

CHAPTER 1



Findings

More than two years since the start of the pandemic, much of the world is still reeling from its ongoing effects. While COVID-19 continues to disrupt lives and livelihoods, compounding crises are intersecting and the consequences are drastic. Climate change, forced displacement, and violent conflict are increasingly urgent development challenges for the global population. Evidence from current and past crises shows that women are affected disproportionately (Akrofi, Mahama, and Nevo 2021).

During the pandemic, women dropped out of paid employment at higher rates than men, took on responsibilities for increased care of children and the ill, and faced greater risks of violence (Bundervoet, Davalos, and Garcia 2021; Center on Gender Equity and Health 2020; Cucagna and Romero 2021; De Paz Nieves, Gaddis, and Muller 2021; Kugler et al. 2021). Indeed, virus containment measures affected women's labor market outcomes more adversely than those of men. This effect is due, in part, to women's overrepresentation in high-contact sectors, such as hospitality (Alon et al. 2020; Kugler et al. 2021). Moreover, the increased burden of care resulting from the closure of schools and childcare centers during the pandemic fell more heavily on the shoulders of working mothers (Collins et al. 2020; Del Boca et al. 2020). Even in economies where a disproportionate share of women did not drop out of the labor market, women were often under additional stress trying to manage increased care responsibilities while remaining at their jobs (Goldin 2021). Women—both employees and entrepreneurs—were also affected more adversely than men with regard to business closure, reduced demand for products or services, and financial distress (Hyland et al. 2021; Torres et al. 2021). At the same time, women-led businesses were more likely to increase their use of digital platforms (Torres et al. 2021).

While men accounted for a higher proportion of disease-related deaths, women's health and well-being were immensely affected in other ways. For example, women's access to maternal health care and reproductive services suffered,¹ and

gender-based violence rose sharply (see, for example, Mittal and Singh 2020). In particular, stay-at-home policies introduced to curb the spread of the virus increased the risk of intimate partner violence (Agüero 2021; Bourgault, Peterman, and O'Donnell 2021).

Crises like COVID-19 expose long-standing and widespread inequalities in the distribution of rights and opportunities between women and men. Legal inequalities, for example, could potentially exacerbate the gendered effects of the crisis. If discrimination under the law keeps women out of formal sector employment or forces women entrepreneurs to operate in the informal sector, women may find it more difficult to access emergency support to buffer the impacts of the pandemic.² Women's economic rights need to be safeguarded by law. Equal access to public support programs and digital technologies, such as mobile phones, computers, and the internet, can also help them start new businesses, discover new markets, and find better jobs. It is critical that solutions to the crisis do not reverse any progress that has already been made toward women's full economic empowerment.

Differences in expected lifetime earnings between men and women amount to an estimated \$172.3 trillion, equivalent to two times the world's annual gross domestic product (Wodon et al. 2020). Policies that improve women's economic opportunities are therefore critical. Whether facing a catastrophe or not, governments can address this inequality by acting to ensure women's empowerment. Reducing women's time spent on unpaid work and care responsibilities, increasing their access to assets, and addressing market and institutional constraints, including the legal barriers that hinder labor force participation and entrepreneurship, will protect not only their people but also their economies. Indeed, as previous *Women, Business and the Law* analysis has shown, safeguarding and incentivizing women's inclusion bolsters economic growth, narrowing the gender gap in development outcomes and labor force participation (World Bank 2020, 2021).

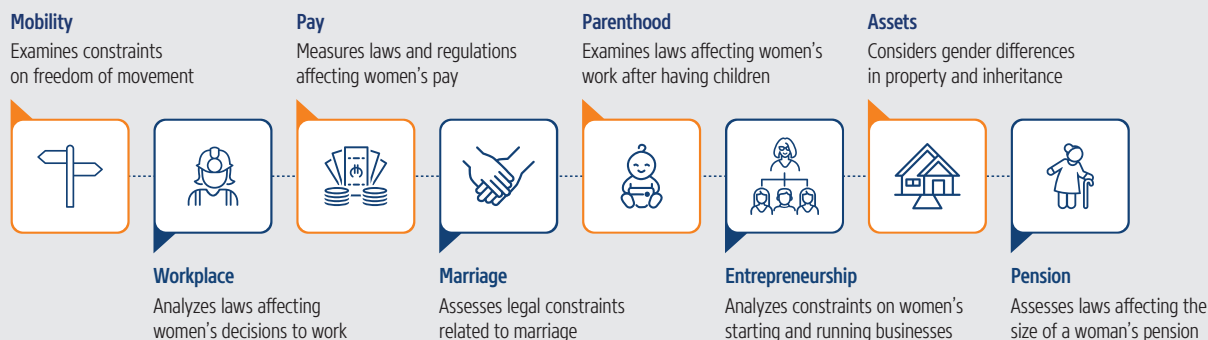
Despite these efforts, discriminatory laws in all regions continue to exacerbate the effects of an already difficult period and to weaken policy responses to the pandemic. Worldwide, 2.4 billion women of working age (15–64 years) from 178 economies across all regions still do not have the same legal rights as men. *Women, Business and the Law 2022* identifies where and in what areas this is the case, providing an important resource for achieving women's full and equal participation. The eighth in a series, this study presents a data set and index highlighting opportunities for reform in 190 economies. It also offers a new measurement of laws regulating the provision of childcare services and presents a pilot exercise examining how *Women, Business and the Law* indicators operate in practice.

For more than a decade, *Women, Business and the Law* has provided a framework that governments can use to identify barriers to women's success, remove them, and boost labor force participation. Since 2020, an index structured around a woman's working life has guided the analysis, highlighting the progress made each year (box 1.1). While it is too early to determine the effect of the pandemic on government efforts to reduce legal inequalities between men and women, the *Women, Business and the Law* data suggest that, even in these turbulent times, governments can and have enacted reforms leading to greater equality.

BOX 1.1 ABOUT WOMEN, BUSINESS AND THE LAW

Women, Business and the Law identifies where and which laws and regulations restrict women's economic inclusion, providing an important resource for achieving their full and equal participation. To facilitate analysis and highlight opportunities for reform, the project presents an index that aligns different areas of the law with the decisions that women make as they begin, progress through, and end their 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 the milestones that many women experience throughout their adult lives. Questions included in the indicators were chosen based on evidence from the economic literature as well as statistically significant associations with outcomes related to women's economic empowerment, such as employment and business ownership. In addition, 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, serves as the underlying justification for each question. The indicators measure explicit discrimination in the law as well as the legal protection of rights and the provision of benefits, areas in which reforms can bolster women's economic participation.

The *Women, Business and the Law* index relies on binary indicators and a series of case study assumptions. For example, the woman in question is assumed to reside in the main business city of her economy, to belong to the most populous group, and to be employed in the formal sector. This approach ensures comparability across economies and focuses on the formal sector, where laws are most relevant. However, it may not capture restrictions in rural areas or in states or provinces of federal economies if they are not applicable to the main business city. Some of the many forms of discrimination that minority populations may face also may not be captured. Additionally, the data may not reflect the reality of many women employed in the informal sector. Finally, to remain actionable, the data set is constructed using only laws and regulations in force. It does not measure the gap between laws on the books and actual practice.

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 (see the data notes in appendix A for details). The final score presents the share of good-practice provisions in each economy. Thus, the index serves as an easily replicable way to gauge the enabling environment for women as entrepreneurs and employees.

Women, Business and the Law acknowledges that the interplay of other factors, such as access to quality education, low infrastructural and institutional capacity, and social and cultural norms may prevent women from entering the workforce. Within this overall picture, the project recognizes the limitations of its assumptions and its focus on statutory law. Even though such assumptions may come at the expense of specificity, they also ensure that the data are reliable and comparable.

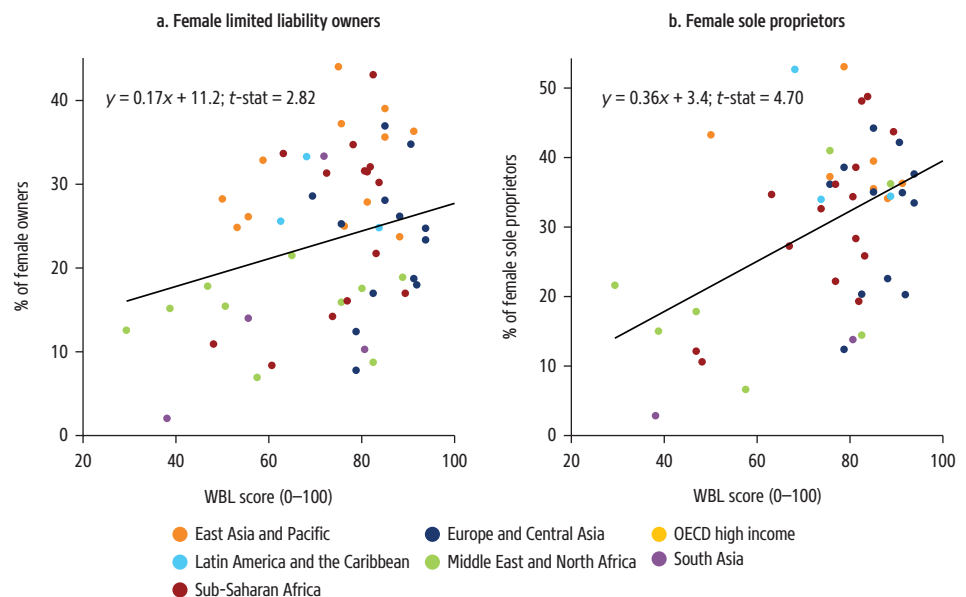
To construct the index, *Women, Business and the Law* uses the feedback of more than 2,000 respondents with expertise in family, labor, and criminal law, including lawyers, judges, academics, and members of civil society organizations working locally on gender issues. The *Women, Business and the Law* team collects the texts of relevant laws and regulations and verifies responses to the questionnaire for accuracy. Responses are validated against codified sources of national law, including constitutions, codes, laws, statutes, rules, regulations, and procedures 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 and their sources are available on the *Women, Business and the Law* website (<https://wbl.worldbank.org>).

Legal equality and women's economic empowerment

Mounting evidence indicates that the laws captured by the *Women, Business and the Law* index are associated with greater economic empowerment for women. Aside from its fundamental desirability, greater legal equality is associated with a larger supply of female labor, a smaller gender wage gap, higher levels of female entrepreneurship, and a greater number of women in managerial positions.³ New data from the World Bank's We-Data project also reveal that the greater the equality between men and women in the law (as expressed by the *Women, Business and the Law* index), the higher the share of female entrepreneurs (figure 1.1).⁴ Equality is also associated with economy-wide gains in productivity and welfare (Chiplunkar and Goldberg 2021). Women earn only two-thirds of men's expected lifetime income; therefore, reducing the inequalities in economic opportunity that could close this gap could lead to enormous benefits for the world (Wodon et al. 2020).

