

CHAPTER 2



Introducing *Women, Business and the Law* 2.0: Toward Better Measurement of Laws, Policies, and Practices

Introduction

On October 24, 2023, tens of thousands of women and nonbinary people in Iceland, including the prime minister, took to the streets to protest the country's persistent gender pay gap and pervasive gender-based violence. The last time Icelandic women protested to this extent was in 1975, when 90 percent of women withheld their labor, both paid and unpaid, for a day to demonstrate the importance of women in society. This protest led to pivotal changes in the country, including the enactment of a law guaranteeing equal pay and the inauguration of the world's first democratically elected female president, Vigdís Finnbogadóttir (Erlingsdóttir 2021).

Despite this progress, today Iceland still has a 21 percent wage gap, and 22 percent of women have experienced gender-based violence (World Economic Forum 2023). Similarly, on average, women around the world earn 77 cents for every dollar earned by men, and one in three women have been subjected to gender-based violence (ILO 2016; WHO 2021). According to the latest research, US\$7 trillion could be added to the global economy if more women were in the workforce and in management in Organisation for Economic Co-operation and Development (OECD) countries alone (Holland and Ell 2023). At a global level, achieving gender parity in employment and pay could unlock as much as a 20 percent increase in GDP per capita (Pennings 2022). In the face of international conflicts, climate disasters, and aging populations, economic development is critical to avoiding high government debt and slow growth. Women have the power to turbocharge the global economy, and yet they continue to remain on the sidelines.

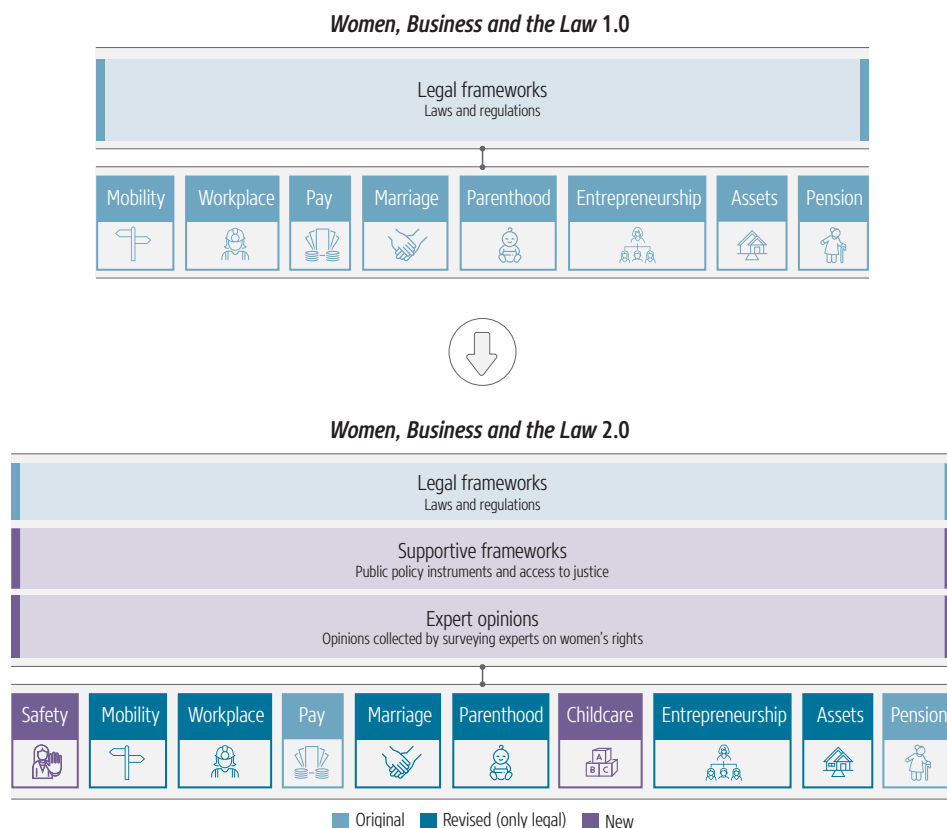
Laws are the necessary first step toward women's economic empowerment. But inadequate implementation and weak enforcement remain critical barriers to the realization of women's rights and opportunities. To present a more complete

picture of the global environment that enables women’s socioeconomic participation, *Women, Business and the Law* embarked on a journey to measure the implementation gap between laws—de jure—and how they function in practice—de facto.

Women, Business and the Law 2022 presented a conceptual framework that was further developed for this report. The “structure-process-outcome” method, often applied in indicators that monitor compliance with human rights (OHCHR 2006), was used to construct *Women, Business and the Law 2.0*. This method has three pillars: (1) legal frameworks, (2) supportive frameworks, and (3) expert opinions (figure 2.1). The approach is anchored in several human rights principles: indivisibility, equality and nondiscrimination, participation and inclusion, accountability, and the rule of law. It goes beyond measuring *structure* indicators, such as the existence of written laws, to include *process* indicators aimed at capturing the instruments designed to support the implementation of laws, such as national policies, plans and programs, services, budgets, procedures, data, and sanctions for noncompliance with quality standards. *Outcome* indicators are aimed at understanding the extent of effective implementation by means of expert opinions surveys.

Women, Business and the Law 2.0 takes a significant stride toward a new frontier in measuring women’s rights across these three pillars. The introduction of two new

FIGURE 2.1 | WOMEN, BUSINESS AND THE LAW 2.0 INTRODUCES NEW MEASUREMENTS TO TRACK GLOBAL PROGRESS TOWARD GENDER EQUALITY



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

indicators—Safety and Childcare—expands the topics from eight to 10 (annex 2A). The existing legal indicators are further refined by adding new questions and removing some of the existing ones under Mobility, Workplace, Marriage, Entrepreneurship, and Assets that capture important areas for women’s economic empowerment not previously measured and by refining the methodology for some existing indicators (Mobility, Workplace, Parenthood, and Entrepreneurship) to produce four questions for each of the 10 indicators. To shed light on the implementation and application of the law in practice, *Women, Business and the Law 2.0* also introduces supportive frameworks indicators as well as expert opinions for all 10 legal indicators (table 2.1). Findings from this new

TABLE 2.1 INTRODUCING THE 10 INDICATORS OF <i>WOMEN, BUSINESS AND THE LAW 2.0</i> : TOWARD BETTER MEASUREMENT OF LAWS, POLICIES, AND PRACTICES			
Indicator	Legal frameworks index	Supportive frameworks index	Expert opinions index
 Safety	Laws addressing child marriage, sexual harassment, domestic violence, and femicide	Action plans, services for survivors, special procedures, monitoring and implementing agencies, and budget allocations	Observations on women’s freedom from gender-based violence
 Mobility	Constraints to a woman’s agency and freedom of movement and new questions on conferring citizenship to children and spouses	Identification and passport application processes as well as gender-sensitive public transportation policies and plans	Observations on women’s freedom of movement in practice
 Workplace	Protections against discrimination based on gender, adding protections in recruitment and flexible work arrangements	Guidelines published by the government on nondiscrimination and flexible work arrangements	Observations on women’s opportunities to enter and remain in the workforce in practice
 Pay	Mandates of equal remuneration for women and men for work of equal value and women’s work at night, in industrial jobs, and in jobs deemed dangerous	Transparency measures and enforcement mechanisms and the availability of statistical data on women’s employment in different industries	Observations on equal remuneration for work of equal value and women’s and men’s equal access to high-paying jobs in practice
 Marriage	Constraints related to marriage and divorce because equal rights in marriage and divorce are critical to a woman’s agency, financial security, and health	Fast-track processes in family disputes, specialized family courts, and legal aid in family law disputes	Observations on women’s and men’s equal rights during marriage and divorce in practice
 Parenthood	The availability of paid maternity and paternity leave, whether the cost is covered by the government, and whether dismissal of pregnant workers is prohibited	The ease of application and incentives for fathers’ leave and availability of data on women’s unpaid care work	Observations on access to maternity and paternity leave in practice
 Childcare	Laws that regulate the availability, affordability, and quality of childcare services	Financial support applications, databases of providers, and quality reports	Observations on access to affordable and quality childcare services in practice
 Entrepreneurship	Constraints to a woman’s ability to start and run a business, gender-sensitive criteria in public procurement, and quotas for women on public corporate boards	The availability of statistical data on women’s business activities, government-led strategies and programs on women’s entrepreneurship, and entrepreneurs’ access to financial services	Observations on women’s opportunities to start and run a business and women’s and men’s equal access to credit in practice
 Assets	Women’s rights to immovable assets, through property rights and inheritance, including land rights	Policies supporting women in registering land, together with awareness campaigns and the availability of statistical data on women’s property ownership	Observations on women’s and men’s equal enjoyment of the rights to immovable property in practice
 Pension	Differences in retirement ages and whether the law allows for pension care credits to compensate for a woman’s career interruptions	Incentives to increase women’s retirement benefits and dedicated procedures to challenge benefit decisions	Observations on women’s and men’s equal enjoyment of pension benefits in practice

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

research can inform policies seeking to ensure women's full and equal participation in public and private affairs.

This chapter follows the structure-process-outcome approach, defining the two new and eight revised legal indicators before detailing the supportive frameworks indicators and concluding with the expert opinions indicators.

Development of *Women, Business and the Law* 2.0

All new questions in the legal and supportive frameworks indicators continue to apply the established *Women, Business and the Law* methodology to ensure transparency and comparability across economies, and answers were based on data collected through surveys of experts and validated through desk research. The questions are based on an international consensus derived from an extensive literature review on what works to empower women economically, wide-ranging consultations with experts, and accepted international standards—in particular, references to the international women's rights framework. Following pilots in 2022 and 2023 for 25 and 55 economies, respectively, the supportive frameworks and expert opinions components underwent a thorough revision to further strengthen the approach. As a result of this review process, some of the supportive frameworks questions were replaced or rephrased. This step helped to counter any inconsistency in methodology and measurements, such as a lack of data variation across economies and an overly extensive scope resulting in a heavy burden for both respondents and analysts. The updated set of questions is once again aligned with international standards and good practices, is smaller in number, and is simplified in terms of scope. The expert opinions component was also substantially improved to reduce survey fatigue, increase the response rate, and lead to more robust results overall. Inspired by the Varieties of Democracy (V-Dem) survey, the updated expert opinions questions are broader in scope (to avoid expertise mismatch) and follow industry standards, such as a tailored response scale and contextual information provided before each question. The three index components provide three separate scores, and there is no one aggregate index score for *Women, Business and the Law* 2.0.

As for the continuity of the indicators over time, the *Women, Business and the Law* team will update the present 53-year legal panel data set to the extent possible. Depending on the availability of resources, the team will seek to align the panel data set for the legal frameworks questions to reflect the evolution of all 10 indicators since 1970. Such a historic analysis may not be possible for the supportive frameworks because the required documentation may not be available for the assessed policies under the second pillar to the same extent as for the laws captured under the first pillar. Thus data for the supportive frameworks and expert opinions pillars can only be extended forward, not backward.

Scope and definitions of gender equality in the *Women, Business and the Law* framework

In scope, *Women, Business and the Law* 2024 identifies gender equality gaps not only in the law but also in implementing policies and in practice. Identification of these gaps produces a road map for much-needed action to achieve women's full and equal economic empowerment, as described in chapter 1.

For definitions, *Women, Business and the Law* looks at *women* without delving into issues of gender identity and sex characteristics and defers to national legislators for definitions (see the data notes in appendix A). Laws pertaining to the rights of lesbian, gay, bisexual, and transgender people are covered by the World Bank's Equality of Opportunity for Sexual and Gender Minorities initiative. As for a definition of equality, the *Women, Business and the Law* indicators examine laws and policies that aim to achieve both equality between men and women and more equitable outcomes for women, recognizing that women may be facing systemic barriers. Affirmative action and its enabling provisions differ from other antidiscrimination measures by requiring proactive measures to address persistent gender gaps (Holzer and Neumark 2000). For example, a mandatory gender quota has been associated positively with women's economic empowerment in several areas such as education and leadership, and it has been identified as a critical intervention to speed up change (Duflo 2012; Najam 2024; Noon 2010). Where the law prescribes unequal treatment, such as when a woman does not have the same rights as a man to register a business or work in specific industries, removal of those legal restrictions may be a sufficient remedy. However, in the face of persistent inequalities in outcomes, such as gender gaps in labor force participation, property ownership, and the disproportionate numbers of women experiencing gender-based violence, laws and policies must go beyond lifting restrictions and take on an affirmative role. *Women, Business and the Law* aims to measure such gaps by examining whether laws and policies promote a woman's access to equal rights by, for example, prescribing actions aimed at increasing women's access to credit, jobs, or decision-making positions and providing comprehensive protection from violence and harassment against women and girls.

Many of the supportive frameworks measurements go beyond legislative reform and require active involvement from governments, the private sector, and civil society alike. The *Women, Business and the Law* team acknowledges that some of the newly added supportive frameworks measurements require substantial government funding and capacity for successful implementation. Limited resources may prove to be an additional obstacle to the ability of lower-income economies to put these supportive frameworks in place. However, without adequate resources, laws do not translate into action. The long-term benefits of boosting women's economic participation should serve as an incentive for governments and development partners to allocate the necessary funding.

