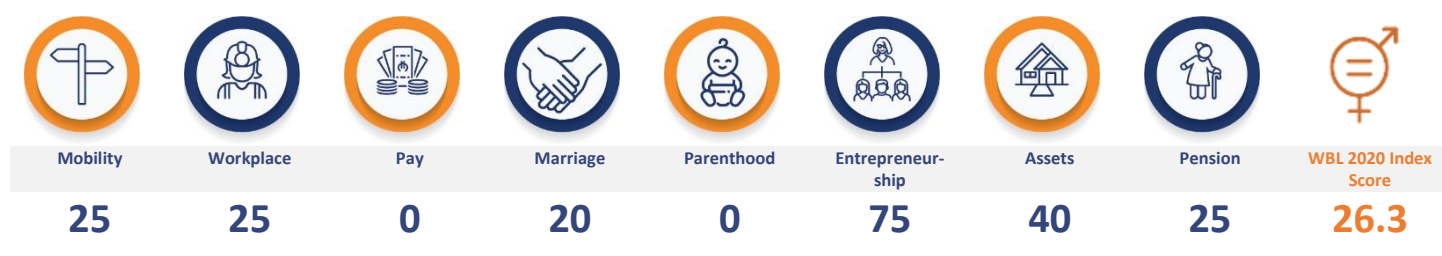


# West Bank and Gaza

*Women, Business and the Law 2020* presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across the eight indicators. Overall scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. Data refer to the laws and regulations that are applicable to the main business city (Ramallah). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **West Bank and Gaza scores 26.3 out of 100**. The overall score for West Bank and Gaza is lower than the regional average observed across the Middle East & North Africa (49.6).

## West Bank and Gaza - Scores for Women, Business and the Law 2020



### Relative Strengths

West Bank and Gaza does not attain a perfect score on any of the WBL2020 indicators. There is room for improvement across all eight indicators.

### Areas for Improvement

However, when it comes to constraints on freedom of movement, laws affecting women's decisions to work, laws affecting women's pay, constraints related to marriage, laws affecting women's work after having children, constraints on women's starting and running a business, gender differences in property and inheritance, and laws affecting the size of a women's pension, West Bank and Gaza could consider reforms to improve legal equality for women.

For example, one of the lowest scores for West Bank and Gaza is on the indicator related to laws affecting women's pay (the WBL2020 Pay Indicator). To improve on the Pay Indicator, West Bank and Gaza may wish to consider mandating equal remuneration for work of equal value, allowing women to work the same night hours as men, allowing women to work in jobs deemed dangerous in the same way as men, and allowing women to work in all the same industries as men.

### Recent Reforms (2018-2019)

**Parenthood:** The West Bank and Gaza reversed a previous reform that introduced the 2016 Social Security Law. Now employers are solely liable for paying maternity benefits.

Pension: The West Bank and Gaza reversed a previous reform that introduced the 2016 Social Security Law. There is now no pension system for the private sector.