Analyzing *Women, Business and the Law* data in conjunction with data from the World Bank's Enterprise Surveys, Hyland and Islam (2021) show that a more discriminatory legal environment is associated with a greater probability that businesses led by women will commence operations in the informal sector. In economies where the aggregate *Women, Business and the Law* index score is higher, businesses with women owners are less likely to have begun operating in the informal sector. This negative correlation is displayed in figure 1.2.

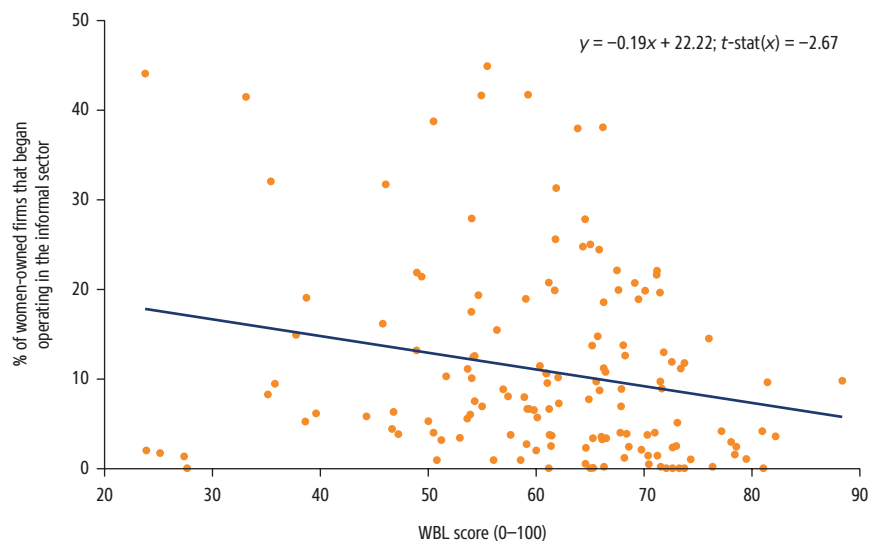
FIGURE 1.1 | ASSOCIATION BETWEEN STRONG LEGAL FRAMEWORKS AND HIGHER SHARE OF FEMALE ENTREPRENEURS



Sources: *Women, Business and the Law* (WBL) database and the World Bank Entrepreneurship Database (We-Data), <https://www.worldbank.org/en/programs/entrepreneurship/gender>.

Note: The Entrepreneurship database collects data on female entrepreneurial activity. Limited liability company (LLC) owners are individuals who own at least one share of a newly registered LLC. Sole proprietors are individuals who own and manage a business entity, are indistinguishable from the business, and are personally liable. The figure depicts two correlations: between the share of female LLC owners and WBL score (panel a) and between the share of female sole proprietors and WBL score (panel b). Fitted regression lines are also included. The relationships remain positive and statistically significant after controlling for income per capita. This statistical relationship should not be interpreted as causal. OECD = Organisation for Economic Co-operation and Development.

FIGURE 1.2 | CORRELATION BETWEEN LEGAL EQUALITY AND THE PROPORTION OF FIRMS WITH WOMEN OWNERS THAT BEGIN OPERATING IN THE INFORMAL SECTOR



Sources: *Women, Business and the Law* (WBL) database; World Bank Enterprise Surveys.

Note: The figure presents the correlation between the *Women, Business and the Law* score and the proportion of firms with women owners that began operating in the informal sector, as a proportion of all firms with female owners. The index is measured in the firm's year of birth. Each point represents a single economy. A fitted regression line is also included. Although the figure presents a simple correlation, the relationship remains negative and statistically significant after controlling for firm size and exporting status when it began operating as well as macro-level variables, including real gross domestic product per capita provided in the World Bank's World Development Indicators database (<https://databank.worldbank.org/source/world-development-indicators>) as well as time fixed effects. This statistical relationship should not be interpreted as causal. The regression is based on firm-level observations from firms in 146 economies, surveyed between 2006 and 2020.

Moreover, firms that apply legal provisions restricting women's rights—such as provisions limiting the work-related tasks that a woman employee can perform—hire fewer women and are less likely to have a woman among the firm's top managers. These discriminatory practices are associated with lower levels of sales and labor productivity (Hyland, Islam, and Muzi 2020). As a result, reforms in the area of family law are associated most strongly with lower informality, in line with studies showing a positive association between legislation mandating equal access to credit, equalizing business registration, improving women's mobility, and expanding women's business ownership and access to finance (Demirgüç-Kunt, Klapper, and Singer 2013; Islam, Muzi, and Amin 2019).

Yet new laws are not a silver bullet for women's inclusion. Legal reform will improve the situation of women only if these laws are implemented properly and if the wider ecosystem is supportive of them. Laws do not achieve their intended effect if they are in strong conflict with prevailing social norms, and social norms change slowly (Acemoglu and Jackson 2016; Gedzi 2012; Holden and Chaudhary 2013). Moreover, in some contexts, equalizing rights between women and men can have negative consequences for women on the ground.⁵ Nevertheless, changing norms and laws can be mutually reinforcing (Williamson and Kerekes 2011). Indeed, legal reforms can exert a “magnet effect,” drawing social norms in the same direction as legal reform over time (Aldashev et al. 2012).

Building on evidence of this relationship, *Women, Business and the Law* emphasizes the policy actions that can be taken to improve economic opportunity for women. Despite the persistence of the COVID-19 pandemic, over the past year 23 economies across the globe recognized these benefits and introduced legal reforms increasing women’s economic empowerment.

Data update

This edition of *Women, Business and the Law* captures reforms that occurred in the period from October 2, 2020, to October 1, 2021. The average global score for 2021 is 76.5 out of 100—more than half a point higher than in 2020. Up from 10 in 2020, 12 economies—Belgium, Canada, Denmark, France, Greece, Iceland, Ireland, Latvia, Luxembourg, Portugal, Spain, and Sweden—score 100, meaning that women are on an equal legal standing with men across all of the areas measured (table 1.1). *Women, Business and the Law* data and scores are based purely on objective measures of the law. Each data point must be backed up by a publicly documented legal basis.⁶ For the complete *Women, Business and the Law* data set, see the economy data in appendix B.

Of the 39 economies with scores higher than 90, 28 economies are in the Organisation for Economic Co-operation and Development (OECD) high-income region, 7 are in

TABLE 1.1		WOMEN, BUSINESS AND THE LAW 2022 INDEX					
Economy	Score	Economy	Score	Economy	Score	Economy	Score
Belgium	100.0	New Zealand	97.5	Albania	91.3	Moldova	87.5
Canada	100.0	United Kingdom	97.5	Taiwan, China	91.3	Guyana	86.9
Denmark	100.0	Australia	96.9	United States	91.3	Zimbabwe	86.9
France	100.0	Austria	96.9	Bulgaria	90.6	Cabo Verde	86.3
Greece ✓	100.0	Hungary	96.9	Romania	90.6	Costa Rica	86.3
Iceland	100.0	Norway	96.9	Ecuador	89.4	Dominican Republic	86.3
Ireland	100.0	Slovenia	96.9	Mauritius	89.4	Namibia	86.3
Latvia	100.0	Peru	95.0	Bolivia	88.8	Nicaragua	86.3
Luxembourg	100.0	Cyprus ✓	94.4	El Salvador	88.8	Timor-Leste	86.3
Portugal	100.0	Paraguay	94.4	Malta	88.8	Bosnia and Herzegovina	85.0
Spain ✓	100.0	Croatia	93.8	Mexico	88.8	Brazil	85.0
Sweden	100.0	Czech Republic	93.8	Uruguay	88.8	Korea, Rep.	85.0
Estonia	97.5	Lithuania	93.8	Georgia ✓	88.1	Mongolia	85.0
Finland	97.5	Poland	93.8	Lao PDR	88.1	Montenegro	85.0
Germany	97.5	Serbia	93.8	South Africa	88.1	North Macedonia	85.0
Italy	97.5	Hong Kong SAR, China ✓	91.9	Switzerland ✓	88.1	Slovak Republic	85.0
Netherlands	97.5	Kosovo	91.9	Armenia ✓	87.5	Ukraine ✓	85.0

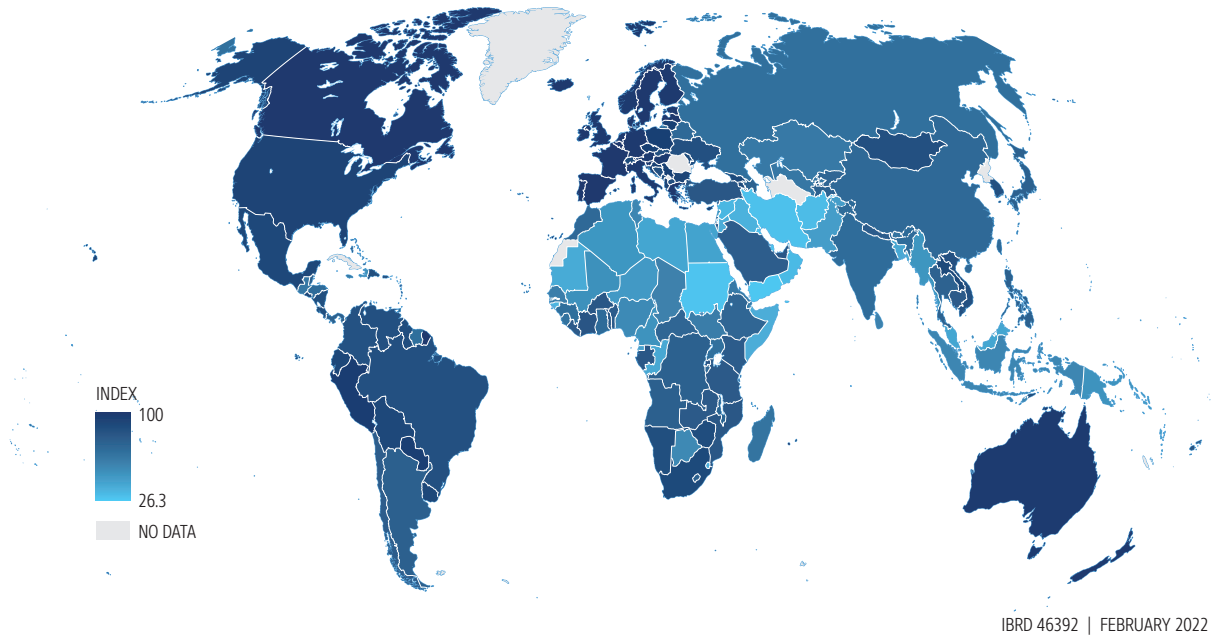
(Table continues next page)