Legal frameworks: Two new indicators on Safety and Childcare and a review of the ongoing eight indicators

Under *Women, Business and the Law* 2.0's legal frameworks, two new indicators were added to measure women's safety and access to childcare and provide a more comprehensive picture of the status of laws and policies critical to women's economic empowerment and their implementation, and the existing eight indicators were reviewed. The following changes were implemented:

- Several questions based on *Women, Business and the Law* 1.0 were merged because widespread reforms have reduced disparities across economies, and some new questions were added. The affected indicators are Parenthood, Entrepreneurship, and Assets.

- The new Safety indicator includes questions on sexual harassment and domestic violence that previously were part of the Workplace and Marriage indicators.
- Under the Mobility indicator, new questions were added on conferring citizenship.
- The Entrepreneurship indicator now includes questions on gender-sensitive procurement and quotas for corporate boards.
- Finally, the Assets indicator was expanded to measure a woman's access to immovable property by explicitly examining her rights in land-related legislation.
- No changes were made to the Pay and Pensions indicators.
- Each of the 10 indicators is now composed of four questions.

Construction of legal frameworks indicators

Data for the legal frameworks index of *Women, Business and the Law 2.0* were collected from the same questionnaires received from more than 2,400 experts in family, labor, and violence against women legislation who were part of the *Women, Business and the Law 1.0* data collection efforts (chapter 1). The questions used to inform the new indicators were added to the questionnaires. The *Women, Business and the Law* team reviewed all the respondents' answers and validated them against codified legal sources. The legal frameworks score was constructed by scoring the 40 questions across the 10 indicators measuring laws affecting a woman's choices throughout her lifetime. Indicator-level scores were obtained by calculating the unweighted average of the four binary questions within that indicator and scaling the result to 100. Overall scores were then calculated by taking the average of each indicator-level score, with 100 representing the highest possible score.

A closer look at the data for one economy illustrates how the scoring works. Mauritius received a score of 100 for five indicators: Mobility, Workplace, Pay, Childcare, and Assets. It received a score of 75 on Safety, Marriage, Parenthood, Entrepreneurship, and Pension because the law in Mauritius does not address femicide, restricts a woman's right to remarry, does not provide maternal leave benefits paid solely by the government, and lacks provisions on gender-sensitive procurement for public procurement processes and on the accounting of periods of absence due to childcare in pension benefits. As a result, the *Women, Business and the Law 2.0* legal frameworks score for Mauritius is 87.5, which is the unweighted average of the 10 indicator scores on a scale of 0–100.

The *Women, Business and the Law* team acknowledges that the introduction of new measurements has a noticeable effect on economy scores. For example, under the Entrepreneurship indicator, *Women, Business and the Law* documented earlier how legal restrictions on a woman's capacity to start and run a business are slowly becoming obsolete, and how many economies have been moving toward a near perfect score (also see chapter 1). The emergence of legal instruments such as mandatory quotas for corporate boards and gender-sensitive procurement practices is relatively recent, and these instruments have not yet been widely adopted. For example, Mauritius's score on Entrepreneurship drops from 100 under *Women, Business and the Law 1.0* to 75 under *Women, Business and the Law 2.0* legal frameworks. Persistent gender gaps in women's employment and entrepreneurship warrant the introduction of such

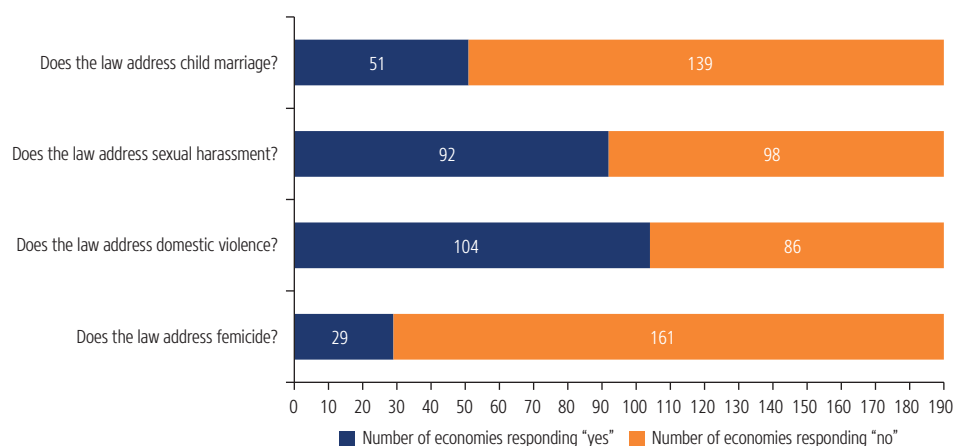
measures. *Women, Business and the Law* will continually monitor the effectiveness and relevance of these measures as well as the evolution of economy scores as laws catch up with new realities.

Safety

Violence against women—the most egregious manifestation of gender inequality—remains part of women’s lives everywhere. Globally, one in three women has been subjected to some form of violence by an intimate or nonintimate partner (WHO 2021). In 2021, more than five women or girls were killed every hour by someone in their own family (UNODC 2022). Gender-based violence against women is an extreme denial of agency and has significant costs. Not only does it undermine a woman’s bodily autonomy and enjoyment of fundamental rights, but it also has detrimental economic repercussions on countries and businesses (EIGE 2021; Harrison 2021; Piccinini et al. 2023; Raghavendran et al. 2022; UN Women 2016; Vyas et al. 2023). Although *Women, Business and the Law* has collected data on violence against women since 2016, including on domestic violence, sexual harassment in employment, and child marriage, the *Women, Business and the Law* index created in 2019 included only one question on domestic violence (under the Marriage indicator) and two questions on sexual harassment in employment (under the Workplace indicator). To complement this research and to recognize that different forms of gender-based violence can blight a woman’s life at any stage, the *Women, Business and the Law* 2.0 index now contains a stand-alone indicator on violence against women: Safety.

Because protecting women from violence is a fundamental first step toward female empowerment, Safety is the first indicator in the new index. This indicator analyzes four forms of gender-based violence against women that have significant impacts on women’s economic empowerment: child marriage, sexual harassment, domestic violence, and femicide (figure 2.2). Serving as the underlying justification for each question in the

FIGURE 2.2 | SAFETY LEGAL FRAMEWORKS QUESTIONS EXAMINE LAWS ON CHILD MARRIAGE, SEXUAL HARASSMENT, DOMESTIC VIOLENCE, AND FEMICIDE



Source: *Women, Business and the Law* 2024 database.

indicator were women's international human rights, as set out in the International Bill of Rights; the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women; the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa; the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence; the UN Declaration on the Elimination of Violence against Women; and the General Recommendations of the Committee on the Elimination of Discrimination against Women (CEDAW GR).

Child marriage—a marriage between a child (that is, under age 18) and an adult or another child—is a widespread problem. Indeed, today one in five young women ages 20–24 married while under the age of 18 (UNICEF 2023). *Women, Business and the Law 2.0* finds that 139 economies do not have adequate legislation addressing child marriage. This inadequacy has important consequences because an early marriage limits a girl's agency, education, and economic opportunities (Nguyen and Wodon 2017).

Sexual harassment is any unwelcome sexual advance, request for sexual favor, or verbal or physical conduct or gesture of a sexual nature that might reasonably be expected or perceived to offend or humiliate another human being (UN Secretariat 2008). *Women, Business and the Law* has traditionally assessed legislation on sexual harassment at work, including measures for redress such as criminal penalties and civil remedies. This form of violence has important economic consequences, ranging from the gender wage gap (Folke and Rickne 2022; Hegewisch, Forden, and Mefferd 2021), to lower productivity (Hejase 2021), to diminished female employment (Adams-Prassl et al. 2023). Legislation on sexual harassment in employment is already assessed by *Women, Business and the Law*, but the new Safety indicator expands the measurement to education, public spaces, and online. Although 151 economies address sexual harassment in employment, fewer economies have laws that address sexual harassment in education (75), public spaces (39), and online (75). Ninety-two economies address at least two forms of sexual harassment, including by establishing criminal penalties or civil remedies, and thus meet the methodology threshold for a positive answer. Sexual harassment in public spaces can dissuade women from using public transport and commuting long distances (Ollivier et al. 2022), and girls face severe education-limiting consequences when they are sexually harassed in school (Cipriano et al. 2022). Meanwhile, the widespread use of new technologies and social media, especially after the COVID-19 pandemic, has spawned the growing threat of online harassment. Its significant labor market impacts include a lower presence at work, the risk of job loss or lower productivity, and a reduced quality of life (Lomba, Navarra, and Fernandes 2021).

Domestic violence is gender-specific violence commonly directed against women and occurring in the family and in interpersonal relationships. The abuse can be physical, emotional or psychological, sexual, or financial or economic. Globally, 104 economies have comprehensive laws addressing domestic violence. Thus 86 economies either do not have a domestic violence law or address it insufficiently, thereby not ensuring protection from all forms of violence, including marital rape, or lacking criminal penalties or protection orders. Domestic violence has serious physical and mental health consequences for a woman's ability to participate in the labor force, as well as for her productivity, salary, and career advancement (Alonso-Borrego and Carrasco 2023; Duvvury, Vara-Horna, and Chadha 2020; Gu, Li, and Peng 2022).

The *Women, Business and the Law 2.0* index is, for the first time, providing a global measure of laws criminalizing femicide—the intentional killing of a woman with a

gender-related motivation. Only 29 out of 190 economies measured explicitly criminalize femicide. Aside from being a brutal form of violence, femicide reduces a workforce and has intergenerational impacts on the victims' families, including children's education and well-being (EIGE 2021; European Parliament 2021).

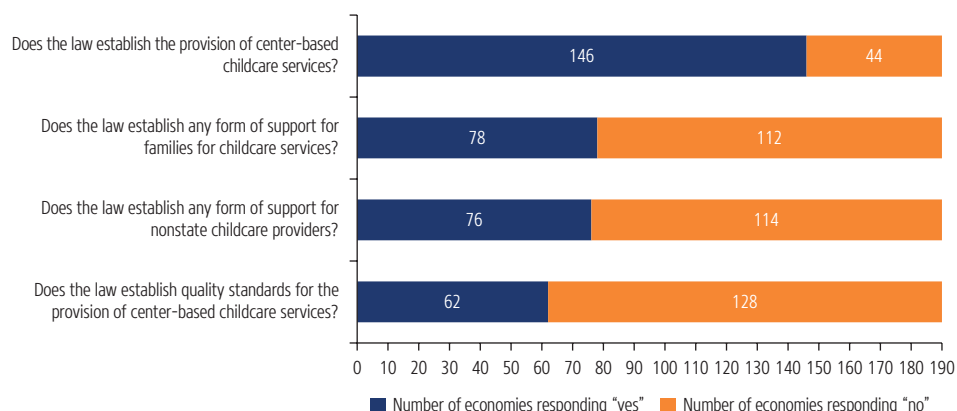
Childcare

Another priority for the achievement of better outcomes for women, children, and the economy overall is the provision of childcare services. In fact, an increase in access to childcare stemming from the enactment of childcare laws as measured by *Women, Business and the Law* is associated with an average 1.0 percentage point increase in women's labor force participation, and this effect grows over time, reaching as much as 2.2 percentage points within five years of implementation (Anukriti et al. 2023). Impact evaluations of childcare interventions have found that access to childcare is an important tool for increasing women's labor force participation in low- and middle-income countries, in addition to combating restrictive gender norms and providing employment opportunities (J-PAL 2023). Building on evidence and preliminary data collected and analyzed since 2021, the *Women, Business and the Law 2.0* team has expanded its data set on the availability, affordability, and quality of childcare services to 190 economies and is presenting a stand-alone indicator on childcare.

The new Childcare indicator assesses the legal frameworks governing childcare provision for children from birth to two years and 11 months. The childcare challenge for families with children under three years of age is particularly acute, but it remains largely unaddressed in government policies (Devercelli and Beaton-Day 2020). The rationale for focusing on children under age three is threefold. First, the International Labour Organization (ILO) identifies access to childcare services for children under age three as a necessary connection between care leave and care services. Only two in 10 potential parents live in countries with a statutory provision of childcare for children under three years of age, while only one in 10 potential parents can use publicly organized childcare services just after the birth of their children, avoiding any break between the end of statutory care leave (where it exists) and the start of early childcare entitlements (Addati, Cattaneo, and Pozzan 2022). Second, an early start to childcare could be a viable option for parents seeking to maintain earnings during the first stage of their child's life and improve parental labor market opportunities, particularly in countries where parents receive fewer adequate care leave cash benefits than employees. Because of the scarcity of social assistance benefits for unemployed mothers, childcare services starting early in a child's life could mean that mothers have a greater chance of joining the labor market. Finally, evidence also shows that the enrollment of children under age three in childcare services is associated with significant child development gains at six to seven years of age (Drange and Havnes 2019).

The Childcare indicator focuses on the options available to parents, the allocation of public funds, and the quality of childcare services (figure 2.3). Specifically, this indicator measures whether the law establishes the provision of childcare services in center-based settings by the government, private providers, or employers. For employers, a positive score is achieved only if employer-based services are not conditional on the number of female employees. Of the 190 economies measured, 146 establish the center-based provision of childcare services, while 44 do not.

