to include women financially through central bank regulations. Over the last three years, *Women, Business and the Law* captured a majority of similar legislative reforms in economies in the Middle East and North Africa, including in Bahrain, Egypt, Jordan, Saudi Arabia, and the United Arab Emirates.

The ability to sign a contract, open a bank account, and freely register a business are also important for a woman's agency and ability to establish her own business. Of the 190 economies measured, a woman can now sign a contract in the same way as a man in all but two—Equatorial Guinea and Eswatini. Six economies—Cameroon, Chad, Equatorial Guinea, Eswatini, Guinea-Bissau, and Niger—restrict a woman's ability to open a bank account in the same way as a man. And five economies—Equatorial Guinea, Eswatini, Guinea-Bissau, Kenya, and Suriname—still restrict a woman's capacity to register a business freely. In Pakistan, a May 2019 presidential ordinance initially repealed discriminatory provisions on registering a business. Yet these repeals did not become operational, as the Senate and National Assembly did not ratify the ordinance before its expiration after 120 days. In December 2021, Pakistan removed these restrictions, and a married woman no longer needs to present her husband's name when registering a business. This amendment concluded Pakistan's previous reform efforts to remove the restriction.

## **Assets**

Given the central role that property can play in women's economic opportunity, the Assets indicator examines gender differences in property and inheritance law. Women's ownership, use, and control over resources matter for their agency and economic output (O'Sullivan 2017). Empirical studies suggest that an egalitarian distribution of assets between spouses is conducive to women's intrahousehold decision-making (Behrman 2017). Strengthening inheritance rights for women, for instance, has positive implications for women's education and health outcomes (Deininger et al. 2019). Further, women's property rights are also important for several other development outcomes, such as empowerment and the ability to exit poverty (Gaddis, Lahoti, and

Swaminathan 2022). The ability to register land in a woman’s name, for example, has been found to increase her bargaining power and ownership of assets, which, in turn, positively affects her consumption choices, participation in labor markets, and overall productivity (Deininger and Ali 2022). Access to land and property rights are often also prerequisites for other rights such as accessing water. Still, women face various barriers to owning and inheriting assets worldwide.

Of the 190 economies studied, 76 still restrict a woman’s property rights. The highest-scoring regions on the Assets indicator are Europe and Central Asia, OECD high income, and Latin America and the Caribbean. The Middle East and North Africa region lags behind.

Globally, 57 economies do not recognize a woman’s nonmonetary contributions to a household (table 1.10). Because women perform most unpaid care and household work, their opportunities to look for a job and gain independent living are often limited. Recognizing unpaid work is thus key for women having economic autonomy on the dissolution of marriage.

Nineteen economies do not grant women equal ownership rights to immovable property, and 18 do not grant women the right to control jointly owned assets. Yet studies have shown that granting a woman equal rights to property is crucial to improving her economic empowerment.

Equal inheritance rights among spouses or children are also central to women’s economic independence and ability to access credit by using immovable property as collateral. Currently, 41 economies still differentiate inheritance rights between sons and daughters, favoring sons in the division of property. And 43 economies still do not grant equal inheritance rights to male and female surviving spouses.

In 2022, only Uganda instituted new reforms under the Assets indicator. In April, Uganda enacted the Succession (Amendment) Act, thereby amending the principal act,<sup>2</sup> which regulates the management, administration, distribution, and acquisition of property and the rights of a deceased person. In 2007, the Constitutional Court declared several provisions of the Principal Act related to succession rights to be unconstitutional and discriminatory against women.<sup>3</sup> The new Succession (Amendment) Act aims to fill this legal void in the succession law. In addition to adopting gender-neutral language, the amendment specifically removes the provision that favored a male heir over a

**TABLE 1.10 NUMBER OF ECONOMIES WITH ROOM TO REFORM LAWS GRANTING WOMEN EQUAL RIGHTS TO PROPERTY AND INHERITANCE**

Question	Economies with a “yes”		Economies with a “no”	
	Number of economies	Percentage of economies	Number of economies	Percentage of economies
1. Do men and women have equal ownership rights to immovable property?	171	90	19	10
2. Do sons and daughters have equal rights to inherit assets from their parents?	149	78	41	22
3. Do male and female surviving spouses have equal rights to inherit assets?	147	77	43	23
4. Does the law grant spouses equal administrative authority over assets during marriage?	172	91	18	9
5. Does the law provide for the valuation of nonmonetary contributions?	133	70	57	30

Source: *Women, Business and the Law* database.

female heir. Now, sons and daughters and male and female surviving spouses have equal inheritance rights.