TABLE 1.1		WOMEN, BUSINESS AND THE LAW 2022 INDEX (continued)					
Economy	Score	Economy	Score	Economy	Score	Economy	Score
Venezuela, RB	85.0	Argentina ✓	79.4	Bhutan	71.9	Tonga	58.8
Vietnam ✓	85.0	Belize	79.4	Madagascar	71.9	Algeria	57.5
Colombia ✓	84.4	Panama	79.4	St. Kitts and Nevis	71.3	Niger	56.9
Puerto Rico (US)	83.8	Azerbaijan	78.8	Guatemala	70.6	Solomon Islands	56.9
Rwanda	83.8	Congo, Dem. Rep.	78.8	Uzbekistan	70.6	Palau	56.3
St. Lucia	83.8	Japan	78.8	Eritrea	69.4	Pakistan ✓✗	55.6
Côte d'Ivoire	83.1	Philippines	78.8	Gambia, The	69.4	Vanuatu	55.6
São Tomé and Príncipe	83.1	Tajikistan	78.8	Kazakhstan	69.4	Brunei Darussalam	53.1
Burkina Faso	82.5	Lesotho	78.1	Djibouti	68.1	Equatorial Guinea	51.9
Fiji	82.5	Thailand	78.1	Jamaica	68.1	Egypt, Arab Rep. ✓	50.6
Gabon ✓	82.5	Malawi	77.5	St. Vincent and the Grenadines	68.1	Libya	50.0
Mozambique	82.5	Central African Republic	76.9	South Sudan	67.5	Malaysia	50.0
Singapore	82.5	Ethiopia	76.9	Senegal	66.9	Bangladesh	49.4
Turkey	82.5	Kyrgyz Republic	76.9	Antigua and Barbuda	66.3	Congo, Rep.	49.4
United Arab Emirates	82.5	Burundi ✓	76.3	Chad	66.3	Mauritania	48.1
Togo ✗	81.9	Kiribati	76.3	Marshall Islands	65.6	Jordan	46.9
Bahamas, The	81.3	Seychelles	76.3	Sri Lanka	65.6	Somalia	46.9
Cambodia ✓	81.3	Belarus	75.6	Bahrain ✓	65.0	Eswatini	46.3
Liberia	81.3	China	75.6	Comoros	65.0	Iraq	45.0
Tanzania	81.3	Morocco	75.6	Indonesia	64.4	Guinea-Bissau	42.5
Zambia	81.3	Ghana	75.0	Tunisia	64.4	Syrian Arab Republic	40.0
Benin ✓	80.6	Honduras	75.0	Botswana	63.8	Oman ✓	38.8
Grenada	80.6	Samoa	75.0	Nigeria	63.1	Afghanistan	38.1
Israel	80.6	Trinidad and Tobago	75.0	Dominica	62.5	Kuwait ✓	35.0
Kenya	80.6	India	74.4	Haiti	61.3	Iran, Islamic Rep.	31.3
Nepal	80.6	Guinea	73.8	Micronesia, Fed. Sts.	61.3	Qatar	29.4
Barbados	80.0	Maldives	73.8	Mali	60.6	Sudan	29.4
Chile	80.0	Suriname	73.8	Cameroon	60.0	Yemen, Rep.	26.9
San Marino	80.0	Russian Federation	73.1	Papua New Guinea	60.0	West Bank and Gaza	26.3
Saudi Arabia	80.0	Uganda	73.1	Lebanon ✓	58.8		
Angola ✓	79.4	Sierra Leone ✓	72.5	Myanmar	58.8		

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 (✗) implemented at least one change reducing score.

MAP 1.1 | WOMEN, BUSINESS AND THE LAW 2022 INDEX

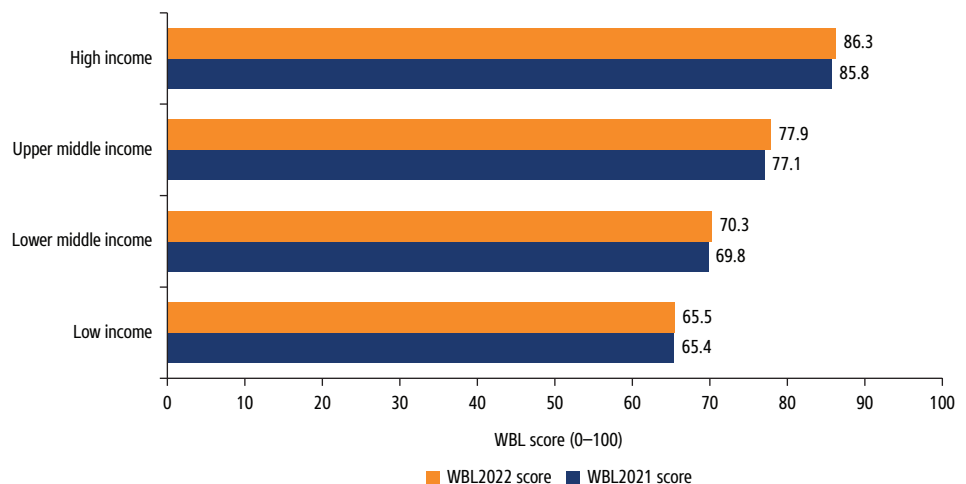


Source: Women, Business and the Law database.

Europe and Central Asia, 2 are in East Asia and the Pacific, and 2 are in Latin America and the Caribbean. No economy in the Middle East and North Africa, South Asia, or Sub-Saharan Africa scores 90 or higher (map 1.1).

Economies at all income levels made progress toward legal gender equality in the past year; however, progress varied (figure 1.3). Upper-middle-income economies improved

FIGURE 1.3 | WOMEN, BUSINESS AND THE LAW SCORE, BY INCOME LEVEL



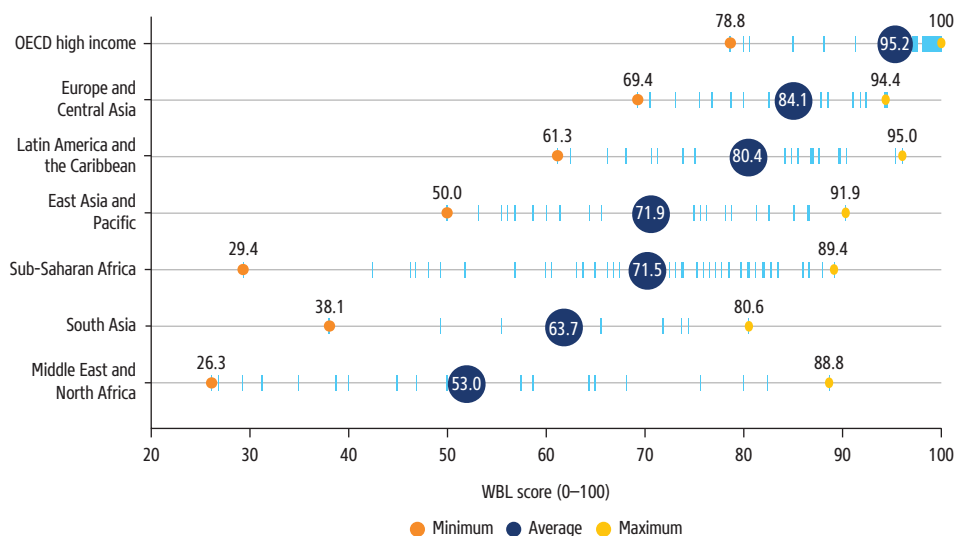
Source: Women, Business and the Law (WBL) database.

their average score the most, with six countries enacting 15 legal changes. Seven lower-middle income economies also instituted reforms, raising the average score for the group from 69.8 to 70.3. High-income economies made some progress as well, raising their score by 0.5 point due to reforms in eight countries. Low-income economies made few improvements in the past year, with the average score increasing only 0.1 point, from 65.4 to 65.5, meaning that the average low-income economy has about two-thirds of the good-practice legislation identified by the indicators. The gap in average score between high-income and low-income economies is 20.8 points, corresponding to about 45 laws that treat women differently than men.

The highest- and lowest-scoring regions remain the same as last year, with economies in the OECD high-income region, Europe and Central Asia, and Latin America and the Caribbean scoring above the global average (figure 1.4). The Middle East and North Africa and South Asia have the lowest regional averages. However, scores diverge significantly within regions, particularly in the Middle East and North Africa and in Sub-Saharan Africa, with the difference between the highest and lowest scores ranging between 62.5 and 60.0 points, respectively. The smallest difference—21.2 points—between the highest and lowest scores is in the OECD high-income region, which also has the narrowest dispersion of scores across economies.

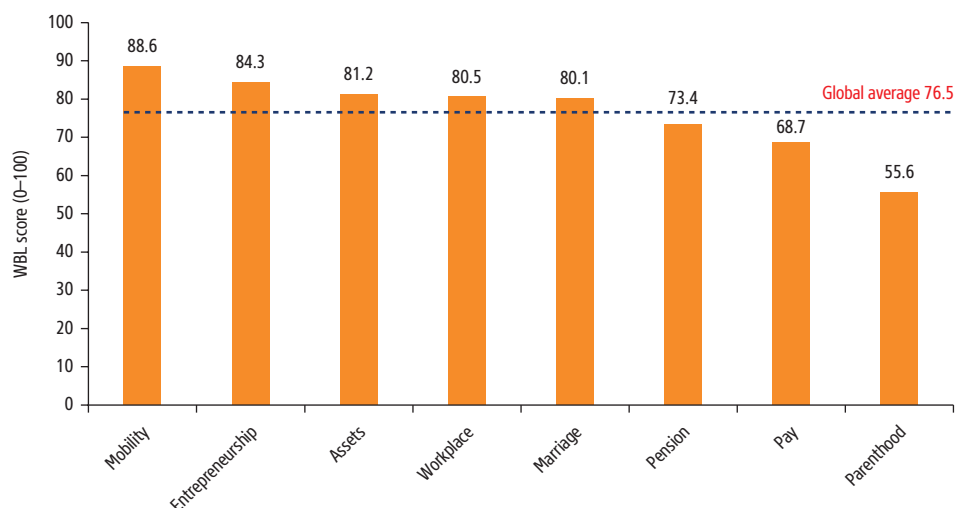
The Mobility, Workplace, Marriage, Entrepreneurship, and Assets indicators have an average global score above 80, meaning that most economies have removed restrictions or introduced the relevant legal rights and protections measured by these indicators (annex 1A). Average scores are lower for the Pay, Parenthood, and Pension indicators (figure 1.5). Parenthood, with an average score of 55.6, has the most room to improve, followed by the Pay indicator.

