HOW TO USE WOMEN, BUSINESS AND THE LAW DATA IN YOUR WORK

A GUIDE FOR CIVIL SOCIETY ORGANIZATIONS
WHAT DOES WOMEN, BUSINESS AND THE LAW DO?

- Maps laws that treat men and women differently in ways that affect women’s economic opportunities
- Highlights legal disadvantages women face relative to men, as well as gender-neutral laws that may have a disproportionately negative affect on women
- Publishes a global report every 2 years & maintains an online database with country-level data and links to primary legal sources
WHAT DOES WOMEN, BUSINESS AND THE LAW COVER?

173 economies across 7 indicators, examining:

- Constitutional law
- Family law
- Labor law
- Property Law
- Criminal Law
- Domestic violence law
- Tax law
- Social security law
- Land law
- Education laws
- Personal status law
- Violence against women legislation
- Quotas
- …and more
WHAT ARE SOME EXAMPLES OF THE LEGAL GENDER DIFFERENCES TRACKED BY WOMEN, BUSINESS AND THE LAW?

In **Chile**, husbands have the sole right to administer marital property under the default marital property regime *(Código Civil, Arts. 135, 1749 – 1754)*

In **Mongolia**, women cannot work at night or in mining in the same way as men *(Labor Code, Sec. 102; Standard of Mongolia No. MNS0012-099:1991)*

In **Pakistan**, a married woman cannot register a business in the same way as a married man *(The Companies Ordinance 1984, Sec. 19)*

In **Romania**, the age when women have to retire (63) is unequal to when men must retire (65) *(Law No. 53 of 24 January 2003, Art. 56)*

In **Togo**, a woman cannot convey citizenship to a non-national spouse in the same way as men *(Loi Sur la Nationalité Togolaise, Arts. 5 and 12)*

In **Yemen**, a woman’s husband can object to her employment *(Personal Status Law No. 20 of 1992, Art. 40)*

Source: Women, Business and the Law database
HOW ARE WOMEN, BUSINESS AND THE LAW DATA COLLECTED?

The updated dataset is released and the report is published and disseminated through a series of events.

The team consults with gender experts, academics, civil society & World Bank Group colleagues on which new areas should be covered.

The team analyzes the data, writes the report and solicits comments from across the World Bank Group through an internal review process.

The team develops surveys & sends them to private sector practitioners, civil society & government officials such as judges.

The team analyzes the relevant laws & regulations along with the information in the surveys.
HOW ARE WOMEN, BUSINESS AND THE LAW DATA VERIFIED?

To provide transparency, all data points cite legal sources which are published on the *Women, Business and the Law* website (wbl.worldbank.org). Where possible, links to the legislation are provided.

Local experts who completed surveys are recognized on the website and in the print version of the report.
HOW CAN CIVIL SOCIETY USE WOMEN, BUSINESS AND THE LAW DATA?
Use *Women, Business and the Law* and related research on the **economic effects** of legal gender discrimination to bolster existing reform efforts.
Research by the World Bank, the IMF and others has shown that legal gender differences significantly decrease female labor force participation and undermine GDP growth.

Legal gender equality is associated with lower gender gaps in labor force participation without any significant effect on male participation rates.

Gender gaps in women’s entrepreneurship and labor force participation account for estimated income losses of 27% in the Middle East and North Africa, 19% in South Asia, 14% in Latin America and the Caribbean and 10% in Europe.

Research estimates that eliminating barriers discriminating against women working in certain sectors or occupations could increase labor productivity by as much as 25% in some economies, simply by increasing women’s labor force participation.

Incorporate *Women, Business and the Law* infographics and toolkits into work geared towards influencing legal reform.

**LEAVE FOR FATHERS**

*Paternity & Parental Leave*

Fathers' uptake of leave to care for their newborn infants has been linked with...