Historically, inheritance has been an area of slow reform. With the new Succession (Amendment) Act, Uganda became the first Sub-Saharan African economy to implement comprehensive reforms of its inheritance laws since 2011, when Mali equalized inheritance rights for men and women.

## Pension

Recognizing the final step in a woman's career, the Pension indicator assesses laws affecting women's economic security after retirement. In 118 economies, laws affecting the size of a woman's pension have not yet been equalized. Eleven economies do not implement a mandatory pension scheme for private sector workers; thus, no score is assigned to these economies in the questions under the Pension indicator.<sup>4</sup>

Differences in the working lives of men and women stemming from career interruptions for care- or household-related responsibilities significantly affect the size of their old-age pensions. Evidence reveals that in Germany, if the pattern of interrupted careers remains unchanged, women's pensions will be 20 percent less than the average wage, while in Sweden women's pensions barely exceed 25 percent of the average wage. Thus, if old-age income relied solely on pensions linked to life course earnings, women would face a high risk of poverty after retirement (Chłon-Dominczak et al. 2019).

Because women tend to live longer than men and have shorter working lives due to unpaid care work, early retirement can have negative effects on a woman's financial security in old age. Women may experience peak earnings years before retirement and, as a result, forgo opportunities to build savings and increase social security benefit entitlements (Goldin and Katz 2018). Evidence also reveals a clear association between the length of working life and pension income. The longer the working life, the higher the monthly pension benefit (Kuivalainen, Järnefelt, and Kuitto 2020). Yet in 37 economies, women can retire earlier than men and receive partial pension benefits, and in 63 economies women can retire earlier than men and receive full pension benefits (table 1.11). In 15 economies across all regions except South Asia, women must retire earlier than men.

The gap between a woman's and a man's retirement age varies from 10 years (China) to 7 months (Lithuania). Some economies have introduced policies to increase

**TABLE 1.11 NUMBER OF ECONOMIES WITH ROOM TO REFORM LAWS ENSURING A WOMAN'S ECONOMIC SECURITY IN OLD AGE**

Question	Economies with a "yes"		Economies with a "no"	
	Number of economies	Percentage of economies	Number of economies	Percentage of economies
1. Is the age at which men and women can retire with full pension benefits the same?	127	67	63	33
2. Is the age at which men and women can retire with partial pension benefits the same?	153	81	37	19
3. Is the mandatory retirement age for men and women the same?	175	92	15	8
4. Are periods of absence due to childcare accounted for in pension benefits?	107	56	83	44

Source: *Women, Business and the Law* database.

a woman's retirement age gradually with the goal of equalizing it with a man's. For example, Bulgaria will gradually increase the retirement age for both men and women to 65 years by 2037. For men, the retirement age has been growing one month each calendar year since January 1, 2018. For women, the age will increase two months each calendar year until 2029 and will then increase three months each calendar year until it reaches 65. In Vietnam, however, the retirement ages for men and women will never equalize during the gradual increase. Specifically, Article 169 of the labor code establishes that, as of 2021, the retirement age for men will increase three months per year, reaching 62 years by 2028. By contrast, the retirement age for women will increase four months per year, reaching 60 years by 2035. In the past year, Bahrain amended its Social Insurance Law to equalize the age at which both men and women can receive full pension benefits at retirement. Previously, women in Bahrain retired at 55, five years earlier than men. Now both men and women retire at 60.