FIGURE 1.4 | DISPERSION OF *WOMEN, BUSINESS AND THE LAW* SCORES, BY REGION



Source: *Women, Business and the Law* (WBL) database.

Note: Each vertical line shows the score of one economy per region.

FIGURE 1.5 | AVERAGE WOMEN, BUSINESS AND THE LAW SCORES, BY INDICATOR

Source: Women, Business and the Law (WBL) database.

Average scores obscure the great variation in the distribution of scores across the *Women, Business and the Law* indicators (table 1.2). For example, the Parenthood and Pay indicators, which have the lowest scores on average, also have the largest dispersion between scores, with almost an even distribution of economies in each of the possible groups of scores. Nineteen economies score 0 on Parenthood, meaning that they do not have any of the good practices measured by this indicator (leave for mothers of at least 14 weeks, which is fully administered by the government, leave for fathers, parental leave, and prohibition of dismissal of pregnant women). Only 31 out of 190 economies score 100.

Indicator	NUMBER OF ECONOMIES IN EACH SCORE GROUP, BY INDICATOR								
	WBL score (0–100)								
	0	20	25	40	50	60	75	80	100
Mobility	2		6		13		35		134
Workplace	4		21		24		21		120
Pay	9		23		42		49		67
Marriage	5	12		12		20		40	101
Parenthood	19	28		33		37		42	31
Entrepreneurship	2		1		7		94		86
Assets	4	2		31		19		20	114
Pension	1		24		30		66		69

Source: Women, Business and the Law (WBL) database.

Note: Shading means that the score is not possible for that indicator, given the number of questions posed.

Where are laws changing?

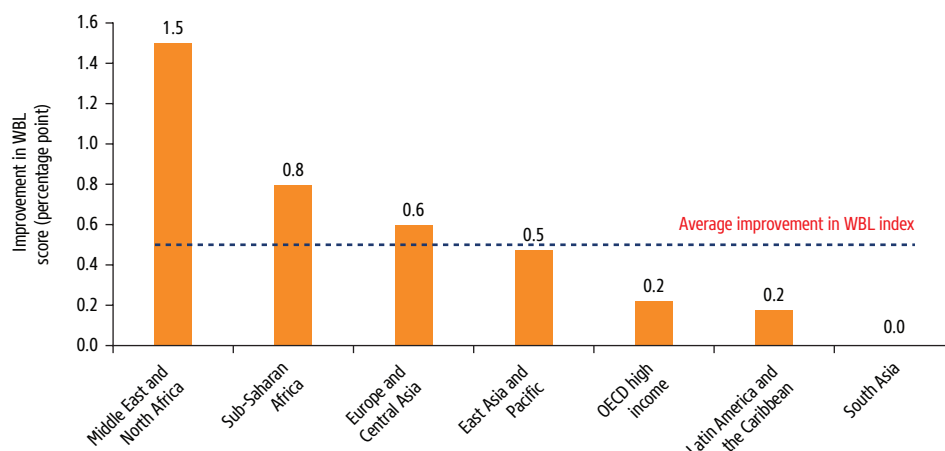
Since October 2020, 23 economies implemented reforms improving 39 laws to achieve greater equality of opportunity across the eight indicators measured (annex 1B). At the same time, two economies implemented changes that reduced equality in the law: Togo enacted a new labor code that no longer broadly prohibits the dismissal of pregnant workers, while Pakistan failed to convert into law a decree that would permanently equalize men's and women's ability to register a business.

Legal changes enacted in the Middle East and North Africa resulted in 10 positive data changes, more than any other region. Despite its low scores, the region advanced the most because of its reform efforts, with 25 percent of economies implementing at least one reform. Economies in Europe and Central Asia also implemented reforms, despite having scores above the global average, with 17 percent changing at least one law to improve legal equality for women. Progress in the rest of the world was slower.

Six out of the seven regions improved their scores and reduced the gaps in legal rights and opportunities for women, at least on the books (figure 1.6). The Middle East and North Africa had the largest improvement (1.5 points), followed by Sub-Saharan Africa (0.8 point), Europe and Central Asia (0.6 point), and East Asia and the Pacific (0.5 point). South Asia's average score remains unchanged from the previous year.

Fewer economies in Sub-Saharan Africa instituted reforms, but those that were implemented had a large impact. Many reforms occurred in Western and Central Africa, where reform is needed the most. Among them, Gabon stands out, with comprehensive reforms to its civil code and the enactment of a law on the elimination

FIGURE 1.6 | IMPROVEMENT IN WOMEN, BUSINESS AND THE LAW SCORE, BY REGION



Source: Women, Business and the Law (WBL) database.

of violence against women. These changes affected 9 of the 15 data points for which Gabon previously recorded a “no” answer across five indicators: Mobility, Workplace, Marriage, Entrepreneurship, and Assets. A government taskforce, Gabon Equality, was instrumental in reforming the discriminatory provisions of the civil code, as was the work of civil society organizations, including the Foundation Sylvia Bongo Ondimba. As a result of this comprehensive set of reforms, Gabon’s score on the *Women, Business and the Law* index rose from 57.5 in 2020 to 82.5 in 2021.

The Parenthood indicator recorded the highest number of reforms, with positive changes in eight data points in eight economies (table 1.3). Most reforms focused on paid paternity or shared parental leave. Progress in the Parenthood indicator is followed by the Workplace and Pay indicators, with each recording reforms affecting seven data points. These reforms focused on protecting against sexual harassment in employment and prohibiting gender discrimination. Fewer reforms occurred in the Marriage, Entrepreneurship, Assets, and Pension indicators.

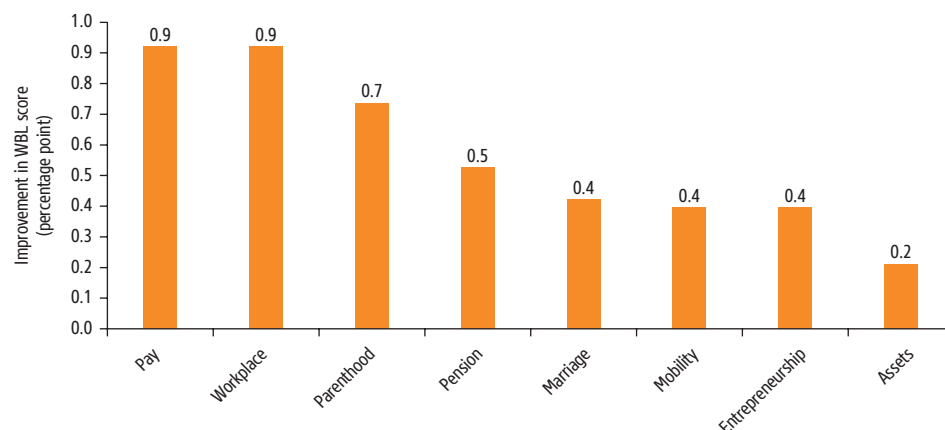
Although the Pay and Parenthood indicators remain the lowest scoring in 2021, with average scores of 68.7 and 55.6, respectively, they inched closer to gender parity, rising 0.9 and 0.7 percentage point, respectively (figure 1.7). The Workplace indicator increased 0.9 percentage point from the 2020 level. Despite recording fewer reforms, the Workplace indicator improved more than the Parenthood indicator due to a negative change in the Parenthood indicator in Togo.

TABLE 1.3 REFORMS TO IMPROVE GENDER EQUALITY IN 2020–21, BY INDICATOR

Indicator	Number of data points reformed	Examples of reforms adopted
Mobility	3	In <i>Cyprus</i> and <i>Oman</i> , passport application procedures are now equal for men and women. <i>Gabon</i> gave women the same rights as men to choose where to live.
Workplace	7	<i>Angola</i> and <i>Lebanon</i> both enacted laws protecting women from sexual harassment in employment, including criminal penalties for such conduct. <i>Gabon</i> enacted legislation allowing women to get jobs without permission from their husbands. <i>Kuwait</i> prohibited gender discrimination in employment and adopted legislation on sexual harassment in employment.
Pay	7	<i>Bahrain</i> and <i>Burundi</i> mandated equal remuneration for work of equal value. In <i>Benin</i> and <i>Vietnam</i> , women can now work in industrial jobs in the same way as men. <i>Pakistan</i> lifted restrictions on women’s ability to work at night.
Marriage	4	<i>Egypt</i> , <i>Arab Rep.</i> , enacted legislation protecting women from domestic violence. <i>Gabon</i> no longer requires a married woman to obey her husband and allows women to be head of household in the same way as men. <i>Gabon</i> also enacted legislation protecting women from domestic violence.
Parenthood	8	<i>Armenia</i> , <i>Switzerland</i> , and <i>Ukraine</i> introduced paid paternity leave. <i>Colombia</i> , <i>Georgia</i> , <i>Greece</i> , and <i>Spain</i> introduced paid parental leave. <i>Hong Kong SAR</i> , <i>China</i> , increased the duration of paid maternity leave to at least 14 weeks.
Entrepreneurship	4	<i>Egypt</i> , <i>Arab Rep.</i> , <i>Gabon</i> , and <i>Sierra Leone</i> prohibited gender-based discrimination in financial services, making it easier for women to access credit. <i>Gabon</i> also gave women the same rights to open a bank account as men.
Assets	2	<i>Gabon</i> granted spouses equal rights to immovable property and equal administrative authority over assets during marriage.
Pension	4	<i>Argentina</i> explicitly accounted for periods of absence due to childcare in pension benefits. <i>Cambodia</i> and <i>Ukraine</i> equalized the ages at which men and women can retire with full pension benefits.

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

FIGURE 1.7 | IMPROVEMENT IN WOMEN, BUSINESS AND THE LAW SCORE, BY INDICATOR



Source: Women, Business and the Law (WBL) database.

Mobility

The Mobility indicator examines constraints on women’s agency and freedom of movement, including the rules governing the legal rights of men and women to obtain a passport, choose where to live, leave home at will, and travel outside the home. Recent research confirms that lack of mobility and social isolation have potentially large impacts on women’s opportunities. Conversely, enabling women to have social networks outside the home can improve their access to health and family planning services (Anukriti et al. 2020, 2021).