FIGURE 2.3 | CHILDCARE LEGAL FRAMEWORKS QUESTIONS EXAMINE LAWS GOVERNING THE PROVISION OF CENTER-BASED CHILDCARE SERVICES



Source: *Women, Business and the Law 2024* database.

The Childcare indicator also examines whether the law provides for some form of support—financial or tax—for families or childcare providers. Among the 190 economies studied, 78 provide families with some form of financial or tax support, and 76 economies establish some form of support for nonstate childcare providers. The high cost of childcare poses challenges for both providers and parents, often compelling parents to explore alternative arrangements, such as relying on family networks, choosing not to enroll their children in formal childcare (Devercelli and Beaton-Day 2020; Sakhonchik, Elefante, and Niesten 2023), or, ultimately, not participating in the labor market.

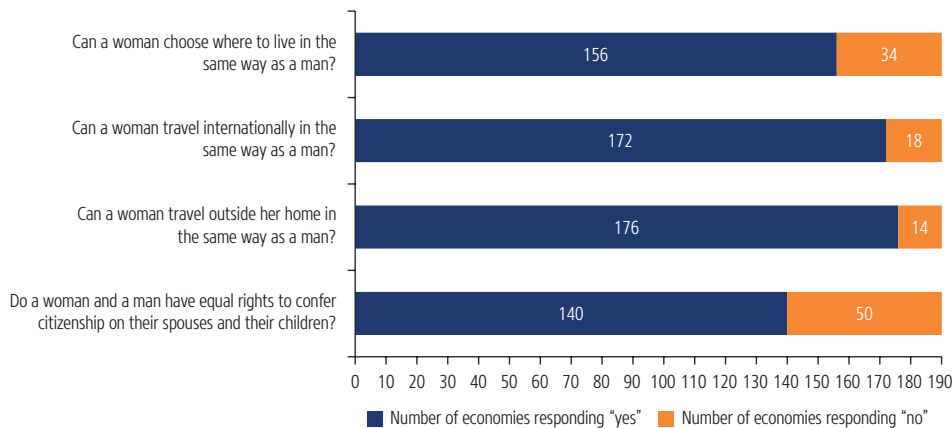
The Childcare indicator also measures whether the law establishes quality standards for the provision of childcare services in center-based settings. They would include structural quality standards (caregiver-to-child ratio or maximum group sizes), workforce quality standards, and quality assurance standards (periodic inspections or periodic reporting). In 62 economies, such quality standards are provided by law, leaving 128 economies without established structural, workforce, and quality assurance standards for center-based childcare services.

Mobility

The Mobility indicator evaluates legal constraints to a woman's agency and freedom of movement, both of which are likely to influence her decision to enter the labor force and engage in entrepreneurial activity (Htun, Jensenius, and Nelson-Nunez 2019). The *Women, Business and the Law* team refined the methodology of the question about whether a woman can travel internationally and introduces a new measure of a woman's mobility rights: the equal right to confer citizenship on her spouse and children (figure 2.4).

Women, Business and the Law has streamlined its questions on traveling internationally, harmonizing its focus across legal and supportive frameworks. Legal constraints related to obtaining a passport are now integrated into the question that

FIGURE 2.4 | MOBILITY LEGAL FRAMEWORKS QUESTIONS EXAMINE LAWS AFFECTING WOMEN'S AGENCY AND FREEDOM OF MOVEMENT



Source: *Women, Business and the Law* 2024 database.

assesses a woman's ability to travel abroad. The procedural aspects of obtaining a passport, such as the additional documents needed or differences in passport application forms for men and women, are now measured by the *Women, Business and the Law*'s new supportive frameworks questions. Eighteen economies continue to restrict a woman's ability to travel internationally in the same way as a man.

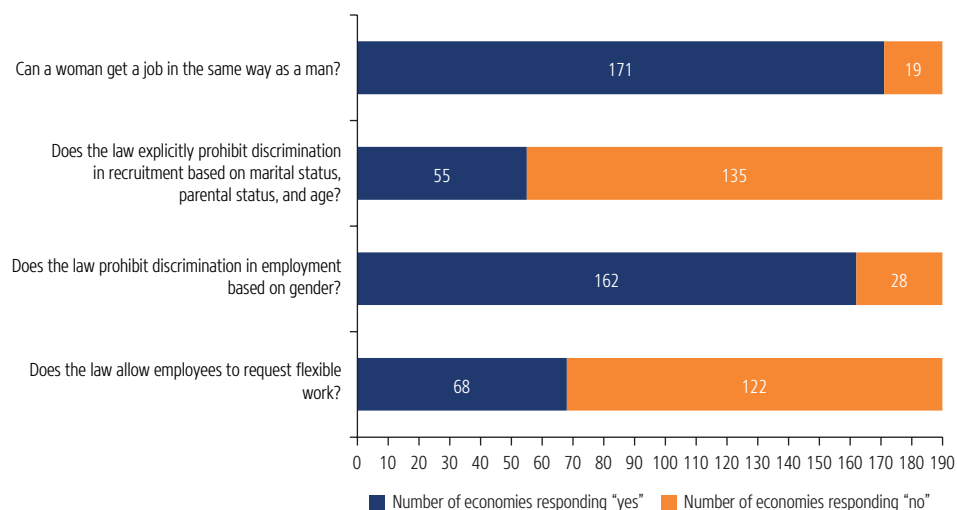
Data from the Mobility legal indicator on whether a woman and a man have equal rights to confer citizenship on their spouses and children reveal that in 28 economies a woman cannot pass her nationality to children in the same way as a man, and in 50 economies a woman does not enjoy an equal right to confer citizenship on her foreign spouse. Discriminatory provisions in nationality laws undermine gender equality with a detrimental effect on a woman's economic opportunities, limiting inheritance and property rights and employment and posing challenges to maintaining the family unit (Albarazi and van Waas 2014; Equality Now 2022; van Waas, Albarazi, and Brennan 2019). By contrast, inclusive citizenship laws can raise trust, reduce the probability and intensity of conflict, and increase income levels (Imam and Kpodar 2020). Discriminatory nationality laws can also restrict a woman's mobility when her children are unable to obtain a passport (UNGA 2023; UNHCR 2019).

Finally, 14 economies continue to limit women's freedom to leave the marital home at will, and 34 restrain their capacity to choose where to live by, for instance, requiring women to acquire their husbands' domicile upon marriage.

Workplace

The Workplace indicator analyzes laws affecting a woman's decision to enter and remain in the labor force and protections against discrimination (figure 2.5). *Women, Business and the Law* 2.0 introduces two new components critical to a woman's decision to enter and remain in the workplace: discrimination in recruitment and the right to request flexible work.

FIGURE 2.5 | WORKPLACE LEGAL FRAMEWORKS QUESTIONS EXAMINE LAWS AFFECTING WOMEN'S DECISIONS TO WORK



Source: *Women, Business and the Law 2024* database.

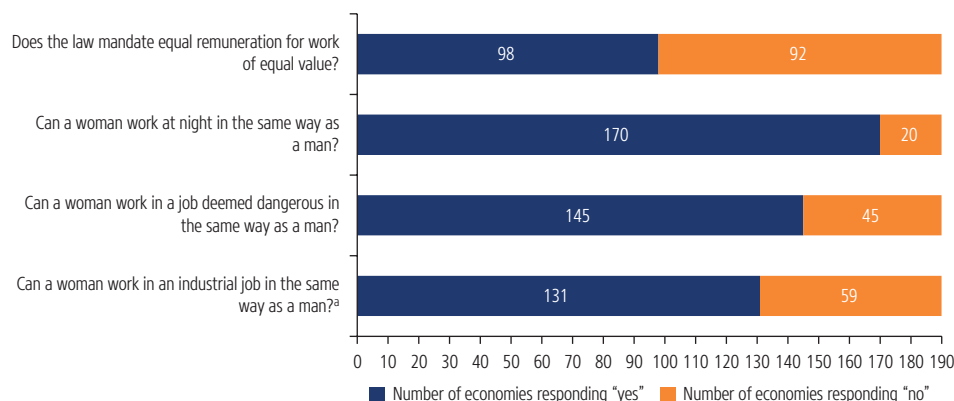
Protection from discrimination in recruitment is specifically in relation to marital status, parental status, and age. Globally, 55 economies prohibit discrimination in recruitment based on these factors. Biased recruitment practices can limit the hiring of women and hinder their labor force participation, whereas similar effects are not observed for men (Button 2019; Cortés and Pan 2020; Gorman 2005; Nadler and Kufahl 2014; Porter 2000).

Although part-time work has been shown to negatively affect female labor force participation (Goldin 2014; Goldin and Mitchell 2017), provisions for flexible work arrangements such as flexible hours and remote work recognize the positive impacts of work-life balance and family-friendly policies on a woman's employment. *Women, Business and the Law* finds that in 68 economies workers have the option of requesting flexible work arrangements through either flexible hours or remote work. Only 37 economies provide for the possibility of requesting both types of flexible work arrangements. Evidence shows that flexible work arrangements facilitate greater female participation and retention in the labor force, concurrently contributing to a more equitable distribution of unpaid work between women and men (Alonso et al. 2019; Chung and Van der Horst 2018; Field et al. 2023; Olivetti and Petrongolo 2017).

Globally, there are still 28 economies that do not prohibit discrimination in employment based on gender, and 19 where women cannot get a job in the same way as a man, thus affecting women's ability to work.

Pay

The Pay indicator continues to examine whether laws are in place to ensure equal remuneration of women and men for work of equal value and whether they allow a woman to work at night, in industrial jobs, and in jobs deemed dangerous in the same way as a man (figure 2.6).

FIGURE 2.6 | PAY LEGAL FRAMEWORKS QUESTIONS EXAMINE LAWS AFFECTING THE GENDER WAGE GAP

Source: *Women, Business and the Law 2024* database.

a. *Women, Business and the Law* takes seven industries into account: agriculture, construction, energy, manufacturing, mining, transportation, and water.

Worldwide, 92 economies do not have legal provisions mandating equal remuneration for work of equal value. Seventy-seven economies impose at least one restriction on the jobs that women can perform at night, in jobs deemed dangerous, or in sectoral and industrial jobs. Specifically, 20 economies prohibit a woman from working at night; 45 prohibit a woman from working in jobs deemed dangerous; and 59 economies still prohibit a woman from working in certain industries (table 2.2). Addressing such barriers to a woman's work is critical because sectoral segregation is closely linked to the gender pay gap, and lower salaries for women than for men can obstruct a woman's ability to advance in her career (Reshi and Sudha 2023).

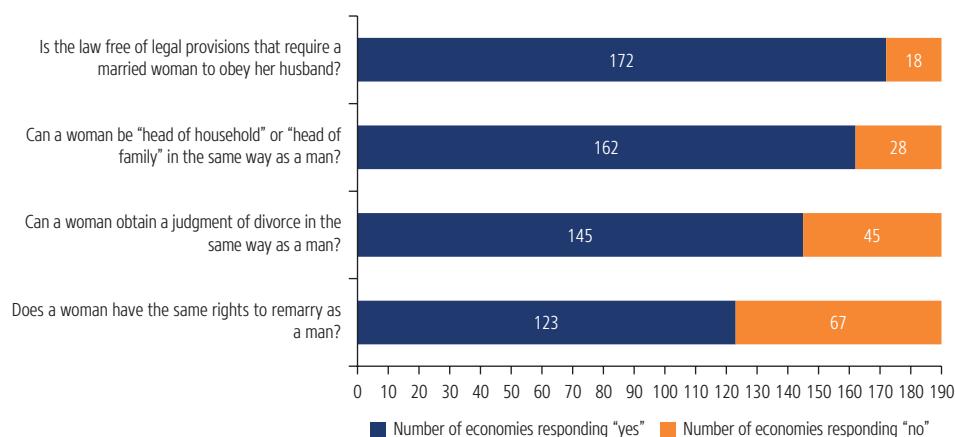
TABLE 2.2 FIFTY-NINE ECONOMIES PROHIBIT WOMEN FROM PERFORMING CERTAIN TASKS IN INDUSTRIAL JOBS		
Industry	Number of economies	Examples
Agriculture	15	Working with fertilizers and insecticides (Angola, Ethiopia, Kuwait, Syrian Arab Republic); serving as agricultural machinists and tractor drivers (Kyrgyz Republic); skinning animals (Lebanon)
Construction	26	Working on a scaffold of 10 meters or more above the ground (Thailand); holding industrial painting jobs (Colombia); repairing buildings (Tajikistan)
Energy	18	Working in the transformation and transmission of electricity (Dominica); engaging in the exploratory drilling of oil and gas wells (Russian Federation)
Manufacturing	39	Greasing and cleaning moving machinery and handling belts and circular saws (Argentina); stretching leathers and sheepskins onto frames, sorting rawhides, cleaning products, dying raw or semifinished products, engaging in mixing in the production of paper, cardboard, and related products (Belarus)
Mining	49	Working in any underground mine (Eswatini, Lesotho); working underground in mines, quarries, and galleries (Cameroon)
Transportation	12	Operating trains (Argentina); driving large, machined engine vehicles (Lebanon); working in railway or road transportation and civil aviation (Tajikistan)
Water	17	Maintaining and repairing viaducts, sewers, and wells (Madagascar); working under ground or under water, such as mine hearths, cable laying, sewerage, and tunnel construction (Türkiye)

Source: *Women, Business and the Law 2024* database.