In 107 economies, the pension system in place accounts for periods taken off from work to care for children (that is, paid maternity leave) in the calculation of benefits. This calculation is important because the size of a woman's pension is affected by the number and length of interruptions in employment arising from caregiving responsibilities (Boeri and Brugiavini 2009; Jędrzychowska, Kwiecień, and Poprawska 2020). The scope of social policies and maternity leave benefits is critical to determine the position of mothers in the labor market and consequently the pension gap (Brugiavini, Pasini, and Trevisan 2011). Australia and the United States are the only two OECD high-income economies that do not take these periods into account.

## What's next?

Fulfilling its commitment to advance legal gender equality and women's economic empowerment, *Women, Business and the Law* continues to pursue a substantial research agenda. Multiple areas of research aimed at expanding the reach of the indicators and considering the myriad challenges affecting women's economic opportunities are being explored.

**FIGURE 1.8 | EXPANDING THE SCOPE OF THE *WOMEN, BUSINESS AND THE LAW* INDEX**



Source: *Women, Business and the Law* team.

Building on evidence and preliminary data collected and analyzed over the last several years, *Women, Business and the Law 2024* will publish data on new indicators measuring childcare legislation and implementation of the law (figure 1.8). Furthermore, *Women, Business and the Law* is continuing to explore new areas of research based on a review of literature, feedback received, and emerging trends. As a result, the team is expanding data and analysis on measures related to women's safety and embarking on a review of areas in which legal equality has almost been reached, such as, for example, the right of women to sign a contract in the same way as men, now granted by 99 percent of economies. This pilot data set will be published in *Women, Business and the Law 2024* and be integrated fully into the index and report in the 2025 edition. The following sections offer more information about each of the areas in development.

## **Childcare**

The enactment of policies to make childcare available, affordable, and of decent quality is a priority because of their potential to achieve better outcomes for women, children, and the economy overall. In support of this goal, *Women, Business and the Law 2022* presented a pilot data set measuring legal frameworks for the provision of childcare for children ages 0–2 in 95 economies. In the absence of international legal standards, the pilot exercise did not endorse a specific approach to the provision of childcare. Instead, it aimed to fill knowledge gaps and contribute to the policy dialogue by presenting options that governments could support to meet the needs of working mothers and families.

The pilot first examined the existence of overarching childcare legal frameworks and found that they vary widely across regions. For example, nearly all economies in the OECD high-income region and Europe and Central Asia regulate public provision of childcare, while many economies in the Middle East and North Africa and South Asia regulate only childcare services provided by the private sector or by employers. The pilot then looked at whether the law can contribute to making childcare affordable by mandating free provision or financial and nonfinancial support to parents or providers. Findings show that, of the 55 economies in which the law regulates public childcare, about 80 percent do not mandate free provision. Many economies, however, provide parents with financial support that may be conditioned on household income or parental employment status. As for childcare quality, mandated parameters such as teacher-to-child ratios, maximum group size, and licensing vary across economies, with no clear pattern among regions. Since the release of the pilot data, *Women, Business and the Law* has published five regional briefs that offer a closer look at the legal frameworks for childcare provision at the regional level (World Bank 2022c, 2022d, 2022e, 2022f, 2022g).

*Women, Business and the Law* is currently scaling up the childcare module to 150 economies and validating data through questionnaires administered to experts in the field. The questionnaires supplement the traditional “structure” indicators, which measure the existence of laws and regulations, with new “process” indicators, which capture the instruments designed to support implementation of the law such as universal legal entitlements, action plans, application procedures for financial benefits, lists of providers, inspections, and sanctions for noncompliance with quality standards. The data will be analyzed and presented in *Women, Business and the Law 2024*, and a new Childcare indicator will be added to the *Women, Business and the Law* index in 2025.

New empirical research will also explore associations between childcare laws and their specific attributes and labor market outcomes for women, both globally and by region.

Targeting access to available, affordable, and quality childcare services can have far-reaching positive impacts, not only for women as active participants in the labor market, but also for child development and economic growth. *Women, Business and the Law* data and analysis on childcare aim to shed light on these links and to inform evidence-based policy making in support of these goals.