- **an increase in women’s employment**
- **benefits to the mother’s well-being**
- **a more equitable division of household labor**
- **a more sustained work commitment by both parents**
- **an increase in women’s income**
- **improvements to children’s health**

**What can countries like Brazil do to enhance leave for fathers?**

- **increase the length of paid paternity leave**
- **enact parental leave legislation**
- **incentivize fathers’ uptake of leave**
- **educate communities on the benefits**

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*Women, Business and the Law*

BEST PRACTICES:
IDENTIFY MODEL LEGISLATION

Discover what legal reforms **countries** in your region have made to address gender inequality

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**Sexual Harassment in Education**

Globally only 52 economies have laws addressing harassment in education

<table>
<thead>
<tr>
<th>Region</th>
<th>Percentage of economies with laws addressing sexual harassment in education</th>
</tr>
</thead>
<tbody>
<tr>
<td>Middle East &amp; North Africa</td>
<td>11%</td>
</tr>
<tr>
<td>Sub-Saharan Africa</td>
<td>17%</td>
</tr>
<tr>
<td>East Asia &amp; Pacific</td>
<td>22%</td>
</tr>
<tr>
<td>Europe &amp; Central Asia</td>
<td>26%</td>
</tr>
<tr>
<td>Latin America &amp; Caribbean</td>
<td>38%</td>
</tr>
<tr>
<td>South Asia</td>
<td>50%</td>
</tr>
<tr>
<td>High income: OECD</td>
<td>53%</td>
</tr>
</tbody>
</table>

What can countries do to stop sexual harassment in education?

- **Prohibit** sexual harassment in education
- **Penalize** perpetrators who violate the law
- **Provide** civil remedies for victims

The Economic Effect

Apart from the individual harm, sexual harassment in education comes at a high price to economic growth. When female students face such harassment, their academic performance may suffer. This can in turn lead to diminished job prospects, limiting their earning potential and preventing them from contributing fully to their countries’ prosperity.

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**EXAMPLES FROM SUB-SAHARAN AFRICA**

Only 7 of the 41 countries in Sub-Saharan Africa have legislation on sexual harassment in education

- **Benin**
  - Sexual harassment in education constitutes violence against women. The education system shall include in its quality principles, the elimination of barriers that make it difficult to achieve equality between men and women, especially violence against women.

- **Mauritius**
  - Equal Opportunities Act, Art. 26(5)
  - No member of the staff of an educational institution shall sexually harass a student at the institution or a person who is seeking admission as a student. No student at an educational institution shall sexually harass another student or a member of the staff.

- **Mozambique**
  - Criminal Code Law N. 35/2014, Art. 222 & 224
  - Penalties for sexual harassment will be increased if the offender is a tutor, curator, teacher or teacher that person, or any title has authority over the victim, or is in charge of their education.

- **Ethiopia**
  - Criminal Code, Art. 625
  - Any person who practices sexual harassment in a workplace, institution of learning or elsewhere on a child commits a felony and is liable, upon conviction to imprisonment for a term of not less than 3 years and not exceeding 15 years.

- **Nigeria**
  - Criminal Law of Lagos State 2011, Art. 262
  - Sexual harassment that improperly or explicitly affects a person’s educational opportunity, the carrying out of educational performance, or suggests that submission to or rejection of the act will be a factor in academic decisions, is a felony subject to 3 years imprisonment.

- **Kenya**
  - Sexual Offences Act, Sec. 24(4)
  - Any person who, being the head-teacher, teacher or employee in a primary or secondary school or special institution of learning, whilst in the performance of his or her official position and in order to seduce a pupil or student to have sexual intercourse with him or her or commits any other offence under this Act, such sexual intercourse not amounting to the offence of rape or defilement, shall be guilty of an offence of abuse of position of authority and shall be liable upon conviction to imprisonment for a term of not less than 10 years.
COMPARE COUNTRIES’ LAWS AT WBL.WORLDBANK.ORG

- Select a relevant indicator to see data with links to the primary legal sources
- View country-specific data current as of April 2015
- See data from previous years
Uncover lessons learned from other countries to develop creative policy solutions that work in your country’s context.
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