Often, social norms that restrict women’s freedom of movement are not only reflected in, but also influenced by, legal norms. In 56 economies, the law treats men and women differently when it comes to freedom of movement (table 1.4). For example, in eight economies, a woman cannot travel outside the country in the same way as a man, and in 14 economies, a woman cannot leave her home at will. In 34 economies, a woman cannot choose where to live in the same way as a man. Gabon reformed in this area by amending the civil code, which previously obliged a married woman to live in a

TABLE 1.4 | NUMBER OF ECONOMIES THAT DO NOT HAVE LAWS GUARANTEEING WOMEN’S FREEDOM OF MOVEMENT

Question	Number of economies with a “no” response	Number of economies with at least one “no” response
1. Can a woman choose where to live in the same way as a man?	34	56
2. Can a woman travel outside her home in the same way as a man?	14	
3. Can a woman apply for a passport in the same way as a man?	31	
4. Can a woman travel outside the country in the same way as a man?	8	

Source: Women, Business and the Law database.

family residence chosen by her husband. The law now allows both spouses to choose the marital home and establish separate domiciles.

Constraints on women's mobility also persist in laws and regulations making access to formal identification more difficult. In 31 economies, a married woman cannot obtain a passport in the same way as a married man. However, reforms are happening. In 2020, Cyprus reformed its civil registry law that previously imposed additional requirements on married women and widows when applying for a passport. The revised law contains gender-neutral language and requires any person applying to have the spouse's name entered on a passport to provide a certificate of marriage or civil cohabitation. In Oman, passport application procedures now are equal for men and women. A 2010 reform of the passport law removed a legal provision requiring a married woman to obtain her husband's written consent when applying for a passport. However, passport application documents still required a woman to be accompanied by her husband or guardian when applying. This language was removed from the application document in 2021, making the process equal for men and women.

Workplace

The Workplace indicator analyzes laws affecting women's decision to enter the labor market, including their legal capacity and ability to work as well as protections against discrimination and sexual harassment.

In 120 economies, women are free to choose where they work, and the law protects them from discrimination and sexual harassment in the workplace, including appropriate criminal penalties or civil remedies (table 1.5). In the remaining 70 economies, there is room to improve in one of the four areas measured by the Workplace indicator. In 18 economies, a husband can legally prevent his wife from working. In 2021, Gabon amended a discriminatory provision in the family code that allowed a husband to ask a court to prohibit his wife from working if it was in the interest of the family. Now, both spouses may exercise a profession of their choice.

Of the 30 economies that do not legally prohibit gender discrimination in employment, 9 are located in East Asia and Pacific, 7 in Latin America and the Caribbean, 6 in the Middle East and North Africa, and 8 in Sub-Saharan Africa and South Asia. In contrast, all of the economies in the OECD high-income region and in Europe and Central Asia have laws prohibiting discrimination in employment.

TABLE 1.5 NUMBER OF ECONOMIES THAT DO NOT HAVE LAWS PROTECTING WOMEN IN THE WORKPLACE

Question	Number of economies with a "no" response	Number of economies with at least one "no" response
1. Can a woman get a job in the same way as a man?	18	
2. Does the law prohibit discrimination in employment based on gender?	30	
3. Is there legislation on sexual harassment in employment?	46	70
4. Are there criminal penalties or civil remedies for sexual harassment in employment?	54	

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

Kuwait addressed discrimination in employment by prohibiting employers from discriminating on the basis of sex, age, pregnancy, or social status in all aspects of work. The ministerial decree was issued after a collaborative and participatory process that included the secretary general of the Supreme Council of Planning and Development, the Committee of Women and Work Affairs, the Higher Consultative Committee for Labour Affairs, and other official bodies. In the past, Kuwait's constitution had a broad clause prohibiting differentiation between people due to gender. The enactment of the new decree represents a step further in the protection of women in the workplace.

Sexual harassment in the workplace is still pervasive. While there is a lack of global and regional data on the prevalence of sexual harassment, country studies show that workplace sexual harassment imposes an economic cost that is shared by individuals, employers, governments, and society (Hejase 2021). Addressing sexual harassment in the workplace benefits both workers and businesses.

Globally, 46 economies still do not have legislation on sexual harassment in employment. Of the 144 economies that do, 8 do not have civil remedies or criminal penalties available for such cases. Over the last year, Angola, Kuwait, and Lebanon enacted specific legislation on sexual harassment in employment for the first time. In Kuwait, the Ministry of Commerce and Industry issued an administrative decision on September 28, 2021, prohibiting all forms and means of sexual harassment in the workplace, including cyber sexual harassment. However, this law does not explicitly prescribe either criminal penalties or civil remedies for acts of sexual harassment. Of the 144 economies that have enacted legislation on sexual harassment in the workplace, only 97 have established criminal penalties for such acts. Civil remedies, such as compensation for victims of sexual harassment, are available in 107 economies.

Angola and Lebanon recently established criminal penalties for workplace sexual harassment. Angola adopted a new penal code on November 11, 2020, making sexual harassment in the workplace punishable by imprisonment for up to three years. Lebanon's law criminalizing sexual harassment and providing rehabilitation for victims came into force in January 2021. Under this law, sexual harassment in employment is a criminal offense punishable by imprisonment for six months to four years and a fine.

Pay

The Pay indicator examines whether laws are in place to ensure equal remuneration between men and women for work of equal value as well as to allow women to work in the same way as men at night, in industrial jobs, and in jobs deemed dangerous. Laws in 123 economies could be improved in one of these aspects to reduce the gender pay gap (table 1.6).

Only half (95) of all economies mandate equal remuneration for men and women who perform work of equal value. A study of the economic effect of equal pay in the United States finds that if women's remuneration were brought to the same level as men's, the poverty rate for all working women in the country would be reduced by almost half (Milli et al. 2017). Countries that have an opportunity gap between men and women are less likely to thrive or to solve challenges peacefully (UN and World Bank 2018).

TABLE 1.6 NUMBER OF ECONOMIES THAT DO NOT HAVE LAWS ADDRESSING THE PAY GAP		
Pay	Number of economies with a "no" response	Number of economies with at least one "no" response
1. Does the law mandate equal remuneration for work of equal value?	95	
2. Can a woman work at night in the same way as a man?	21	123
3. Can a woman work in a job deemed dangerous in the same way as a man?	53	
4. Can a woman work in an industrial job in the same way as a man?	69	

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

Eighty-six economies impose at least one legal restriction on women's employment, and nine impose all three, shutting them out of many high-paying jobs. Women cannot work the same night hours as men in 21 economies. They cannot work in industrial jobs in the same way as men in 69 economies or in jobs deemed dangerous in 53 economies.

Five countries introduced reforms in the Pay indicator: Bahrain, Benin, Burundi, Pakistan, and Vietnam. Bahrain and Burundi mandated equal remuneration for work of equal value. Bahrain and Vietnam eliminated all legal restrictions on women's employment, while Benin struck down restrictions on women's ability to work in industrial jobs, and Pakistan removed restrictions on women's ability to work at night.

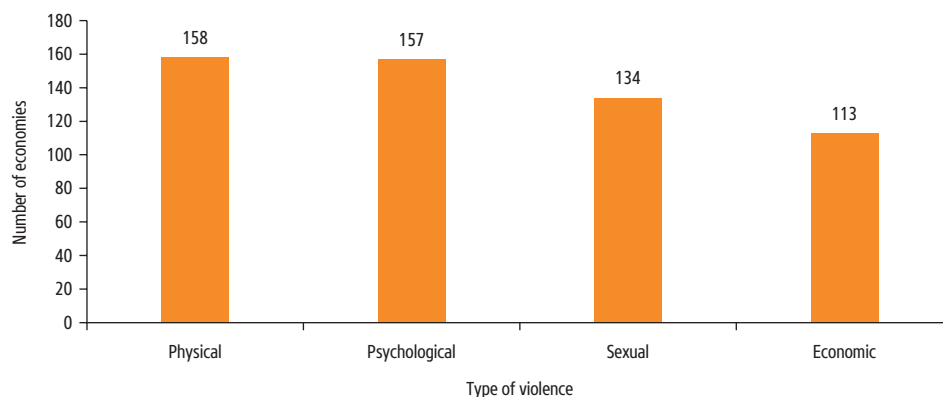
Bahrain made the greatest improvement in the Pay indicator, raising its score in this area from 0 to 100 in the past two years. In 2021, Bahrain repealed provisions in the labor law that restricted women from working at night and in certain industries and introduced amendments mandating equal remuneration for work of equal value. One catalyst for this reform was the effort of the Bahraini Supreme Council for Women, an advisory council formed in 2001. The council adopted a second National Plan for the Advancement of Bahraini Women for 2013–2022, which aims to support women's entrepreneurship, career opportunities, and financial independence, among other goals.

Vietnam also took significant steps by eliminating restrictions on women's employment while maintaining measures to ensure the occupational health and safety of both men and women. Whereas women who are not pregnant or nursing were previously banned from performing more than 70 specific jobs, ranging from drilling oil wells to repairing high-voltage power lines, they can now work in all the same jobs as men. Notably, the law requires that employers ensure occupational safety and health and inform both men and women of the risks that performing certain jobs pose to their reproductive health.

Marriage

Legal constraints related to marriage and divorce persist throughout the world, weakening women's agency and decision-making powers within the family and threatening their safety. One in three women—or approximately 736 million—is subjected to physical or sexual violence by an intimate partner or sexual violence by a nonpartner. According to the United Nations Population Fund, domestic violence cases have risen 20 percent globally since the beginning of the pandemic, with 243 million women and girls between 15 and 49 years of age reported to have been a victim of

FIGURE 1.8 | NUMBER OF ECONOMIES WITH LAWS PROTECTING WOMEN FROM VIOLENCE, BY TYPE



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

intimate partner violence in 2020 (UN Women 2020). These findings are notable given the magnitude of excess female mortality and the documented rise in domestic violence since the onset of the COVID-19 pandemic (Agüero 2021).

In 17 economies, a married woman is required by law to obey her husband, and in 28 economies, the husband is legally designated as head of household. Additionally, 30 out of 190 economies captured by *Women, Business and the Law* do not currently have legislation addressing domestic violence. In the remaining economies, many do not have provisions prohibiting economic and financial abuse (figure 1.8). Economic and financial abuse rarely happens in isolation from other forms of violence; it can be extremely harmful because it threatens a woman’s economic security and potential for self-sufficiency, forcing her dependence on the perpetrator. The abuse can take many forms, including limiting someone’s access to savings and assets, damaging property, refraining from making rent or mortgage payments, or sabotaging employment.