Marriage

The Marriage indicator assesses legal constraints related to marriage and divorce (figure 2.7). No methodological changes were made to the measurements of marital obedience, being named head of household, obtaining a divorce judgment, and remarrying. The question on whether legislation specifically addresses domestic violence, which previously was part of the Marriage indicator, is now a component of the Safety legal frameworks indicator.

FIGURE 2.7 | MARRIAGE LEGAL FRAMEWORKS QUESTIONS EXAMINE CONSTRAINTS IN MARRIAGE AND DIVORCE

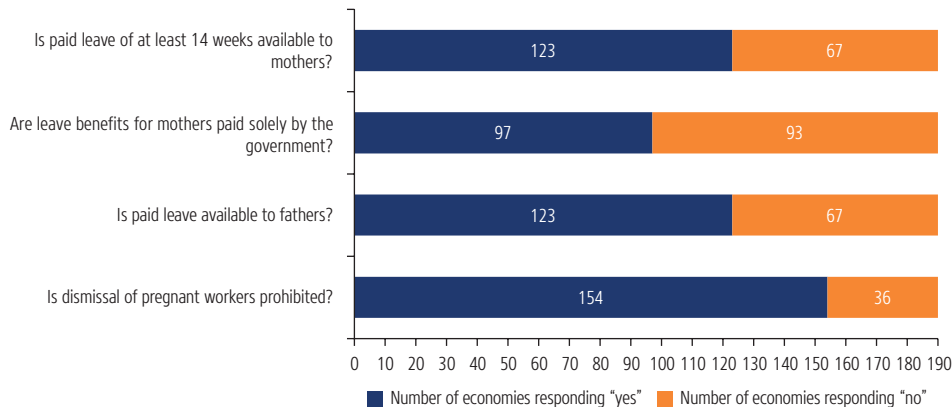


Source: *Women, Business and the Law 2024* database.

The data reveal that women in many economies still face legal barriers when choosing to divorce and remarry. In 45 economies, the rules for divorce are different for a woman and a man, and in 67 economies a woman still does not have the same rights to remarry as a man. Equal rights in marriage and divorce are critical to a woman's agency, financial security, and health. For example, changes in divorce laws have been found to be associated with a decline in the level of intimate partner violence (García-Ramos 2021). Women in 18 economies are legally required to obey their husband, and in 28 economies a woman cannot be "head of household." Several studies have shown that the removal of such restrictions can influence the distribution of bargaining power in favor of women, leading to shifts in their allocation of time toward engagement in the labor market (Gray 1998; Rangel 2006).

Parenthood

The Parenthood indicator analyzes laws affecting women's work after having children. It examines three types of paid leave policies: maternity leave, paternity leave, and parental leave (figure 2.8). Parental leave includes leave either shared between mother and father or is an individual entitlement to each parent.

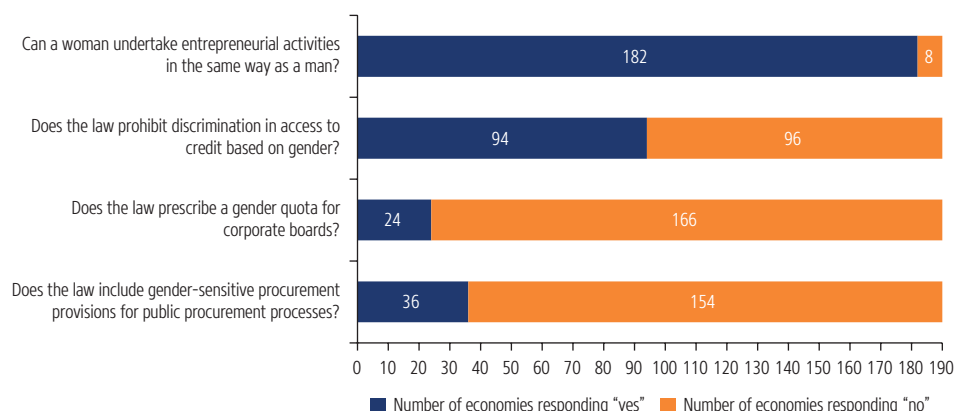
FIGURE 2.8 | PARENTHOOD LEGAL FRAMEWORKS QUESTIONS EXAMINE PAID LEAVE POLICIES AND PROTECTIONS FOR PREGNANT WORKERS

Source: *Women, Business and the Law 2024* database.

To streamline the Parenthood indicator and to provide a more accurate representation of the impact of paid parental leave policies on a woman's labor market performance, *Women, Business and the Law 2.0* incorporates data related to parental leave into the two existing questions on the availability of paid leave for mothers and fathers, respectively. Globally, 123 economies across all regions provide working mothers with paid leave of at least 14 weeks—whether through maternity leave or through parental leave that can be shared or is specifically allocated to mothers—in line with the standard set out by ILO Equal Remuneration Convention No. 100. There is no internationally recognized standard for the duration of paternity leave. The same number of economies (123) offer fathers at least one day of paid leave for the birth of a child, whether through paternity leave or through parental leave specifically allocated to fathers. However, the length of leave differs drastically. Mothers receive an average of 196 days of paid leave, but fathers receive, on average, only 25 days. Laws that encourage a father's participation, such as paid parental leave that reserves a part specifically for fathers (the "daddy quota"), benefit women's labor market outcomes in the long run (Akgündüz and Plantenga 2013; Cools, Fiva, and Kirkeboen 2015; Frodermann, Wrohlich, and Zucco 2023; Rossin-Slater 2017).

Entrepreneurship

The Entrepreneurship indicator examines the constraints on a woman's ability to start and run a business (figure 2.9). Over the last 53 years, the indicator has shown significant advances by all the economies measured. To maintain its comprehensive evaluation of the constraints that women face when starting and operating businesses, the *Women, Business and the Law* team has expanded the scope of the indicator. Although many basic restrictions on women's legal capacities have been removed, the gender gaps in economic outcomes remain significant. Women are still underrepresented in leadership positions and have fewer opportunities for contributing meaningfully to economic activities.

FIGURE 2.9 | ENTREPRENEURSHIP LEGAL FRAMEWORKS QUESTIONS EXAMINE LEGAL CONSTRAINTS ON WOMEN'S ABILITIES TO START AND RUN A BUSINESS

Source: *Women, Business and the Law 2024* database.

Women, Business and the Law 2.0 accounts for these crucial issues and includes two new questions on factors that can accelerate a woman's opportunities: quotas for women on corporate boards of private sector enterprises or publicly listed companies and gender-sensitive criteria in public procurement processes.

Women, Business and the Law has traditionally monitored three distinct aspects of a woman's engagement in entrepreneurial activities: her ability to independently sign a contract, register a business, and open a bank account. Because many economies have progressively eliminated legal barriers in these areas, the revised Entrepreneurship indicator combines these questions to evaluate a woman's overall capacity to participate in entrepreneurial activities. In 2023, only eight economies constrained women in one or more of these aspects.

The Entrepreneurship legal frameworks indicator now also addresses gender gaps in business leadership. According to *Women, Business and the Law 2.0*, only 24 economies require a legally binding gender quota for corporate boards. Despite a growing body of knowledge on the performance benefits of gender-balanced decision-making (García and Herrero 2021; Kang et al. 2022), women hold only about 20 percent of corporate board positions (EIGE 2020). Progress toward more female representation on corporate boards has been at a snail's pace (Deloitte 2022). The presence of women in corporate leadership positions is also associated with other beneficial firm characteristics such as skill diversity and the availability of parental leave (Latura and Weeks 2023; Noland, Moran, and Kotschwar 2016), as well as more environmentally sustainable outcomes (Gambacorta et al. 2022; Moon 2023). Furthermore, providing women with leadership experience and career advancement has been shown to increase their bargaining power over the allocation of household income (Uckat 2023). "Engage Women as Leaders" is one declared goal of the World Bank's new Gender Strategy 2024–30 (World Bank, forthcoming). Recent evidence on European Union legislation suggests that gender quotas for corporate boards are perceived by investors as beneficial, particularly for firms exposed to a large gender imbalance

(Fernández-Méndez and Pathan 2023). Gender quotas can serve as a viable temporary tool to incentivize more women to join corporate boards and have been found to increase the percentage of female directors (Belaounia, Tao, and Zhao 2020). *Women, Business and the Law 2.0* added this question to the Entrepreneurship indicator to measure economies' progress toward more women in leadership positions. Inclusion of the gender quota as a temporary measure will be reevaluated once these measures expire or have achieved their purpose in practice.

In 2003, Norway set a significant precedent, becoming the first economy globally to establish a binding gender quota for corporate boards. The European Union has taken a significant step in that direction by adopting European Union Directive 2022/2381 ("Women on Boards"). The directive requires listed companies with more than 250 employees to fill 40 percent of nonexecutive director positions or 33 percent of executive and nonexecutive director positions by the underrepresented sex by June 2026. Similarly, the recently updated *G20/OECD Principles of Corporate Governance 2023* call for corporate boards to assess whether they possess the right mix of background and competences, which can be reached, for example, through mandatory quotas or voluntary targets for female participation on boards (OECD 2023b). In addition, governments can implement other supportive measures to create a friendlier work environment for women leaders measured under the *Women, Business and the Law 2.0* Workplace, Pay, and Parenthood indicators.

The Entrepreneurship indicator now also measures the existence of gender-sensitive criteria in public procurement laws. Gender-responsive procurement denotes the sustainable selection of services, goods, works, or supplies that considers their impact on gender equality and women's empowerment. It includes, for example, selection or award criteria, tie-breaker conditions, quotas, or reporting obligations for bidders. In *Women, Business and the Law 2.0*, only 36 economies include gender-sensitive criteria for public procurement processes in their laws. For example, the procurement law in Spain has a tie-breaker provision allowing the authorities to consider measures that favor equality between women and men within a company. In Senegal, a law specifies reserved contracts for bidders whose employees are 50 percent women. The procurement law in El Salvador calls for at least 10 percent of the budget allocated for acquisitions to be adjudicated to women-led or women-owned micro, small, or medium-size companies.

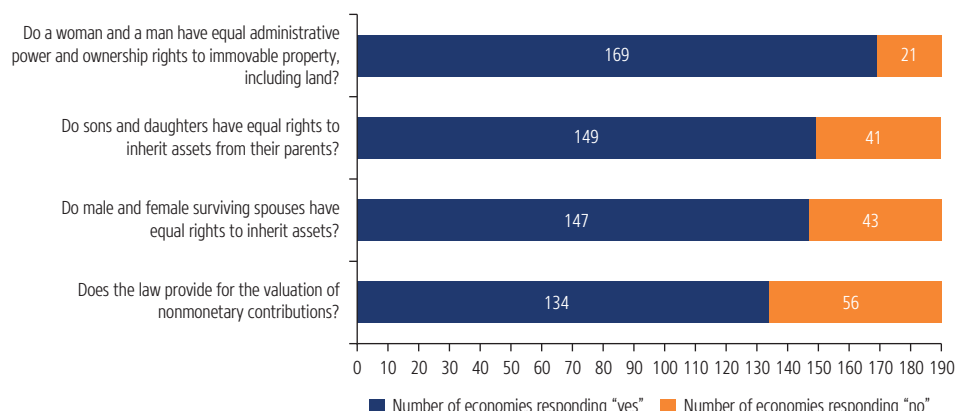
Public procurement typically constitutes about 13–20 percent of a country's gross domestic product, with a global expenditure estimated at nearly US\$9.5 trillion a year.¹ However, women-owned businesses win a mere 1 percent of public procurement contracts at the global level (McManus 2011; Vazquez and Sherman 2013).

Finally, the Entrepreneurship indicator continues to measure whether national laws prohibit discrimination in access to credit based on gender and highlights that slightly more than half of economies still do not have such provisions in place.

Assets

The Assets indicator analyzes gender differences in property and inheritance law (figure 2.10). In the past, the indicator examined two separate questions related to ownership rights and administrative authority over immovable property, focusing solely on property rights as regulated in civil codes or family codes. These two questions are

FIGURE 2.10 | ASSETS LEGAL FRAMEWORKS QUESTIONS EXAMINE GENDER DIFFERENCES IN PROPERTY AND INHERITANCE LAWS



Source: *Women, Business and the Law 2024* database.

now merged. Analysis of equal ownership of immovable property is thus wider in scope so that it also measures restrictions embedded in land codes.

Globally, 21 economies do not grant women equal administrative power over and ownership rights to immovable property, including land. Women are therefore more vulnerable to economic and climate shocks (Asfaw and Maggio 2018; Eastin 2018). In turn, evidence suggests that there is a strong correlation between a woman's control of assets and greater bargaining power within the household, economic mobility, and household resilience (Doss, Kieran, and Kilic 2020; Kilic, Moylan, and Koolwal 2020). Secure property rights are not just a matter of economic prosperity and human development of future generations. They also can provide a pathway to women's empowerment and agency (Jayachandran 2015). Furthermore, secure land rights can foster peace and stability and help mitigate the effects of climate change (Hudson, Bowen, and Nielsen 2020; Quan and Dyer 2008).