|            | QUESTION   | ANSWER | LEGAL BASIS   |
|------------|--|--------|---|
| Mobility   | Can a woman choose where to live in the same way as a man?                             | No     | Jordanian Personal Status Law of 1976, Art. 37  |
|            | Can a woman travel outside her home in the same way as a man?                          | No     | Jordanian Personal Status Law of 1976, Art. 69  |
|            | Can a woman apply for a passport in the same way as a man?                             | Yes    | Passport Application Form   |
|            | Can a woman travel outside the country in the same way as a man?                       | No     | Jordanian Personal Status Law of 1976, Art. 37  |
| Workplace  | Can a woman get a job in the same way as a man?  | No     | Jordanian Personal Status Law of 1976, Art. 68  |
|            | Does the law prohibit discrimination in employment based on gender?                    | Yes    | Labour Law, Art. 100  |
|            | Is there legislation on sexual harassment in employment?                               | No     | No applicable provisions could be located   |
|            | Are there criminal penalties or civil remedies for sexual harassment in employment?    | No     | <i>Criminal:</i> No applicable provisions could be located<br><i>Civil:</i> No applicable provisions could be located   |
| Pay        | Does the law mandate equal remuneration for work of equal value?                       | No     | No applicable provisions could be located   |
|            | Can women work the same night hours as men?  | No     | Labour Law, Art. 101(3); Decision of the Council of Ministers No. 14 of 2003 Concerning the Work of Women Overnight   |
|            | Can women work in jobs dangerous in the same way as men?                               | No     | Jobs deemed hazardous: Labour Law, Art. 101<br>Jobs deemed arduous: Labour Law, Art. 101<br>Jobs deemed morally inappropriate: No restrictions could be located   |
|            | Are women able to work in the same industries as men?                                  | No     | Mining: Decision of the Minister of Labour No. 2 of 2004, Concerning the Dangerous or Strenuous Works in which Women are Prohibited to be Employed, Art. 1(1)<br>Construction: No restrictions could be located<br>Factories: Decision of the Minister of Labour No. 2 of 2004, Concerning the Dangerous or Strenuous Works in which Women are Prohibited to be Employed, Art. 1(1)<br>Agriculture: Decision of the Minister of Labour No. 2 of 2004, Concerning the Dangerous or Strenuous Works in which Women are Prohibited to be Employed, Art. 1(1)<br>Energy: Decision of the Minister of Labour No. 2 of 2004, Concerning the Dangerous or Strenuous Works in which Women are Prohibited to be Employed, Art. 3<br>Water: No restrictions could be located<br>Transportation: No restrictions could be located<br>Other: No restrictions could be located |
| Marriage   | Is there no legal provision that requires a married woman to obey her husband?         | No     | Jordanian Personal Status Law of 1976, Art. 47  |
|            | Can a woman be head of household in the same way as a man?                             | Yes    | No applicable provisions could be located   |
|            | Is there legislation specifically addressing domestic violence?                        | No     | No applicable provisions could be located   |
|            | Can a woman obtain a judgment of divorce in the same way as a man?                     | No     | Jordanian Personal Status Law of 1976, Arts. 85, 102 and 104  |
| Parenthood | Does a woman have the same rights to remarry as a man?                                 | No     | Personal Status Law, Art. 135   |
|            | Is paid leave of at least 14 weeks available to mothers?                               | No     | Labour Law, Art. 103(1)   |
|            | Does the government pay 100% of maternity leave benefits?                              | No     | Labour Law, Art. 103  |
|            | Is there paid paternity leave?   | No     | No applicable provisions could be located   |
|            | Is there paid parental leave?  | No     | No applicable provisions could be located   |
| Entrepren. | Does the law prohibit discrimination in access to credit based on gender?              | No     | No applicable provisions could be located   |
|            | Can a woman sign a contract in the same way as a man?                                  | Yes    | No restrictions could be located  |
|            | Can a woman register a business in the same way as a man?                              | Yes    | No restrictions could be located  |
|            | Can a woman open a bank account in the same way as man?                                | Yes    | No restrictions could be located  |
| Assets     | Do men and women have equal ownership rights to immovable property?                    | Yes    | Jordanian Personal Status Law of 1976, art. 183   |
|            | Do sons and daughters have equal rights to inherit assets from their parents?          | No     | Jordanian Personal Status Law of 1976, art. 183   |
|            | Do female and male surviving spouses have equal rights to inherit assets?              | No     | Jordanian Personal Status Law of 1976, art. 183   |
|            | Does the law grant spouses equal administrative authority over assets during marriage? | Yes    | Jordanian Personal Status Law of 1976, art. 183   |
|            | Does the law provide for the valuation of nonmonetary contributions?                   | No     | Jordanian Personal Status Law of 1976, art. 183   |
| Pension    | Are the ages at which men and women can retire with full pension benefits equal?       | No     | Women: No applicable provisions could be located<br>Men: No applicable provisions could be located  |
|            | Are the ages at which men and women can retire with partial pension benefits equal?    | No     | Women: No applicable provisions could be located<br>Men: No applicable provisions could be located  |
|            | Are the mandatory retirement ages for men and women equal?                             | Yes    | Women: No applicable provisions could be located<br>Men: No applicable provisions could be located  |
|            | Are periods of absence due to child care accounted for in pension benefits?            | No     | No applicable provisions could be located   |