Equal divorce rights are also important for women’s health and financial security. Research has consistently shown that unequal or limited access to divorce is associated with the incidence of intimate-partner violence against women (García-Ramos 2021). In 89 economies around the world, legal reforms are needed to strengthen women’s agency and decision-making within marriage (table 1.7).

Since October 2020, no country has instituted reforms to address women’s rights to divorce and remarry. As such, 46 economies throughout the world still restrict a woman’s right to obtain a divorce, and 68 economies do not give women equal rights to remarry. Remarriage rights are restricted when waiting periods varying from 90 to 365 days before contracting a new marriage are imposed on women but not on men. Two economies still do not permit legal divorce (Eswatini, the Philippines).

Gabon instituted reforms in three areas of the Marriage indicator. Gabon’s reform of the civil code removed a provision designating the husband as head of family with the right to make decisions concerning the household’s family life and finances. According to the revised civil code, “The family is managed jointly by the spouses in the interest

TABLE 1.7 NUMBER OF ECONOMIES WITH LEGAL CONSTRAINTS RELATED TO MARRIAGE AND DIVORCE		
Question	Number of economies with a "no" response	Number of economies with at least one "no" response
1. Is there no legal provision that requires a married woman to obey her husband?	17	
2. Can a woman be head of household in the same way as a man?	28	
3. Is there legislation specifically addressing domestic violence?	30	89
4. Can a woman obtain a judgment of divorce in the same way as a man?	46	
5. Does a woman have the same rights to remarry as a man?	68	

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

of the household and the children.” The provision requiring a husband to protect his wife and a wife to obey him was also amended: a married woman is no longer legally required to obey her husband in Gabon.

Following a period of advocacy work guided by the government’s objective of addressing gender-based violence—and domestic violence in particular—Gabon enacted its first national law on the elimination of violence against women in September 2021. This new law targets physical, sexual, psychological, and economic forms of abuse. It provides criminal penalties for violent crimes committed against women and enumerates harsher punishment for domestic violence. The law also requires protection orders for victims of violence to be delivered within two days after receipt of a complaint. A protection order prohibits an abusive partner from committing further acts of family violence and is intended to deter repeat incidents of physical and psychological abuse. Although most countries allow victims of domestic violence to obtain a protection order, only 30 economies allow survivors to obtain one immediately or within 24 hours. In 25 economies, it takes between two and seven days, in 19 economies it takes more than seven days, and in all other economies (116), no clear time frame is specified.

The Arab Republic of Egypt also enacted legislation on domestic violence for the first time. Egypt’s National Strategy for Empowering Egyptian Women 2030 drives the country’s policies on women’s empowerment and equality. In 2021, this strategy resulted in the prime minister issuing Decree No. 827/2021 to establish a one-stop shop for protecting women victims of violence. Such legislation will surely save lives: a recent analysis of 159 economies finds that domestic violence laws are associated with a women-to-men mortality ratio that is 2.3 percent lower than the mean value (Amin, Islam, and Lopez-Claros 2021).

Parenthood

The Parenthood indicator examines laws affecting women’s work during and after pregnancy (table 1.8), including paid leave and laws prohibiting firms from dismissing workers because they are pregnant.

A study of 159 countries finds that female labor force participation is positively correlated with the length of maternity leave, if under 30 weeks (Del Rey, Kyriacou, and Silva 2021). Paid leave—whether maternity, paternity, or parental leave—encourages fathers to contribute more equitably to household responsibilities from the start of

TABLE 1.8		NUMBER OF ECONOMIES THAT DO NOT HAVE LAWS INCENTIVIZING WOMEN'S WORK AFTER HAVING CHILDREN	
Question	Number of economies with a "no" response	Number of economies with at least one "no" response	
1. Is paid leave of at least 14 weeks available to mothers?	72		
2. Does the government administer 100% of maternity leave benefits?	92		
3. Is paid leave available to fathers?	76	159	
4. Is there paid parental leave?	140		
5. Is dismissal of pregnant workers prohibited?	42		

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

parenthood and is a key policy change that could result in greater use of women's talent (Yavorsky, Qian, and Sargent 2021). However, while the number of leave days granted to mothers increased substantially between 1970 and 2021 in all regions, the granting of paternity leave increased only minimally. This lag is particularly notable in the Middle East and North Africa and in Sub-Saharan Africa, where the average leave granted to fathers was 2.0 days and 2.7 days, respectively, in 2021 (table 1.9).⁷

The COVID-19 pandemic has exacerbated gender inequalities in caregiving at the expense of women's employment, making the sharing of responsibilities for childcare especially important (box 1.2). Only five economies in the world do not have any form of paid maternity leave, all located in the East Asia and Pacific region (Marshall Islands, the Federated States of Micronesia, Palau, Papua New Guinea, and Tonga). However, most economies (118) guarantee 14 weeks of paid maternity leave for the birth of a child, the minimum standard recommended by International Labour Organization Convention No. 183 and the threshold used by *Women, Business and the Law*. The total duration of paid leave available to mothers—including maternity leave, shared parental leave, and specific entitlement to parental leave for mothers—ranges from two weeks to about three years, with a median duration of 98 days in the economies that have it. Hong Kong SAR, China—which previously provided 10 weeks of paid maternity leave—is the only economy to reform by introducing a 14-week minimum duration of paid leave for mothers since October 2021.

TABLE 1.9		REGIONAL AVERAGE NUMBER OF LEAVE DAYS, 1970–2021				
Region	Leave days for mothers			Leave days for fathers		
	1970	2021	Increase	1970	2021	Increase
East Asia and Pacific	25.5	126.4	100.9	0.0	11.2	11.2
Europe and Central Asia	88.8	506.0	417.2	0.0	11.5	11.5
OECD high income	102.5	327.5	225.0	0.2	83.7	83.5
Latin America and the Caribbean	53.2	96.2	43.0	0.0	4.0	3.9
Middle East and North Africa	38.8	81.2	42.3	0.3	2.0	1.7
South Asia	36.8	99.3	62.5	0.0	5.6	5.6
Sub-Saharan Africa	48.9	90.7	41.8	0.3	2.7	2.4
Global average	59.7	190.6	130.9	0.1	19.7	19.5

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

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

BOX 1.2 MOST POLICY RESPONSES TO THE PANDEMIC CHILDCARE CRISIS HAVE EXPIRED

Over the course of the pandemic, many women suffered decreased working hours, a decline in income, and, in some cases, permanent job loss (Dang and Nguyen 2021). Indeed, more than two years since its onset, women's employment rates continue to recover more slowly than men's. While men's employment dropped 3.9 percent globally in 2020, women's employment dropped by 5.0 percent, with almost 90 percent of these women remaining out of the labor force (ILO 2021). Many women bear the brunt of increased childcare, often having to choose between their jobs and their families (Alon et al. 2021).

Last year, *Women, Business and the Law* found that responses to the childcare crisis were few and far between. Fewer than 40 economies introduced leave or benefit policies to support working parents shouldering greater childcare duties. Some 10 economies provided other forms of childcare assistance, such as free childcare or compensation designated specifically for childcare. More than 20 economies provided childcare measures for essential workers. Despite ongoing need, most of these measures have since expired. However, some remained active in 2021: in Canada, for example, maternity and parental cash benefits were extended through November 20, and financial support was provided to parents working fewer hours due to childcare. In the United Kingdom until October 1, parents could claim childcare costs through tax credits if their working hours fell below the required number of hours due to COVID-19, with additional extensions for parents whose hours had not returned to pre-pandemic levels.

The pandemic also affected parental leave policies. For example, just months before COVID-19 became a global pandemic, Ireland introduced two weeks of paid parental leave for each parent. To recognize the challenges facing working parents during the crisis, the government later announced that new parents would get three extra weeks of parental leave each, amounting to five weeks total per parent, effective April 1, 2021. In contrast, Fiji temporarily lowered paid paternity leave from five days to two days in 2020 and then to one day in 2021, citing job instability during the pandemic.

Overall, measures that address the childcare crisis, and in particular long-term strategies, are rare. Economies must build robust childcare infrastructure, as well as design family-friendly leave and workplace policies, both to incentivize women's return to the workplace and to strengthen economic recovery.

Slightly less than half (92) of the economies covered administer cash benefits for paid maternity leave exclusively through the government. A study of OECD economies finds that having the government administer maternity benefits through a compulsory social insurance scheme or public fund makes it less likely that employers will discriminate against women of childbearing age (Thévenon and Solaz 2013). Indeed, the cost of hiring women of childbearing age is higher for employers in economies in which laws mandate that they fund maternity benefits. This could lead to disparities in both hiring and salaries to compensate for administering women's leave.

In 2021, 114 economies guaranteed paid leave for fathers for the birth of a child. The total duration of paid leave available to fathers—including paid paternity leave and any parental leave specifically for fathers—ranges from one day to about one year, with a median duration of one week. As little as two weeks of paid paternity leave can increase a mother's probability of reemployment shortly after childbirth (Farré and Gonzalez 2017). Armenia, Switzerland, and Ukraine introduced paid paternity leave in 2020/21.

Of the 50 economies worldwide with paid parental leave, none is in South Asia or Sub-Saharan Africa. While maternity and paternity leave refers to leave made available specifically to mothers and to fathers, respectively, parental leave is available to either parent. In many economies, however, a certain share of parental leave is reserved for the specific use of the mother or the father. In the past year, Colombia, Georgia, Greece, and Spain introduced paid parental leave. Colombia became the first economy in Latin America and the Caribbean to introduce paid parental leave. In August 2019, several parliamentarians drafted legislation that aimed to reduce the incentives for employers to discriminate against women of reproductive age. After consultations with government representatives and civil society groups, political parties joined forces, and the initiative was passed into law in July 2021. In addition to paid parental leave, the new legislation included antidiscrimination measures such as prohibiting employers from requiring a pregnancy test as a condition of employment or asking employees about their plans to have children. Paternity leave was also expanded from eight days to two weeks. Just three economies—Iceland, Spain, and the United States—provide equal amounts of paid leave for mothers and fathers.⁸ Spain completed its progressive increase of paid paternity leave, seeking to equalize maternity and paternity leave. Now, mothers and fathers are each guaranteed 16 weeks of paid leave for the birth a child.