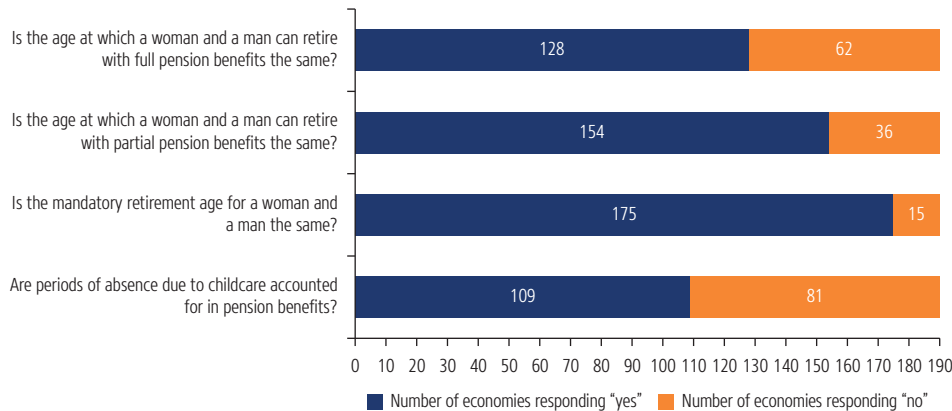
The biggest constraint remains the lack of legal recognition of a woman's nonmonetary contributions to her family, which is true of 56 economies. Nonmonetary contributions include caring for minor children, taking care of the family home, and any other contribution from a spouse that does not directly generate income.

Pension

The Pension indicator assesses laws affecting the size of a woman's pension and continues to measure the age at which men and women can retire and receive full or partial benefits, the mandatory retirement age, and whether the law allows for a pension care credit to compensate for a woman's career interruptions (figure 2.11).

In 62 economies, the age at which a woman and a man can retire with full pensions is not the same. Similarly, in 36 economies retirement ages with partial pension benefits differ for men and women, and in 15 economies women are mandated by law to retire at an earlier age than men. On average, a man receives a higher pension benefit than a woman, and he enjoys a higher level of economic well-being at the end of his working

FIGURE 2.11 | PENSION LEGAL FRAMEWORKS QUESTIONS EXAMINE LAWS AFFECTING THE SIZE OF A WOMAN’S PENSION



Source: *Women, Business and the Law 2024* database.

life (Halvorsen and Pedersen 2019). This so-called pension gap is primarily explained by the gendered effects of pension regulations (Jefferson 2009). Despite the evidence that a mother often reduces her working hours, interrupts her career for some time, or shifts into a less time-intensive job and firm (Goldin, Kerr, and Olivetti 2022), pension systems in many countries focus on paid work and overlook the connection between a woman’s caregiving responsibilities and her lower labor participation relative to that of a man (Jędrzychowska, Kwiecień, and Poprawska 2020), and *Women, Business and the Law* finds that there are 81 economies that still do not account in pension benefits for periods of absence arising from childcare.

Supportive frameworks: Policy instruments to implement gender equality laws

The design of institutions and the public policies overseeing their implementation is critical to the effectiveness of laws and regulations. Although laws can mandate the equal treatment of women and men as employees and entrepreneurs, poor implementation stemming from weak political and legal institutions, a flawed design, or low capacity can limit a woman’s access to the equality that formal laws establish. *Women, Business and the Law 2.0* presents new measures of frameworks that support the implementation of laws for gender equality across all 10 indicators in the index. Each legal frameworks indicator is now complemented by a supportive frameworks indicator that assesses existing public policies through a gender lens.

The term *public policy* refers to a distinct path of action promulgated and implemented by a public institution in pursuit of a stated goal—in this case, gender equality (Mackay and Shaxton 2021). Empirical evidence underscores the critical role of public policies in accelerating gender equality by providing a framework for institutional reforms and programmatic interventions that can influence labor market outcomes for women (Rahman 2023). Reforms and interventions cover a wide range of instruments. For example, there is substantial scope for policy makers to narrow gender gaps in economic

empowerment through fiscal and structural policies (Jain-Chandra et al. 2018). Public policies also encompass national plans and programs, as well as monitoring, evaluation, and enforcement institutions.

The countries most successful in reducing gender gaps mainstream equality in legislation across sectors, designate an official government body as responsible for monitoring gender equality, and administer sanctions for gender discrimination in the private sector (Kashina and Pyakhkel 2020). Providing incentives such as tax benefits is equally important to create an uptake of the services available for the beneficiaries of legal norms. For example, policies that promote maternity and paternity leave, flexible work, and childcare may help to reduce gender gaps in domestic activities and, in turn, drive a reduction in gender differences in the labor market (Del Boca et al. 2020; Profeta 2020).

Allocating adequate financial resources is one of the most important factors when setting up implementing institutions and services. Research has shown that introducing dedicated, systematic funding streams targeted at closing gender equality financing gaps is critical to building an enabling environment for women's inclusion (Rosche 2016). Moreover, if policy makers are to address the barriers facing female employees and entrepreneurs, they need comprehensive and accurate data that capture the realities of women (Bonfert et al. 2023). The collection of high-quality, quantifiable sex-disaggregated data is fundamental to the design of gender-smart policies. To design the right programs and mechanisms, policy makers also need evidence on what works. Implementing gender equality thus requires a multisectoral approach, sustained efforts, and collaboration between government agencies and private sector service providers.

The *Women, Business and the Law 2.0* supportive frameworks are composed of measurements of the elements that reinforce the many legal barriers that a woman faces in her working life. These elements include national policies and plans, programs, services, budgets, procedures, data, policy incentives, guidelines, courts, and institutions (table 2.3).

TABLE 2.3 *WOMEN, BUSINESS AND THE LAW 2.0* MEASURES VARIOUS CATEGORIES OF SUPPORTIVE FRAMEWORKS

Supportive frameworks category	Examples of supportive frameworks data points
National policies and plans	Is there a national government plan or strategy focusing on a woman's access to financial services?
Programs	Are there government-led programs that support female entrepreneurs such as with access to finance or help with agency and empowerment?
Services	Are health care services available for female survivors of violence?
Budgets	Is an annual budgetary allocation devoted to risk mitigation, prevention, and response programs related to violence against women?
Procedures	Is a clearly outlined application procedure in place for parents seeking financial support from the government for childcare services?
Data	Have sex-disaggregated data on employment in different industries or sectors been published?
Policy incentives	Are incentives in place to encourage fathers to take paternity leave upon the birth of a child?
Guidelines	Has the government published guidelines on nondiscrimination based on gender in recruitment?
Access to justice	Are there specialized family courts?
Institutions	Is there a specialized body that receives complaints about gender discrimination in employment?

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

Construction of supportive frameworks indicators

The second pillar, supportive frameworks, goes beyond measuring *structure*—the existence of laws—and focuses instead on *process* by capturing the instruments designed to support the implementation of laws such as national policies, plans and programs, services, budgets, special procedures, and sanctions for noncompliance with certain standards. All questions for the new supportive frameworks index were developed in close consultation with subject matter experts and are based on an extensive literature review and analysis of good practices and evidence highlighting key public policy instruments that support the implementation of laws.

The *Women, Business and the Law* team acknowledges the limitations of the proposed supportive frameworks measurements. The resulting scores are an attempt—not a final assessment—to determine whether an economy’s supportive frameworks are, in fact, fully operational. Wherever possible, the methodology for supportive frameworks is aimed at measuring whether certain policies are implemented in practice. For example, the questions on sex-disaggregated data or availability of legal aid receive a “yes” only when such data are officially published and legal aid is provided. However, in measuring, for example, the existence of national action plans on violence against women or financial inclusion, it is not always possible to assess the effectiveness of these plans after their adoption.

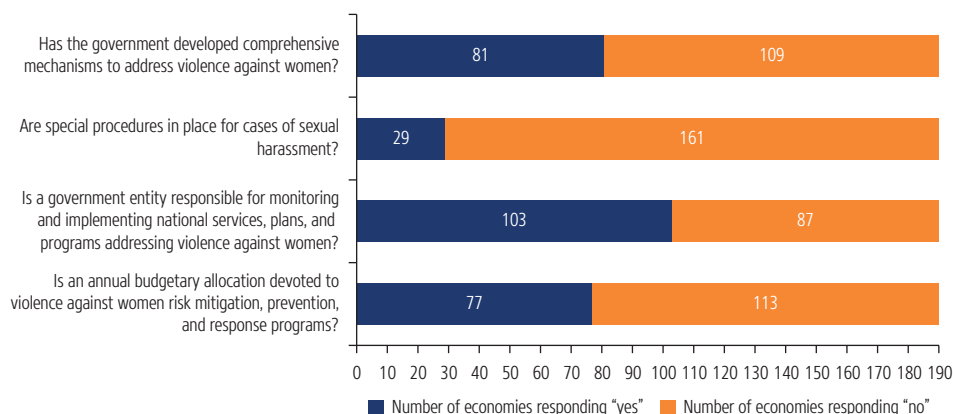
Data for the supportive frameworks index were collected from responses to the questionnaires received from more than 2,400 experts in family, labor, and violence against women legislation as part of the data collection efforts for *Women, Business and the Law* 1.0 (chapter 1). New questions on supportive frameworks appeared alongside the questions on legal frameworks. The *Women, Business and the Law* team subsequently reviewed all respondents’ answers and validated them against publicly available data, including officially published policies and guidelines and government websites. Overall scores for the supportive frameworks are calculated as follows. Thirty questions are scored across the 10 indicators. Indicator-level scores are obtained by calculating the unweighted average of the two to four questions within that indicator and scaling the result to 100. Overall scores are then calculated by taking the average of each indicator-level score, with 100 representing the highest possible score.

For example, Mauritius scores 100 on Entrepreneurship supportive frameworks because it provides all the assessed implementing policies; 75 on Safety because no government entity is responsible for monitoring and implementing services, plans, and programs addressing violence against women; 66.7 on Mobility and Workplace because it lacks a policy explicitly considering the specific mobility needs of women in public transportation and has no guidelines for employers on flexible work arrangements; 50 on Pay, Pension, and Childcare because it lacks transparency measures to address the pay gap and incentives to increase women’s retirement benefits and has no clear application procedure for parents to request financial support from the government for childcare services; 33.3 on Marriage and Assets because it lacks a fast-track process for family law disputes and specialized family courts as well as awareness measures to improve women’s access to information about marital and inheritance rights, and it does not publish sex-disaggregated data on property ownership; and 0 on Parenthood, indicating much room for the enactment of policies to support women’s work after having children. Overall, the *Women, Business and the Law* 2.0 supportive frameworks score for Mauritius is 52.5, the unweighted average of the 10 indicator scores on a scale of 0–100.

Safety

The Safety supportive frameworks indicator examines the mechanisms supporting the implementation of laws on child marriage, sexual harassment, domestic violence, and femicide (figure 2.12). Globally, *Women, Business and the Law 2.0* finds that only 81 economies have developed comprehensive mechanisms to address gender-based violence against women, such as action plans or policies on child marriage, guidelines for addressing sexual harassment in employment, action plans or policies on sexual harassment in public places, support services for female survivors of violence (health, psychological, and legal aid services), and training for judicial and police personnel on violence against women. For example, in Peru the government-run Centros de Emergencia Mujer provide the female survivors of gender-based violence and their family members with around-the-clock psychological and legal assistance. Temporary shelter homes offer protection, food, shelter, medical services, psychological assistance, and vocational training to women who have experienced gender-based violence, especially when they are at risk of femicide. An online service, Chat 100, run by the Ministry of Women and Vulnerable Populations, offers personalized, real-time assistance and psychological guidance to help women identify cases of intimate partner violence. Overall, the provision of specialized police, medical, and legal services in Peru has been found to reduce the incidence of gender-based violence (Sviatschi and Trako 2021). Indeed, cost-benefit analyses have shown repeatedly that investing in support services is more cost-effective than maintaining the status quo (Brown et al. 2023; Iyengar et al. 2008; Teufel et al. 2021). According to *Women, Business and the Law 2.0*, only 29 economies have specialized procedures for cases of sexual harassment. Specialized courts or procedures can provide a more efficient, timelier handling of cases because regular court personnel may lack the gender sensitivity or specific competencies required to address cases of violence against women and may be subject to a case backlog, thereby leading to delays and higher costs for the complainant (United Nations 2010).

FIGURE 2.12 | SAFETY SUPPORTIVE FRAMEWORKS QUESTIONS EXAMINE MECHANISMS IMPLEMENTING LAWS ON CHILD MARRIAGE, SEXUAL HARASSMENT, DOMESTIC VIOLENCE, AND FEMICIDE



Source: *Women, Business and the Law 2024* database.