### ***Measuring the law in practice***

*Women, Business and the Law* remains committed to presenting a fuller picture of the legal environment for women around the world. Although laws are the first step toward guaranteeing gender equality, improper implementation and weak enforcement remain critical barriers to the realization of women’s rights and opportunities. In recognition of this gap, *Women, Business and the Law 2022* introduced a new conceptual framework for measuring how the law functions in practice. This “structure-process-outcome” approach examines both supportive frameworks that create an enabling environment for working women and expert opinions of barriers to achieving gender equality on the ground (box 1.5). *Women, Business and the Law* has continued to build on the

#### **BOX 1.5 UPDATE ON MEASURING THE LAW IN PRACTICE**

After the publication of *Women, Business and the Law 2022*, expert feedback led to substantial refinement of the initial method to measure laws in practice. The “structure-process-outcome” method remains at the heart of the approach, guiding both the definition of process indicators to capture essential policy instruments and the development of expert opinion questions. The process questions have been revised to more directly link the legal index with the process questions designed to measure the implementing mechanisms that governments can take to institutionalize, operationalize, and enforce women’s equal rights and opportunities (table B1.5.1). The process questions aim to provide insight into the enabling environment for women entrepreneurs and employees, and may inquire whether

- There are additional judicial or administrative hurdles to women exercising their equal rights;
- The government has taken proactive measures, such as establishing a dedicated entity, allocating budget, or using regulations to put policies in practice;
- Women have access to justice, specialized institutions, or fast-track procedures to enforce their rights; or
- Incentives and procedures make it easy for both women and men to enjoy certain benefits.

**TABLE B1.5.1** | **EXAMPLES OF PROCESS QUESTIONS FOR THE PAY INDICATOR**

Legal index question	Process question	New question
1. Does the law mandate equal remuneration for work of equal value?	1. Have wage transparency measures been introduced to address the pay gap?	✗
2. Can a woman work at night in the same way as a man?	2. Are there policies in place to protect and improve conditions for all night workers?	✓
3. Can a woman work in a job deemed dangerous in the same way as a man?	3. Is there an entity responsible for defining and supporting the adoption of occupational health and safety policies for dangerous jobs?	✓
4. Can a woman work in an industrial job in the same way as a man?	4. Are employers required to take gender differences into consideration and identify adequate protection measures during the workplace risk assessment process?	✓

Source: *Women, Business and the Law* team.

(Box continues next page)

**BOX 1.5 UPDATE ON MEASURING THE IMPLEMENTATION OF LAWS (continued)**

Primary data are being collected from a sample of *Women, Business and the Law* local experts in 55 economies, with the intention of scaling to 190 in the next year. As such, the questions identified are broadly applicable and allow for comparability. They are meant to highlight some of the steps necessary to ensure that economic inclusion can be achieved after primary legislation is passed. Nonlegal and informal structures, social norms and attitudes, and behavior of stakeholders will not be measured due to resource and feasibility constraints. Firm-level and household surveys will also not be used at this stage. Outcome indicators will be reviewed separately and are not a focus of this exercise. The preliminary data collected so far are already highlighting good practices across several types of process questions (table B1.5.2).

<b>TABLE B1.5.2   EXAMPLES OF POLICIES THAT FACILITATE EFFECTIVE IMPLEMENTATION OF LAWS</b>	
<b>Implementing mechanism</b>	<b>Examples</b>
Entity responsible for defining and supporting the adoption of antiharassment policies and measures by employers	Ministries of labor or specialized commissions, such as antidiscrimination commissions, equal opportunities commissions, gender commissions, or human rights commissions
Policies supporting all night workers	Increased compensation, mandatory breaks or rest periods, regular health assessments, limitations on the consecutive number of hours for night shifts, and dedicated transportation (if no public transportation is available)
Time line within which the application for maternity leave must be approved or rejected by the competent authority	Administrative time lines mandated by law, which currently range broadly, between a minimum of 15 days and a maximum of 60 days for the competent authority to approve or reject maternity leave applications
Enforcement guidance on the prohibition of dismissal of pregnant workers	As common in legal frameworks in Latin America, the prior authorization by a competent judge for the employer to be able to proceed with the dismissal of a pregnant worker, on exceptional and well-founded grounds, clearly detailed in the legislation
Incentives or programs to encourage women's land tenure security	Mandatory joint titling for married couples and lower property taxes for joint owners or female owners

Source: *Women, Business and the Law* team.