However, the relationship between family leave policies and women’s labor market outcomes is not clear-cut. Indeed, while a certain amount of leave granted to mothers upon the birth of a child is associated with positive labor market outcomes, excessively long durations of leave may have a negative effect on an individual’s career progression and wages (Akgunduz and Plantenga 2013; Del Boca, Pasqua, and Pronzato 2009; Ruhm 1998). A comprehensive review of family leave policies in high-income countries finds no clear consensus on the impact of parental leave on women’s labor market outcomes (Olivetti and Petrongolo 2017). Any positive impacts on wages and employment are limited to low-skill workers, with potentially negative effects for high-skill workers. Likewise, there is no clear evidence of an association between paternity leave and long-term changes in employment and wages (Cools, Fiva, and Kirkebøen 2015; Ekberg, Eriksson, and Friebe 2013). It is important to consider parental leave policies with other policies affecting women’s ability to enter and remain in the workforce, such as the provision of quality childcare (the subject of chapter 2).

Finally, 42 economies do not prohibit the dismissal of pregnant workers. Discrimination against pregnant workers may indirectly harm mothers’ mental and physical health and lead to premature birth (Hackney et al. 2021). Unfortunately, this number is one more than last year. Togo’s new labor code no longer explicitly prohibits the dismissal of pregnant workers, leading to a decrease in its score. No reforms took place in the Middle East and North Africa or South Asia, the regions with the lowest average scores for the Parenthood indicator.

Entrepreneurship

The Entrepreneurship indicator examines barriers to women’s ability to start and run a business. Despite the relatively high score that economies achieve on the Entrepreneurship indicator, women worldwide still face significant practical and regulatory barriers to becoming successful entrepreneurs. Access to finance is a major hurdle, leaving women with an estimated \$1.7 trillion of unmet demand for

credit (IFC 2017). Collateral constraints and social norms are major reasons for this gender credit gap. For example, due to gender bias by lenders, women-led enterprises in Vietnam have a 34 percent higher likelihood that their loans will be denied than men-led firms (Le and Stefańczyk 2018). However, increasing women’s control over finances by combining access to bank accounts with skills training can shift conservative social norms and increase women’s work (Field et al. 2021).

The Entrepreneurship indicator measures restrictions on women’s legal capacity as well as laws prescribing equal access to credit. Many economies (104) still lack a legal provision that expressly prohibits gender-based discrimination in access to credit (table 1.10). Women can sign a contract in the same way as men in all but 2 of the 190 economies measured. Seven economies legally restrict women from registering a business in the same way as men. And in six economies, women cannot open a bank account in the same way as men.

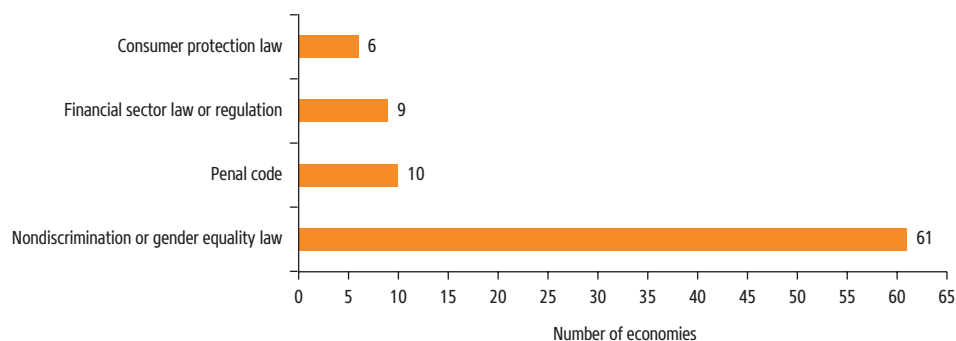
Gabon reformed two data points measured under this indicator. A reform of the civil code equalized access to bank accounts for women by abolishing the legal provision that a husband be notified when his wife opens a bank account. In addition, a reform of the penal code made access to finance easier for women by prohibiting sex discrimination in access to banking services. Egypt also made credit more accessible for women by prohibiting gender-based discrimination in financial services. On April 22, 2021, the Central Bank of Egypt issued a circular on “enhancing gender equality in all financial transactions, including loans and credit facilities.” It was enacted shortly after the president of Egypt directed the government to support programs on women’s access to loans and financial literacy. This effort to prohibit gender discrimination in access to credit through central bank regulation continues a regional trend captured by the *Women, Business and the Law* reports for 2020 (Saudi Arabia, United Arab Emirates) and 2021 (Bahrain, Jordan). Similarly, Sierra Leone’s central bank issued a directive in August 2021 mandating that financial services be provided without discrimination based on sex.

However, the majority of economies prohibit discrimination in access to financial services through specific nondiscrimination or gender equality laws (figure 1.9). A statutory law usually takes longer to enact than a subsidiary legal instrument like a financial sector regulation, as it has to go through the full parliamentary legislative process. This period enables a wider variety of stakeholders to provide input, increasing transparency and safeguards for women’s interests. Whatever the regulatory approach, the nondiscrimination provision should be included in a binding legal document that is widely publicized to financial service providers and consumers alike. It should provide effective remedies for and monitoring of violations of the nondiscrimination principle.

TABLE 1.10 NUMBER OF ECONOMIES THAT HAVE NOT REMOVED BARRIERS TO WOMEN’S ENTREPRENEURSHIP		
Question	Number of economies with a “no” response	Number of economies with at least one “no” response
1. Does the law prohibit discrimination in access to credit based on gender?	104	
2. Can a woman sign a contract in the same way as a man?	2	104
3. Can a woman register a business in the same way as a man?	7	
4. Can a woman open a bank account in the same way as a man?	6	

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

FIGURE 1.9 | NUMBER OF ECONOMIES THAT PROHIBIT DISCRIMINATION IN ACCESS TO FINANCIAL SERVICES THROUGH DIFFERENT TYPES OF LEGISLATION



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

In contrast to these positive changes, Pakistan restricted a woman's ability to register a business. Despite an amendment in August 2020, the Companies Act still restricts a woman's ability to register a business, leaving discriminatory provisions in Articles 31 and 37 intact that require a married woman to provide details about her husband when signing the company memorandum and articles of association. A presidential ordinance of May 2019 had repealed these discriminatory articles; however, the ordinance expired after 120 days, having failed to be ratified by Pakistan's senate and national assembly.

Assets

The Assets indicator examines gender differences in property and inheritance law. Giving women the ability to control assets can enhance their bargaining power within the household, boost their agency, and possibly alter household investment patterns (Agarwal 2003; Ali, Deininger, and Goldstein 2014; Daley, Dore-Weeks, and Umuhoza 2010; Santos et al. 2014). It may also improve access to finance (Persha, Greif, and Huntington 2017).

Evidence from 41 low- and middle-income economies finds significant gaps in property ownership between men and women, which are particularly pronounced in rural areas and areas with high poverty rates (Gaddis, Lahoti, and Swaminathan 2020). Gender gaps in property ownership may be due to discriminatory norms and, most important, a discriminatory legislative framework—encompassing laws on inheritance, property ownership, and marital regimes. Property ownership is associated with higher levels of well-being for women, and the positive impacts of reforming discriminatory property laws may be even greater for daughters of the women directly affected, suggesting that the positive effects of reform are long lasting (Deininger, Goyal, and Nagarajan 2013).

Of the 190 economies studied, 76 (40 percent) limit women's property rights (table 1.11). The pace of reform under this indicator has been particularly slow.

TABLE 1.11 NUMBER OF ECONOMIES THAT DO NOT HAVE LAWS GRANTING WOMEN EQUAL RIGHTS TO PROPERTY AND INHERITANCE

Question	Number of economies with "no" response	Number of economies with at least one "no" response
1. Do men and women have equal ownership rights to immovable property?	19	
2. Do sons and daughters have equal rights to inherit assets from their parents?	42	
3. Do male and female surviving spouses have equal rights to inherit assets?	43	76
4. Does the law grant spouses equal administrative authority over assets during marriage?	18	
5. Does the law provide for the valuation of nonmonetary contributions?	57	

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

In 19 economies, women do not have equal ownership rights to immovable property. Studies have shown that granting women equal rights to property is crucial to improving their economic empowerment. Such rights include access to assets upon dissolution of marriage and, in particular, recognition of nonmonetary contributions to the household, such as unpaid care for children, which is performed disproportionately by women. There is much room for improvement in this area, as 57 economies do not recognize such nonmonetary contributions. Arguments supporting the equal distribution of property can be based on analysis of comparative good practices, such as common law principles, and an economic reexamination of the monetary value of women's contributions to the household (Efe and Eberechi 2020). In nine economies, the husband has the right to control assets that are owned jointly by both spouses.

Since 2011, when Mali equalized rights for both sons and daughters and male and female surviving spouses, no reforms have been recorded in the area of inheritance. This means that, worldwide, 43 economies still do not grant equal inheritance rights to male and female surviving spouses and 42 economies prevent daughters from inheriting in the same way as sons.

Gabon is the only economy to have reformed such laws since 2019. With the reform of the civil code, Gabon gave women equal administrative authority over assets during marriage and equal ownership rights over immovable property. The revised civil code also abolished discriminatory provisions that previously made the husband the sole administrator of marital property.

Pension

The Pension indicator assesses laws affecting women's economic security after retirement. Eleven economies have yet to implement an old-age pension system for private sector workers, placing both women and men at greater risk of poverty in old age. Differences in women's working lives relative to those of men can result in unequal economic outcomes in retirement (Joubert and Todd 2020). Laws that set lower retirement ages for women than for men exacerbate these unequal outcomes by reducing the amount of time that women contribute to their pensions and save for old age. In 121 economies, there is room to improve laws to achieve gender equality with regard to women's pensions (table 1.12).

TABLE 1.12 NUMBER OF ECONOMIES THAT DO NOT HAVE LAWS ENSURING WOMEN'S ECONOMIC SECURITY IN OLD AGE		
Question	Number of economies with a "no" response	Number of economies with at least one "no" response
1. Is the age at which men and women can retire with full pension benefits the same?	65	121
2. Is the age at which men and women can retire with partial pension benefits the same?	37	
3. Is the mandatory retirement age for men and women the same?	15	
4. Are periods of absence due to childcare accounted for in pension benefits?	85	

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

Sixty-five economies set different ages for men and women to retire with full pension benefits, with women being able to retire about 10 months (as in Lithuania) to 10 years (as in China) earlier than men. While an earlier retirement age affects women's pension benefits and shortens their professional careers, it may also deter employers from investing in skills development and slow economic growth (Böheim 2019). However, the average gap in retirement ages for men and women is narrowing over time, as schemes to increase and equalize retirement ages gradually approach completion.