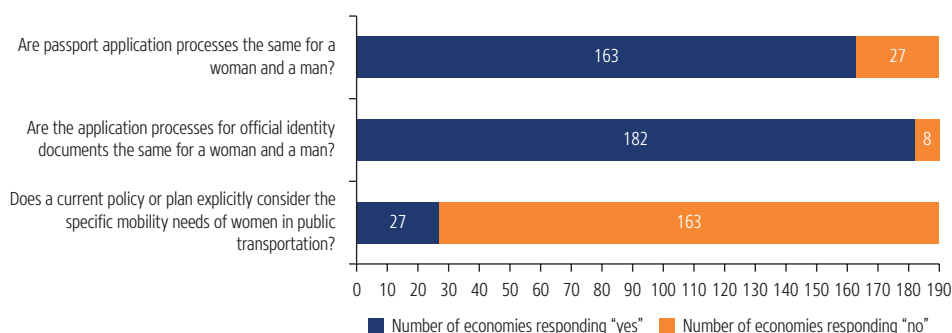
Of the economies assessed, 103 have established government entities responsible for monitoring and implementing national services, plans, and programs addressing violence against women. Regular monitoring is critical to legal implementation and to evaluating its effectiveness, including gaps in scope, lack of a coordinated response, and the inadequate capacity of the relevant stakeholders (Council of Europe 2021; United Nations 2010). Only 77 economies include in their national budgets specific allocations for violence against women risk mitigation, prevention, and response programs. Without sufficient funding, legislation cannot be effectively implemented.

Mobility

The Mobility supportive frameworks indicator measures bureaucratic barriers that constrain a woman's agency and freedom of movement in practice, as well as consideration of women's specific mobility needs in public transportation policies and plans (figure 2.13). For example, although many economies have made progress in ensuring that the legislative provisions on passports are equal for women and men, additional burdens for women are still found in 27 economies in the procedures and application forms used in practice. One such restriction is a requirement for additional documentation. In eight economies, women are subject to procedural barriers that affect their ability to obtain official identification documents. Proof of identity is needed for almost every aspect of life and can be a precursor for everything from taking up formal employment to registering a business, securing land tenure, and accessing finance or government benefits (Dahan and Hanmer 2015; Romana 2023).

The Mobility indicator also measures whether a policy or plan explicitly considers the specific mobility needs of women in public transportation. Globally, only 27 economies explicitly recognize such needs. One example is Argentina, which has a gender and mobility plan that incorporates a gender perspective for infrastructure planning and actively promotes female professionals in the Ministry of Transportation. Such plans are important because a woman's mobility patterns, including the use of public

FIGURE 2.13 | MOBILITY SUPPORTIVE FRAMEWORKS QUESTIONS EXAMINE BUREAUCRATIC BARRIERS TO WOMEN'S AGENCY AND FREEDOM OF MOVEMENT



Source: Women, Business and the Law 2024 database.

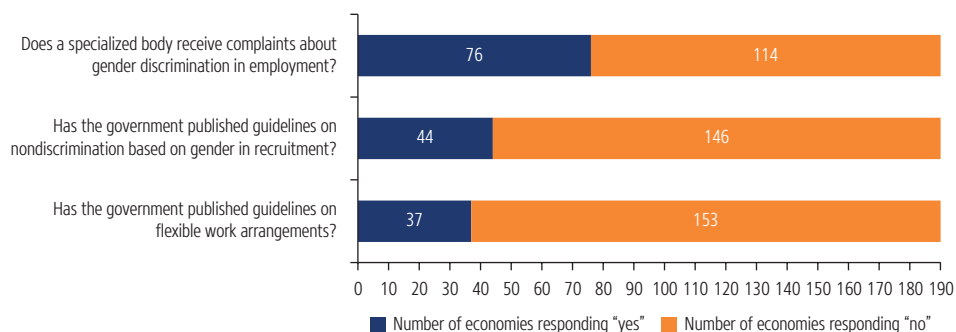
transport, differ from a man's and can present barriers to her education and economic opportunities (Borker 2021 and 2022a; Loukaitou-Sideris 2014; McQuaid and Chen 2012; Roomi and Parrott 2008; Rosenbloom 2004; Salon and Gulyani 2010). Sexual harassment is a particular concern for women's mobility (Borker 2022b; Kondylis et al. 2020), but plans and policies should go beyond safety concerns and comprehensively address women's needs.

Workplace

The Workplace supportive frameworks indicator measures the existence—or absence—of key policy instruments and practices that support the implementation of laws affecting a woman's decision to enter and stay in the labor force (figure 2.14). Globally, 76 economies have independent specialized bodies that receive complaints about gender discrimination in employment. For example, national human rights ombudsman institutions in Cyprus and Poland have addressed discrimination in hiring by private businesses (Reif 2017). Research suggests that national human rights institutions can help enforce laws and alleviate gender discrimination (Allen 2010; Jensen 2019).

This indicator also measures whether governments have published guidelines for the private sector on how to implement gender-sensitive recruiting processes. Governments in just 44 economies have published guidelines specifically for private sector employers. Only 37 economies have adopted guidelines to enable the implementation of flexible work arrangements in the private sector. The ILO finds that specific guidelines that outline good practices—such as legally considering employees' requests in good faith and allowing employees to commute to and from work during off-peak hours—have supported the implementation of flexible work arrangements in Singapore and New Zealand (ILO 2022).

FIGURE 2.14 | WORKPLACE SUPPORTIVE FRAMEWORKS QUESTIONS EXAMINE MEASURES IMPLEMENTING LAWS AFFECTING WOMEN'S DECISIONS TO WORK

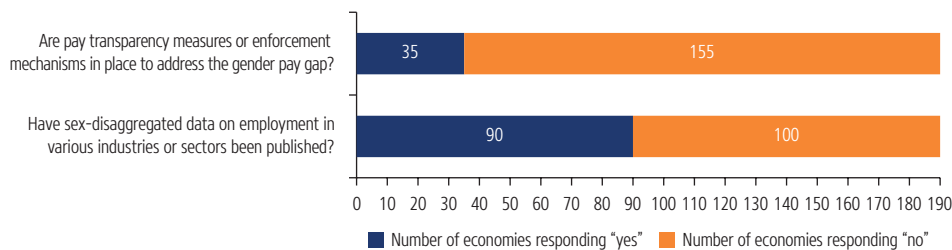


Source: *Women, Business and the Law 2024* database.

Pay

The Pay supportive frameworks indicator measures the existence of certain practices, guidelines, and other policy instruments that affect a woman's pay—such as pay transparency measures and enforcement mechanisms—and the availability of statistical data on women's employment in certain industries, as classified by the International Standard Industrial Classification of All Economic Activities (figure 2.15). Only 35 economies have pay transparency measures or enforcement mechanisms to address the gender pay gap. Employers' pay gap reporting, equal pay audits, certification programs, and gender-neutral job classification systems can help avoid discriminatory pay practices (Frey 2021; OECD 2023a). In Spain, companies are required to create and maintain a pay transparency registry, and companies that fail to comply with this requirement may face sanctions, including inspections and auditing by the Labor Inspectorate. In Peru, the National Superintendence of Labor Inspection has issued a directive to enforce pay transparency measures, including a schedule for equal pay inspections.

FIGURE 2.15 | PAY SUPPORTIVE FRAMEWORKS QUESTIONS EXAMINE MEASURES IMPLEMENTING LAWS AFFECTING WOMEN'S PAY

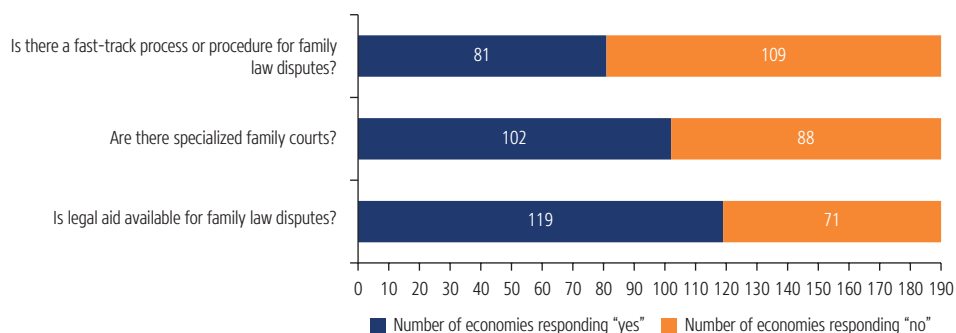


Source: *Women, Business and the Law 2024* database.

The Pay indicator also looks at the availability of statistical data on women's employment in certain industries. *Women, Business and the Law 2.0* reveals that 90 economies publish sex-disaggregated data on employment in at least four of the seven industries or sectors measured. The collection and publication of sex-disaggregated data are critical for gender-sensitive policy making aimed at closing the gender pay gap and addressing an uneven economic recovery (Doss 2014). Gender analysis based on sex-disaggregated data allows researchers and policy makers to develop more effective policies and interventions.

Marriage

The Marriage supportive frameworks indicator measures the availability of fast-track processes in family disputes, specialized family courts, and legal aid in family law disputes (figure 2.16). *Women, Business and the Law 2.0* finds that 81 economies have fast-track

FIGURE 2.16 | MARRIAGE SUPPORTIVE FRAMEWORKS QUESTIONS EXAMINE COURTS AND PROCEDURES IN FAMILY LAW

Source: *Women, Business and the Law 2024* database.

procedures or nonmandatory conciliation measures in place to settle family disputes. These measures play an essential role in reducing the caseload burden on courts and promoting judicial efficiency, specifically for women (Singh 2021). However, making conciliation mandatory can have unintended negative consequences, perpetuating unequal power dynamics between a husband and wife (Raday 2019; Semple 2012).

This indicator reveals that 102 economies have dedicated courts for family disputes. Family courts or specialized chambers are a critical platform for addressing the unique and often sensitive issues faced by women, such as domestic violence, child custody, divorce, and property rights. Specialized procedures and judges who are trained and experienced in handling these cases can offer greater sensitivity to the context of family violence and the needs of victims, contributing to the efficient, smooth processing of these cases both within and across legal jurisdictions.

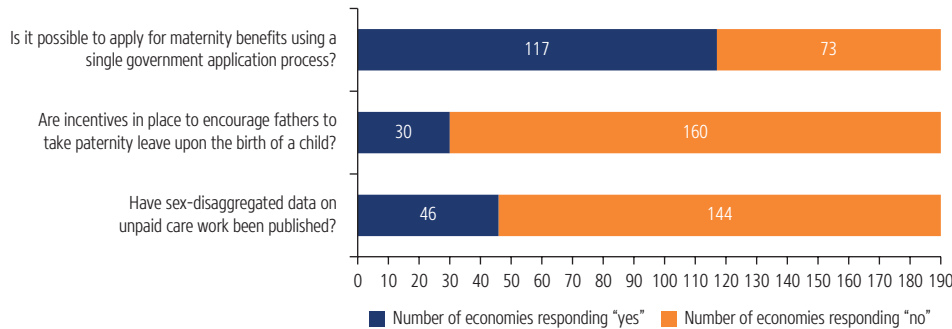
The Marriage indicator also examines whether legal aid is available for family law disputes, and it is in 119 economies. Legal aid can ensure equitable access to justice, especially for marginalized and financially disadvantaged individuals (Owen and Portillo 2003; UNODC and UNDP 2016; World Justice Project 2019).

Parenthood

The Parenthood indicator gauges the effective implementation of laws affecting parents' ability to continue working after having children (figure 2.17). Working mothers in 117 economies can apply to receive maternity benefits using a single government application process that streamlines bureaucratic complexity and enables leave benefits to be disbursed properly in a timely fashion (Romig and Bryant 2021).

Only 30 economies provide incentives for fathers to take paternity leave upon the birth of a child. These incentives include job protection, cash bonuses, or additional time off if both parents take leave. For example, Swedish parents receive a cash bonus when parental leave is divided equally between caretakers. Fathers in economies such as Belgium, Czechia, Kazakhstan, Poland, and Spain are protected from unlawful dismissal while taking leave to care for their children.

FIGURE 2.17 | PARENTHOOD SUPPORTIVE FRAMEWORKS QUESTIONS EXAMINE MEASURES IMPLEMENTING LAWS AFFECTING WOMEN'S WORK UPON THE BIRTH OF A CHILD



Source: *Women, Business and the Law 2024* database.

Fathers may choose not to take leave because of workplace practices, social norms, or economic constraints (Duffy, Esch, and Yousef 2020). Nevertheless, a father's uptake of leave is not only associated with better child development and improved health outcomes for children, but also with better labor market outcomes for women and enhanced long-term household financial well-being (Andersen 2018; Barry et al. 2023).

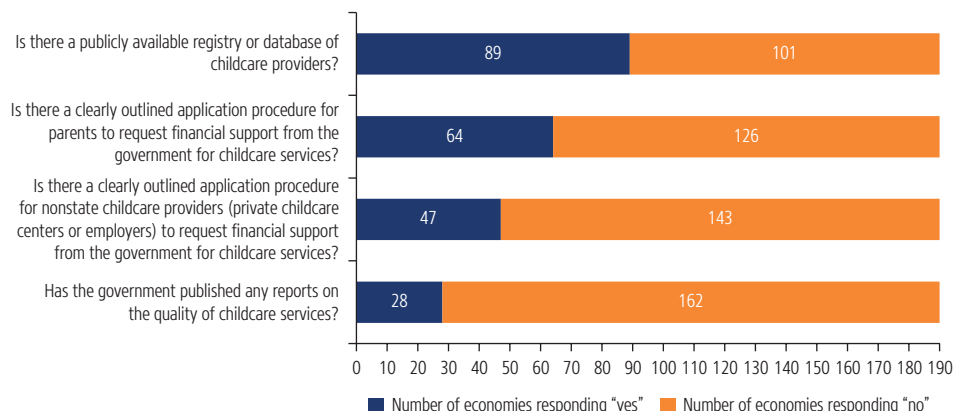
Women, Business and the Law 2.0 finds that over the last three years only 46 economies have published sex-disaggregated data on unpaid care work. Worldwide, women bear most of the burden in relation to domestic and unpaid care work. In fact, women worldwide devote, on average, 2.4 more hours a day to unpaid care work than men, and a significant portion of this work is caring for children (Charmes 2019; Fruttero et al. 2023). However, sex-disaggregated time-use data, as reported by national statistical agencies, that may inform the design of policies geared toward a more equal distribution of care work are frequently unavailable.