The expert opinion component has also been adjusted in response to feedback received last year (table B1.5.3). The questions are now aligned more closely with the specific expertise of the lawyers, judges, and civil society organizations who participate in the project's annual data collection efforts. In practice, the expert opinion statements now collect respondents' opinions on the effective implementation of laws and supportive frameworks in the specific areas measured by *Women, Business and the Law*.

<b>TABLE B1.5.3   NEW FORMAT OF THE EXPERT OPINION COMPONENT</b>	
<b>Sample statement</b>	<b>Response options</b>
In your experience, laws, supportive frameworks, and practice effectively ensure that women have recourse in instances of domestic violence.	<ul style="list-style-type: none"> <li>• Strongly agree</li> <li>• Agree</li> <li>• Neither agree nor disagree</li> <li>• Disagree</li> <li>• Strongly disagree</li> <li>• Not within my expertise</li> </ul>

Source: *Women, Business and the Law* team.

The current set of questions, methodology, and approach will continue to be refined before the research is expanded to all of the 190 economies covered by the *Women, Business and the Law* index. The data and analysis of the pilot will be published on the project's website.

underlying concept, aiming to complete the framework by reviewing the relevant literature, developing a robust expert opinion questionnaire, updating questions, and scaling up the database.

Revised questions will be integrated into the next round of *Women, Business and the Law* data collection efforts. The data will then be analyzed as a complement to the legal index, with results for 190 economies discussed as part of *Women, Business and the Law 2024*. An accompanying research paper will further describe the results of the complete data set, including gaps between laws on the books and practice, and correlate process and outcome scores with legal scores and relevant economic outcomes. Continuing this work over the coming years will also include expanding beyond expert opinions to in-depth country analysis and perception-based surveys of women on the ground.

These data and analyses are aimed at promoting informed policy making and encouraging governments to implement laws more efficiently and comprehensively. They will also present an opportunity to measure the impact of reforms on the women they affect in practice. When complete, they will provide users with a more accurate representation of the environment in which women move through their lives and careers. The fully developed framework will then allow legal reforms to have more tangible impacts, boosting women's economic inclusion and labor force participation worldwide.

### ***Women's safety***

Violence against women is an extreme denial of agency and has significant costs. It undermines a woman's bodily autonomy and enjoyment of fundamental rights, key elements of a woman's security and freedom. Globally, one in three women—close to 736 million—is subject to physical or sexual violence at some point in her lifetime (WHO 2018). It is estimated that more than 640 million women over the age of 15 have already experienced intimate partner violence (WHO 2018). In addition to direct physical and psychological harm, violence against women is a drain on human capital development, poverty reduction, and growth and poses obstacles to women's economic empowerment. Its individual and macroeconomic repercussions include lower productivity (Ouedraogo and Stenzel 2021) and higher health care and justice costs (Commonwealth Secretariat 2020; EIGE 2021).

In recognition of the alarming rates of violence against women worldwide and its disproportionate impact on women and society, since 2014 *Women, Business and the Law* has been collecting data on legal frameworks addressing this issue. Specifically, it has systematically collected data on two aspects of violence against women: domestic violence and sexual harassment in employment, including any related criminal penalties or civil remedies. However, to improve understanding of the current status of violence against women legislation, *Women, Business and the Law* is piloting the collection and analysis of additional measures of legal protection from gender-based violence against women, including laws and regulations on domestic violence; child marriage (legal age of marriage, exceptions to the minimum age, and remedies); marital rape; sexual harassment in employment, education, and public places; cyber harassment; and female genital mutilation.

To complement this new research and understand how such laws are applied in practice, *Women, Business and the Law* will examine process frameworks to support the implementation of these laws, including the provision of services to women survivors of violence, access to justice, national plans, budgetary commitments, and monitoring and evaluation mechanisms. Both process and outcome questions will undergo consultations with experts on matters of violence against women, and data will subsequently be collected through questionnaires administered to local experts on gender equality and violence against women. *Women, Business and the Law 2024* will present the findings of this pilot exercise, which will inform the design of a new and more comprehensive Safety indicator to be added to the index in 2025. The goal of this research is to provide holistic data and analysis that can better inform the design of effective laws and policies addressing gender-based violence against women.