Thirty-seven economies establish different ages for women and men to retire with partial pension benefits. In these economies, women can retire with partial pension benefits between four months and five years earlier than men. Of the 66 economies that establish mandatory retirement ages, 15 economies across all regions except South Asia set different retirement ages for men and women.

More than half of all economies covered count periods of absence from work due to childcare when determining pension benefits. Of the economies that do not account for these periods, 54 percent are located in East Asia and Pacific and in Sub-Saharan Africa. Australia and the United States are the only two high-income countries from the OECD region that do not take these periods into account.

Three economies—Argentina, Cambodia, and Ukraine—introduced reforms in the Pension indicator in the past year. Recognizing that women face greater difficulties in entering the formal labor market, Argentina introduced a decree calling for pension benefits to count periods of childcare for mothers and pregnant women. Cambodia introduced an old-age pension system that sets equal ages at which women and men can retire with full pension benefits. Ukraine completed a scheme introduced in 2011 to raise the retirement age for women gradually from 55 to 60 (the retirement age for men) by 2021.

What's next?

Women, Business and the Law remains committed to advancing the discussion of how legal equality contributes to women's economic empowerment and growth. Policy makers, international organizations, civil society organizations, gender equality advocates, investors, and researchers can use its findings in many ways. The data can help to identify both good practices and gaps in the regulatory environment that influence women's prospects as employees and entrepreneurs. The findings can be used to inform legislative changes, make decisions on policy reform and private investment,

and support civil society in advocating for reform (box 1.3). Data can also be used by the private sector; in many economies, firms have pioneered the effective policies that later become law, including and especially in the areas of nondiscrimination at work, sexual harassment, and paid leave. *Women, Business and the Law* will complement its global study and data set with regional and country-specific analysis (regional profiles, global indicators policy briefs) to inform local policies and highlight the work that remains.

Women, Business and the Law continues to pursue its substantial research agenda. Building on the evidence presented in last year's edition, this year's report analyzes

BOX 1.3 ENGAGEMENT WITH CIVIL SOCIETY ORGANIZATIONS

Disseminating findings is instrumental to raising awareness about the importance of legal reform to address gender disparities and build capacity to promote women's rights through gender-equal reforms and policies. Since 2016, the *Women, Business and the Law* team has organized in-country workshops with civil society organizations in 17 Sub-Saharan African economies (figure B1.3.1). The workshops bring together civil society organizations, policy makers, and development actors to discuss barriers to women's economic opportunities and how to use data and evidence to amplify core messages about the economic consequences of gender equality reforms.

FIGURE B1.3.1 | IN-COUNTRY ENGAGEMENT WITH CIVIL SOCIETY ORGANIZATIONS IN SUB-SAHARAN AFRICA, 2016–21



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

In late 2019, the team also organized a South-South Knowledge Exchange workshop in Brasilia, Brazil, to discuss best practices regarding legislation, public policies, and initiatives for women's empowerment and to address gender-based violence. The workshop brought together representatives from Brazil and five African members of the Community of Portuguese Speaking Countries, namely Angola, Cabo Verde, Guinea-Bissau, Mozambique, and São Tomé and Príncipe.

In early 2020, the World Bank organized a peer-to-peer learning event in Libreville, Gabon, to discuss the impact of discriminatory laws and practices on women's empowerment and good-practice laws that enhance women's economic opportunities. The event brought together ministers of women's affairs, senior leaders, and policy makers from 14 West and Central African economies, including the first ladies of Burkina Faso, the Democratic Republic of Congo, and Gabon.

Understanding the process behind the enactment of legislative reforms is useful for countries interested in adopting the laws most relevant to closing the gender gap. To this end, the *Women, Business and the Law* team has initiated a series of case studies to learn about the motivations for legal reforms that countries have undertaken over the last 50 years. The first countries selected for this research are the Democratic Republic of Congo, Ethiopia, India, Kenya, São Tomé and Príncipe, South Africa, and Togo. As part of this work, the team has interviewed in-country actors to understand the political economy of how successful reforms have been carried out and to provide an example for countries wanting to undertake similar reforms.

preliminary data on childcare and on implementation of the law in chapters 2 and 3, respectively. Research at the pilot stage shows that the availability and regulation of different types of childcare services vary widely across regions. Economies also vary widely on the parameters for quality of childcare provision, with no clear regional pattern. Therefore, evidence of what determines parental uptake of services is inconclusive at this stage. This research will continue, with plans to refine and expand the pilot exercise in subsequent editions, especially as new research continues to inform the measurements.

The implementation pilot explores ways to measure *Women, Business and the Law* indicators in practice. First, supportive frameworks related to each of the eight indicators were examined, including the sequencing of legislation, women's access to justice and other government programs, and the efficiency of legal operations. A second approach measured the opinions of experts on the ground regarding progress toward gender equality. The findings show clear gaps in the implementation of laws in all indicators, with Pay and Pension standing out as areas in need of improvement across both measurements. While the data provide valuable insight into how the law functions, the research techniques will continue to be adjusted to present a more accurate picture of implementation in subsequent editions.

Finally, new research areas are developing. As part of the World Bank Group's 10 Commitments on Disability-Inclusive Development, *Women, Business and the Law* is producing data and analysis on legal protections for women with disabilities to understand how laws can protect women from intersectional discrimination (box 1.4). Other potential research questions relate to the link between legal gender equality and informality, use of fiscal policy and budget systems to close gender gaps, access to digital technology, and longer-term challenges associated with climate change. *Women, Business and the Law* is committed to producing data and evidence that can inform policies to advance women's economic opportunities around the world.

BOX 1.4 HOW CAN LAWS PROTECT THE RIGHTS OF WOMEN WITH DISABILITIES?

Since 2019, *Women, Business and the Law* has collected and analyzed data to understand how laws can protect women with disabilities from intersectional discrimination. Employment rates of women with disabilities are lower than those of both men with disabilities and men and women with no disabilities (WHO and World Bank 2011). Young women with disabilities endure up to 10 times more gender-based violence than those with no disability (UNFPA 2018).

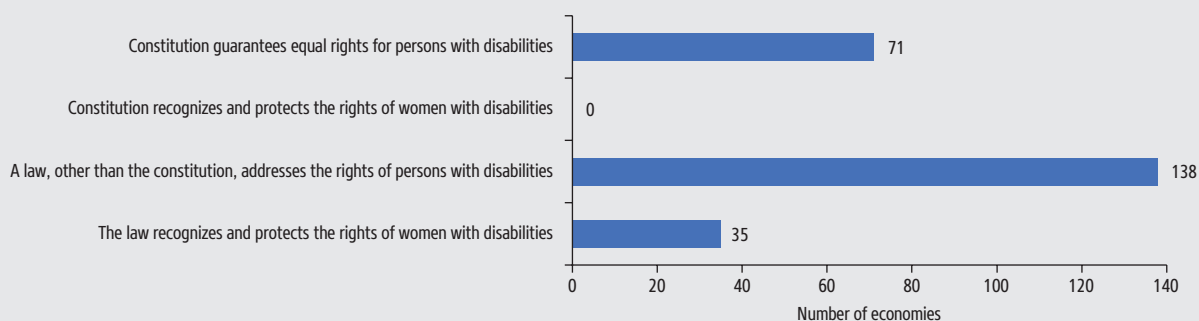
The research is based on internationally agreed standards as established by the 2006 United Nations Convention on the Rights of Persons with Disabilities and, in particular, Article 6, which recognizes that legal and policy measures need to be taken so that women with disabilities can enjoy their fundamental rights and freedoms fully and equally. Mapping the regulatory framework can help to identify good practices and guide economies in the enactment of much-needed laws and policies on the socioeconomic inclusion of women with disabilities.

Legislative approaches to promote the rights of women with disabilities differ widely. Initial analysis of constitutions and statutory laws in 176 economies revealed that, while 71 economies guarantee equal rights for persons with disabilities in the constitution, none of the constitutions analyzed mentions women with disabilities. With regard to statutory laws, the preliminary research found that, while 138 economies have a law that addresses the rights of persons with disabilities, only one-fourth of the economies analyzed (35) explicitly recognize and protect the rights of women with disabilities (figure B1.4.1). Many disability rights laws use gender-neutral language and fail to account sufficiently for the needs of women with disabilities, who face additional and multiple discrimination.

(Box continues next page)

BOX 1.4 HOW CAN LAWS PROTECT THE RIGHTS OF WOMEN WITH DISABILITIES? (continued)

FIGURE B1.4.1 | PRELIMINARY FINDINGS ON THE LEGAL FRAMEWORK RELATED TO WOMEN WITH DISABILITIES



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

However, some economies do address the needs of women with disabilities. For example, Indonesia's law recognizes the importance of protecting women with disabilities from violence by providing information services and requiring shelters to be easily accessible. Kuwait's law affords additional maternity leave benefits to women with disabilities. Moldova requires medical service providers to take "special needs ... into account, including gynecological treatment and counselling on family planning and reproductive health" (Article 42 [12]).

Overall, preliminary findings confirm, "Laws and policies on disability have historically neglected aspects related to women and girls with disabilities. In turn, laws and policies addressing women have traditionally ignored disability" (Committee on the Rights of Persons with Disabilities 2016). A gap in knowledge about global good practices is evident in the existing data. To address this gap, *Women, Business and the Law* collected additional data on the rights of women with disabilities in the areas of employment law, family law, nondiscrimination legislation, and gender-based violence. A publication of the results is planned for the spring of 2022.

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

Notes

1. Through a meta-analysis, Chmielewska et al. (2021) confirm that maternal and fetal health outcomes have worsened since the onset of the COVID-19 crisis. Tu et al. (2021) document changes in short-term sexual and reproductive health and behaviors, noting the need for further research into the long-term effects.
2. Lakshmi Ratan et al. (2021) discuss the impacts of the COVID-19 pandemic on women working in the informal sector.
3. 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.
4. See the World Bank Entrepreneurship Database, <https://www.worldbank.org/en/programs/entrepreneurship/inforgraphics>.
5. Research by Bhalotra, Brulé, and Roy (2020) shows that equalizing inheritance rights between sons and daughters in India increased son preference and female feticide.

6. For complete data and legal bases, see <https://wbl.worldbank.org/en/wbl-data>.
7. In 2021, alongside the aggregate index and 35 underlying data points, *Women, Business and the Law* published a detailed breakdown of the number of maternity, paternity, and parental leave days available to parents. These data will inform empirical investigations of the link between these policies and women's labor market outcomes as well as other relevant issues such as fertility and population growth.
8. The data for the United States refer to New York State legislation.

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