Childcare

The Childcare supportive frameworks indicator examines the presence of mechanisms that support parents in making informed decisions about childcare, promote the overall well-being and development of young children, and ensure access to quality childcare services (figure 2.18). Globally, 89 economies have put in place a publicly available centralized registry or database of registered childcare providers. Accurate, accessible information is a fundamental need for parents assessing available childcare options (Devercelli and Beaton-Day 2020). Parents can then retrieve details about childcare providers, including their location, contact information, types of services provided, and other relevant records.

Sixty-four economies have established application procedures for financial support for parents, and 47 economies have application procedures for nonstate childcare providers. Clearly defined application procedures and guidelines are paramount for families and childcare providers seeking financial support. The procedures can be outlined in laws or on official government platforms.

FIGURE 2.18 | CHILDCARE SUPPORTIVE FRAMEWORKS QUESTIONS EXAMINE MECHANISMS IMPLEMENTING CHILDCARE LAWS



Source: *Women, Business and the Law 2024* database.

Robust quality assurance mechanisms are essential for creating safe, stimulating environments for children. *Women, Business and the Law 2.0* finds that governments in 28 economies have published reports on the quality of childcare services within the last three years, demonstrating a commitment to proactive monitoring and the establishment of high standards for early childhood education and care. Through regular data reporting, childcare providers can contribute valuable information on a variety of quality parameters, including structural quality (such as child-to-educator ratios and maximum group sizes), infrastructure, workforce and management, and the learning environment (Devercelli and Beaton-Day 2020; OECD 2012).

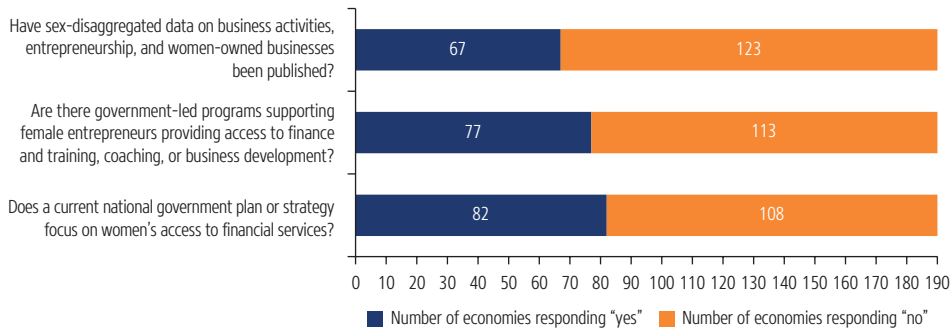
Entrepreneurship

The Entrepreneurship supportive frameworks indicator assesses the measures that governments put in place to support women in opening and running a business. Such measures include the availability of sex-disaggregated data on business activities, the provision of government-led programs to support female entrepreneurs, as well as strategies to boost women's access to financial services (figure 2.19).

Data and statistics are essential for smart policy making. High-quality gender statistics can serve as a detailed picture of women's experiences and their potential hurdles in becoming successful entrepreneurs. Policy makers can use this evidence to design more effective interventions (World Bank 2023a). And yet despite the importance of sex-disaggregated data, only 67 economies publish such data on women's entrepreneurship and women-owned businesses. These data are essential for designing policies and programs that will address gender imbalances in the business ecosystem and offer better services for women entrepreneurs (Eden and Wagstaff 2021; Igwe and Adelusi 2021; Meunier, Krylova, and Ramalho 2017).

As for government support for female entrepreneurs, 77 economies have one or more programs that provide access to finance and training, coaching, or business

FIGURE 2.19 | ENTREPRENEURSHIP SUPPORTIVE FRAMEWORKS QUESTIONS EXAMINE PROGRAMS AND DATA SUPPORTING FEMALE ENTREPRENEURS



Source: *Women, Business and the Law 2024* database.

development activities. Such programs may focus on addressing the prevalence of women owning micro or small businesses, engaging in the informal sector, or recording lower earnings and productivity than men (Halabisky 2018).

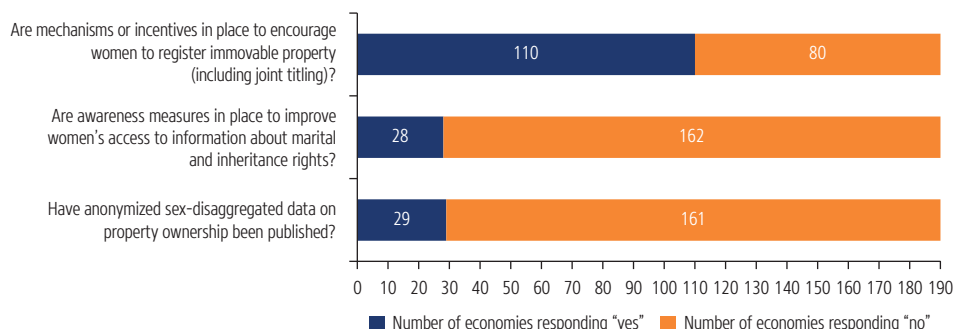
Finally, 82 economies have a national government plan or strategy currently focusing on women's access to financial services. In Niger, for example, the main goal of the National Financial Inclusion Strategy is to facilitate access to diversified, innovative, quality, and affordable financial products and services for vulnerable groups, particularly women, young people, small and medium-size enterprises, and populations in the rural sector. Women face greater obstacles in accessing credit, training, networks, and information and in starting businesses (Jones and Clifton 2017; Piacentini 2013). Although female entrepreneurs need an array of tailored services to start and run a business, gender bias and discrimination are particularly prevalent in efforts to obtain credit. National strategies or action plans focused on women's access to financial services can help level the playing field for female entrepreneurs, particularly in economies with low levels of women's financial inclusion (Bin-Humam, Braunmiller, and Elsaman 2023). Furthermore, these strategies can provide central banks and governments with the capacity to implement transformative reforms and to ensure broader availability of quality financial products and services for women.

Assets

The Assets supportive frameworks indicator assesses government efforts to uphold women's rights in owning and inheriting immovable property (figure 2.20). Policies that actively promote and support women in registering land, together with awareness campaigns and the collection of sex-disaggregated data, play a pivotal role in ensuring gender equity in property ownership. These measures empower women to secure their land rights and challenge traditional gender norms, and they provide policy makers with vital insights into tailoring effective strategies for closing the gender gap.

Women, Business and the Law 2.0 finds that 110 economies have taken steps to encourage women's registration of property rights, including joint titling. An example is Nepal, where the government offers women discounted land registration fees.

FIGURE 2.20 | ASSETS SUPPORTIVE FRAMEWORKS QUESTIONS EXAMINE MECHANISMS AND DATA TO IMPLEMENT WOMEN’S PROPERTY AND INHERITANCE RIGHTS



Source: *Women, Business and the Law 2024* database.

Policies that encourage women to register land in their name not only empower women with legal recognition and ownership rights but also enhance their economic security (Hallward-Driemeier and Gajigo 2013).

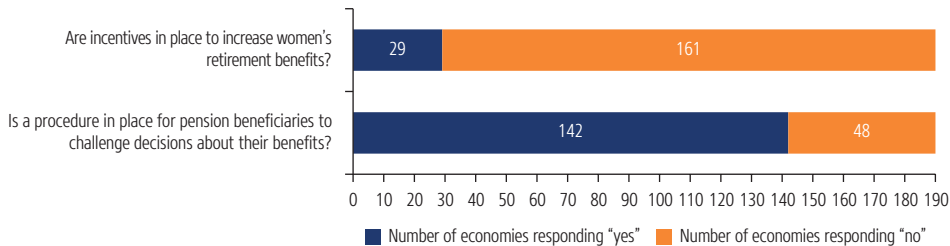
Twenty-eight economies have adopted measures to raise awareness about marital and inheritance rights. These awareness measures may include workshops, seminars, and community-based training programs that specifically target women. For example, Singapore launched a nationwide Conversations on Singapore Women’s Development campaign with several measures aimed at raising women’s awareness about their marital and inheritance rights. Efforts to improve women’s access to information about these rights are indispensable in empowering women to make informed decisions about their legal entitlements (Stanley and Lisher 2023). For example, a study conducted in Rwanda found that a government-led awareness campaign on laws governing marital, succession, and land policies contributed to an increase in women’s property ownership, bargaining power, and autonomy (Daley, Dore-Weeks, and Umuhoza 2010).

Only 29 economies publish anonymized sex-disaggregated data on property ownership on a regular basis. The regular publication of such data is an important tool for assessing the extent of gender disparities across a country and within households, designing effective policy interventions, and monitoring progress toward achieving the Sustainable Development Goals, as well as increasing transparency and accountability in legal systems and property registries (Gaddis, Lahoti, and Swaminathan 2022; Joshi et al. 2022). With the goal of measuring gender assets and wealth gaps, the United Nations’ *Guidelines for Producing Statistics on Asset Ownership from a Gender Perspective* guides national statistical agencies and policy makers on collecting, analyzing, and disseminating individual-level data on asset ownership (United Nations 2019).

Pension

The Pension supportive frameworks indicator measures policy mechanisms aimed at reducing the gender pension gap (figure 2.21). Twenty-nine economies provide some form of incentive that affects women’s retirement benefits. Incentives can include tax

FIGURE 2.21 | PENSION SUPPORTIVE FRAMEWORKS QUESTIONS EXAMINE POLICIES AIMED AT REDUCING THE GENDER PENSION GAP



Source: *Women, Business and the Law* 2024 database.

breaks for voluntary savings, contributions to be carried forward, subsidies to join a pension scheme early, and accounting for periods of educational attainment in the calculation of pension benefits. For example, the United Kingdom offers tax breaks for voluntary savings with automatic enrollment to increase women's retirement savings rates. Chile and Spain provide child bonuses and contributory pension supplements to reduce the pension gender gap. Meanwhile, Belarus, Kazakhstan, Poland, and Tajikistan take into account noncontributory periods of study at a higher education institution in the calculation of pension benefits.

In 142 economies, pensioners can challenge decisions related to their pension benefits. A woman's ability to challenge decisions about her pension benefits is positively associated with her financial security and well-being in old age (Griffin 2019). Because women live longer and have lower financial resources in retirement than men (Demirgüç-Kunt, Klapper, and Panos 2016; Our World in Data 2023), adequate pension benefits in amount and duration are critical to promoting women's overall well-being in old age (Behrendt, Nguyen, and Rani 2019). Moreover, to ensure their full realization, procedures must be impartial, transparent, effective, simple, rapid, accessible, and inexpensive or free of charge for the applicant.

Expert opinions: Perception-based surveys of experts on the implementation of legal rights

Previous analysis by *Women, Business and the Law* revealed that more gender-equal laws are associated with better labor market outcomes for women, including higher female labor force participation and smaller gender wage gaps (World Bank 2023b). Going forward, controlling for a measure of the implementation of laws in practice may help uncover the mechanisms through which gender equality and women's economic inclusion are associated. Opinions of experts on the legal environment can serve as a proxy, or an indirect measure, of the effective implementation of laws.

Implementation of the law is a delicate and complex political process in which legislation and policies are "frequently reshaped, redefined or even completely overturned" (Pölzl and Treib 2007). An analysis of the actual state of legal implementation is critical to understanding gender gaps and deriving reform recommendations for which outcome indicators are an effective measuring tool. Therefore, the *Women, Business and the Law* team collected opinions of in-country legal experts on their perceptions of the outcomes

that the laws measured by the *Women, Business and the Law* 2.0 legal index intend to influence. Experts' responses on how well existing laws, or a lack thereof, operate in practice can serve as evidence on what shapes women's decisions to participate in the workforce or start a business. The *Women, Business and the Law* team recognizes that reliance on expert respondents comes with a limitation—data are less able to capture the variation in experiences of individuals—as well as a strength—the data reflect the knowledge of those with the most experience in the areas measured. Further refinement of the approach will attempt to address such a limitation in future cycles.

Design and administration of the expert opinions questions

The expert opinions questions are designed with the core qualities of the *Women, Business and the Law* 2.0 legal and supportive frameworks indexes in mind, including global coverage, comparability across regions and economies, and feasibility of annual data collection. Building on the learnings from pilot data collected in 25 and 55 economies in 2021 and 2022, respectively, the expert opinions questions were revised and expanded to cover all 10 legal indicators and 190 economies. The expert opinions questions were included at the end of the questionnaires for the legal and supportive frameworks and administered to the same set of local experts that contributed to the *Women, Business and the Law* annual data collection.