### ***The rights of women with disabilities***

One in five women worldwide has a disability and faces not only the same gender gaps but also barriers to her socioeconomic participation, compared with nondisabled women (World Bank and WHO 2011). As a result, women with disabilities are three times more likely to have unmet health care needs and to be illiterate and two times less likely to be employed and to use the internet than men without disabilities (UNDESA 2018). Women with disabilities also experience gender-based violence and harassment at a greater rate than nondisabled women (World Bank 2019a). For example, a recent study found that women with disabilities across the Global South are nearly twice as likely to have encountered intimate partner violence in the past year than women without disabilities (Chirwa et al. 2020).

As part of the World Bank Group's 10 Commitments on Disability-Inclusive Development, *Women, Business and the Law* has produced data and analysis on legal protections for women with disabilities in 190 economies to understand how laws can protect them from intersectional and multiple discrimination. The first policy brief finds that only one-quarter of economies worldwide explicitly recognize the rights of women with disabilities in their legislation (Braunmiller and Dry 2022a). This finding confirms that laws and policies have neglected the specific needs of women with disabilities by focusing predominantly on gender or disability issues (CRPD Committee 2016). A second brief explores the specific rights of women with disabilities as related to family life, work, and protection from gender-based violence, highlighting some promising practices that can inform policy making and legal reforms across the globe (Braunmiller and Dry 2022b).

### ***Gender dimensions of the business climate***

*Women, Business and the Law* will collaborate closely with the World Bank's Business Enabling Environment (BEE) and Enterprise Survey (ES) projects to identify relevant gender dimensions of the business climate that are not captured by the *Women, Business and the Law* indicators. Examples of such dimensions include regulations on collecting anonymized gender-disaggregated data, firms' practices on gender-based discrimination, women's participation in the judiciary, gender barriers in access to finance, and gender equality facilitation programs. These gender areas fall under

regulatory frameworks, public services, and efficiency of the business environment and fit well into the de jure and de facto gender measures of *Women, Business and the Law* (World Bank 2022b). The BEE and ES gender data are envisioned to complement the information collected by *Women, Business and the Law*.

### **The way forward**

Other potential areas will also be explored as part of the team’s research agenda. For example, research suggests that tax policies can alleviate gender inequalities but also exacerbate inequalities (Grown and Valodia 2010; Lahey 2018; Stotsky 1997, among others). While this area is receiving renewed attention (Coelho et al. 2022; OECD 2022), a global stocktaking and analysis of the interaction between tax policies and gender equality are missing. In collaboration with other units in the World Bank Group, the *Women, Business and the Law* team plans to address this knowledge gap by piloting an assessment of the gender dimensions of tax policies across the globe.

Moving forward, *Women, Business and the Law* will consider expanding or changing the scope of indicators where data variance across countries is limited. For example, in only two countries a woman cannot sign a contract in the same way as a man, and in only five economies a woman faces limitations on her capacity to register a business. Thus, where good-practice legislation has been adopted across almost all economies, *Women, Business and the Law* will assess whether other barriers remain in that topic area in order to reflect the current state of legal gender equality more accurately.

### **Notes**

1. This research includes Amin and Islam (2015); Htun, Jensenius, and Nelson-Nuñez (2019); Islam, Muzi, and Amin (2019); and Zabalza and Tzannatos (1985). Roy (2019) provides an overview of the evidence linking legal gender equality and women’s economic outcomes.
2. See the Succession Act Cap 162, which commenced in 1906.
3. For a thorough overview of the *Law Advocacy for Women in Uganda v. Attorney General*, Constitutional Petitions No. 13/2005 and 05/2006, see <https://ulii.org/ug/judgment/supreme-court-uganda/2007/71>.
4. The 11 economies that do not have a mandatory pension scheme for private sector workers are Afghanistan, Bangladesh, Bhutan, Eritrea, Lebanon, Myanmar, Qatar, Somalia, South Africa, South Sudan, and West Bank and Gaza.

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