In the process of designing the questionnaire, the *Women, Business and the Law* team examined existing work on cross-country opinion and perception-based surveys such as the Africa Integrity Indicators, Human Rights Measurement Initiative, United Nations E-Government Survey, World Justice Project Rule of Law Index, Varieties of Democracy (V-Dem), and World Values Survey. The *Women, Business and the Law* team also consulted with experts in data collection and analysis, including Westat and the World Bank, on good practices for index construction methodology and conducted an extensive review of the literature on opinion surveys and methods of scoring.

The questions posed to the experts are aimed at addressing key outcomes in the topic areas assessed by *Women, Business and the Law* 2.0. Each question asks for the respondent's opinion on the extent to which these key outcomes are being realized in practice in a particular economy. Response options fall along a five-point scale (0–4) in which 0 indicates an absence of access to or availability of rights for almost all women in practice, and 4 indicates the existence of access to or availability of rights for almost all women in practice. This format allows the scale to remain consistent across questions and economies whether a question aims to measure the absence of a legal restriction, enforcement of a right, or provision of a benefit. For example, the question under the Safety indicator is aimed at understanding the extent of women's freedom from gender-based violence in practice (box 2.1).

Expert opinions questions under the other indicators are posed to reveal the following: Mobility—whether there are any constraints on women's agency and freedom of movement; Workplace—whether there are any constraints on a woman's ability to enter and remain in the labor market, as well as protections against discrimination; Pay—whether men and women have equal access to high-paying jobs and whether women enjoy equal remuneration for work of equal value; Marriage—whether any constraints are related to marriage and divorce; Parenthood—whether

BOX 2.1 EXPERT OPINIONS QUESTIONS: AN EXAMPLE

Topic	Violence against women
Brief context	<i>When answering the following question, please consider the current situation of women in your economy and their risks of being exposed to gender-based violence (intimate partner violence, sexual harassment, female genital mutilation, etc.) at home or in public places, their ability to access support and services, to seek redress, etc.</i>
Expert opinions question	In practice, are women free from gender-based violence?
Response options	[0] Almost no women are free from gender-based violence. [1] Some women are free from gender-based violence. [2] About half of all women are free from gender-based violence. [3] Most women are free from gender-based violence. [4] Almost all women are free from gender-based violence.

any restraints are related to a woman's work during and after pregnancy, including paid leave; Childcare—whether women have access to affordable, quality childcare services in practice; Entrepreneurship—whether there are any existing barriers to women's ability to start and run a business; Assets—whether there are gender differences in property and inheritance law; and Pension—whether there are hindrances to a woman's economic security after retirement.

The *Women, Business and the Law* team expanded its efforts to collect data on the perception of women's outcomes in all 190 economies covered by *Women, Business and the Law* 2.0. On average, 6.8 responses were received per economy, with at least one response obtained in 190 economies. To construct the index aggregating the responses for each economy, the *Women, Business and the Law* team set a threshold of at least five expert responses per question. Based on the fulfillment of these criteria, the expert opinions index was constructed for 164 economies, representing 86.3 percent of all economies in the sample.² Participation in data collection was highest in the OECD high-income and Latin America and the Caribbean regions, with an average of 9.1 and 7.8 respondents, respectively. The lowest participation was observed in economies in the East Asia and Pacific and Middle East and North Africa regions. The team will work to increase its respondent base in future years to be able to capture all 190 economies.

Calculation of expert opinions scores

The individual responses to the 15 expert opinions questions are aggregated in several steps within each economy. First, for each question the experts' responses are aggregated into a question score at the economy level, taking the median value of all responses given to that question.³ Second, the indicator score is calculated as the simple average of question scores. Next, the indicator score is scaled to 100. Finally, the expert opinions index for each economy is calculated as the simple unweighted average of the 10 indicator scores.

For example, for Mauritius, the median value of expert responses to the Mobility question is 3, leading to a score of 75 when scaled to 100. Mauritius receives indicator scores of 100 on Parenthood, Assets, and Pension; 75 on Mobility, Marriage, and Entrepreneurship; 50 on Workplace, Pay, and Childcare; and 0 on Safety. The simple unweighted average of the 10 indicator scores yields an overall expert opinions index of 67.5.

Analysis of results

The distribution of the responses for each question included in the scoring provides a snapshot of the experts' perception of areas in which women lag the most (table 2.4). Each question examined women's accessibility and enjoyment of rights compared with that of their male peers.⁴ To calculate the shares of expert responses, every economy is given an equal weight to ensure that economies with more experts do not dominate the outcomes.

TABLE 2.4		EXPERT OPINIONS QUESTIONS					
Indicator	Question	Response options (% of expert responses)					
		Almost no women ...	Some women ...	About half of all women ...	Most women ...	Almost all women ...	No response
Safety	In practice, are women free from gender-based violence?	27.2	27.9	11.7	24.0	7.9	1.4
Mobility	In practice, do women enjoy the same freedom of movement as men?	2.8	14.3	4.4	20.0	57.5	1.0
Workplace	In practice, do women enjoy the same opportunities to enter the workplace as men?	4.0	23.5	12.9	26.2	31.4	2.0
	In practice, do women enjoy the same opportunities to remain in the workplace as men?	5.3	27.7	14.0	26.2	24.5	2.3
Pay	In practice, do women and men enjoy equal remuneration for work of equal value?	6.4	28.6	13.1	28.4	21.2	2.4
	In practice, do women and men have equal access to high-paying jobs?	5.6	37.6	13.2	22.3	18.4	3.0
Marriage	In practice, do women and men enjoy equal rights during marriage?	8.4	19.4	9.2	21.0	40.0	2.0
	In practice, do women and men enjoy equal rights when getting a divorce?	8.9	20.6	6.9	18.7	42.3	2.5
Parenthood ^a	In practice, do women have access to paid leave for the birth of a child?	1.6	10.3	5.0	18.3	62.8	1.9
	In practice, do men have access to paid leave for the birth of a child?	24.8	21.8	3.9	12.4	34.2	2.9
Childcare	In practice, do women have access to affordable and quality childcare services?	14.9	39.4	13.9	16.1	13.4	2.4
Entrepreneurship	In practice, do women enjoy the same opportunities to start and run a business as men?	4.9	26.5	7.9	21.8	37.0	1.9
	In practice, do women and men have equal access to credit?	3.1	23.9	6.1	20.6	42.6	3.6
Assets	In practice, do women and men enjoy equal rights to immovable property?	4.3	17.7	4.5	14.7	56.4	2.4
Pension	In practice, do women and men enjoy equal pension benefits after retirement?	3.5	14.7	5.2	21.0	53.7	1.8

Source: *Women, Business and the Law 2024* database.

Note: The table shows the distribution of experts' responses at the question level. Each cell displays the percentage of expert responses given to that question among the entire sample of responses ($n = 1,224$). Every economy is given an equal weight to ensure that economies with more responses do not dominate the outcomes.

a. The response options for the second Parenthood question are "Almost no men," "Some men," "About half of all men," "Most men," and "Almost all men."

More than half of experts (55.1 percent) indicated that “almost no women” or only “some women” are free from gender-based violence, while only 7.9 percent reported that “almost all women” are free from gender-based violence. Similarly striking are the findings under Childcare, where 54.3 percent of experts indicated that “almost no women” or only “some women” have access to affordable, quality childcare services. Only 13.4 percent reported that “almost all women” have access to such services. These findings suggest that Safety and Childcare are the two areas posing the most challenges and barriers for women seeking to participate fully in economic and social life.

Similarly, under the Pay indicator a small proportion of respondents believe that “almost all women” are paid the same as men for work of equal value and have equal access to high-paying jobs. Only 21.2 and 18.4 percent of experts, respectively, reported equal access to such rights for “almost all women.” In the responses to Workplace questions, a slightly higher share of experts (31.4 percent) indicated that “almost all women” have equal opportunities to enter the workplace, whereas only 4.0 percent reported that “almost no women” have equal opportunities to enter the workplace.

Parenthood, by contrast, received the largest share of favorable expert responses: 62.8 percent of experts reported that “almost all women have access to paid leave for the birth of a child,” whereas only 1.6 percent reported that “almost no women” have access to this right. As for the Assets indicator, 56.4 percent of experts agreed that “almost all women” have equal rights to immovable property, whereas 4.3 percent reported that “almost no women” enjoy the same rights as men. Similar distributions are observed for Pension and Mobility. A very low share of experts (3.5 percent) holds the view that “almost no women” enjoy the same pension benefits after retirement as men, and the majority (53.7 percent) believe that they do have equal benefits. As for Mobility, about 57.5 percent of experts believe that “almost all women” have the same freedom of movement as men, although 17.1 percent indicated that “almost no women” or “some women” enjoy the same freedom.

Finally, the responses show that a majority (at least 69.3 percent) of experts in the reported economies believe that, compared with men, at least half of the women in their economies enjoy the same freedom of movement, access to paid leave for the birth of a child, equal access to credit, equal rights to immovable property, and equal pension benefits after retirement.

The opinions of legal experts on women’s rights in practice were collected to provide guidance on where to allocate the efforts and resources necessary to help optimize the impacts of legal reforms and contribute to the existing work on identifying gaps in the literature on implementation of laws and their effectiveness in practice. The *Women, Business and the Law* team acknowledges that further work is needed to advance this attempt to examine the de facto opinions of experts.

Next steps in adopting the new approach

The goal of the new *Women, Business and the Law* 2.0 indicators and refinement of the methodology is to offer countries not only a better measure of laws, but also concrete examples of supportive frameworks and an assessment of their outcomes. Countries can then better reach gender equality in practice through the law and its appropriate implementation and enforcement.

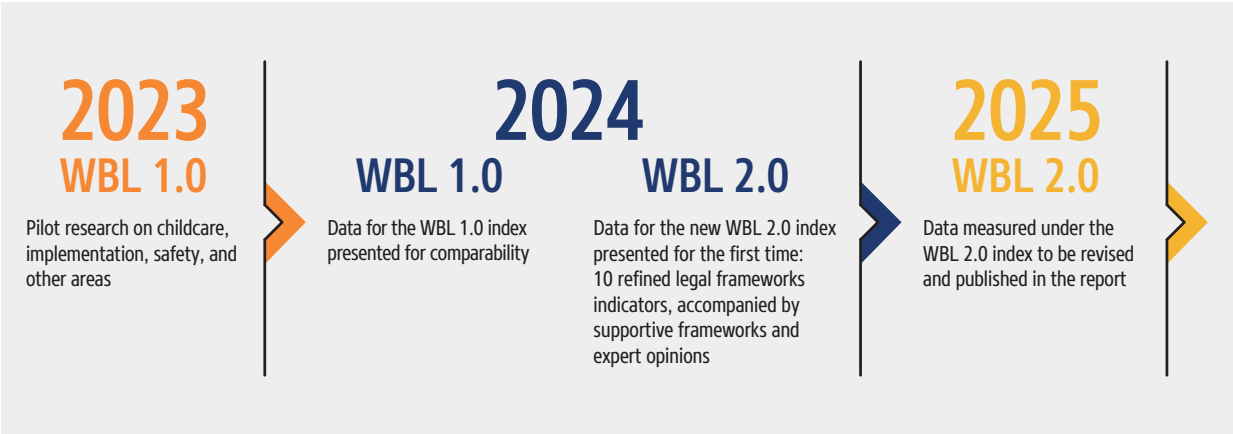
The methodology and data collection process have several strengths and limitations based on the need to create objective, comparable global indicators (see the data notes in appendix A). The newly created indicators are devised as a critical starting point for promoting women’s economic empowerment through law and policy reform.

The *Women, Business and the Law* team is continuing its research into drivers, trends, and prioritization of reform efforts. Preliminary insights into the sequencing and complementarity of gender reforms indicate that governments that undertake such reforms create an environment that facilitates more reforms in their own and in other countries, and that reform efforts in one area, such as Workplace or Pay, are associated with reform efforts in another area, such as Entrepreneurship, in the subsequent year (Boyce, Jiang, and Loayza 2023). Through its dissemination engagements, methodology workshops, and research on reforms and good practices, the team welcomes discussions around building a country-level reform agenda.

The *Women, Business and the Law* team will improve its methodology based on feedback and evidence that may develop over time. For example, additional measures that are equally or more promising than the ones presented here for implementing international standards may evolve over time, and the team will follow such developments closely. The *Women, Business and the Law* team will also consider linking the expert opinions measure more specifically to implementation of the law and anchoring the responses to improve comparability. Subject to obtaining sufficient resources, the team will consider assessing outcomes through general population surveys rather than expert opinions surveys. In fact, a pilot population poll will be conducted in three countries in 2024, and the team will explore subnational variation of the indicators to inform its future direction.

The team remains open to feedback and will incorporate suggestions to revise *Women, Business and the Law* 2.0 as the distinct and final framework starting with the 2025 report (figure 2.22).

FIGURE 2.22 | PATHWAY TO THE NEW *WOMEN, BUSINESS AND THE LAW* 2.0 INDEX



Source: *Women, Business and the Law* team.
Note: WBL = *Women, Business and the Law*.

Annex 2A Women, Business and the Law 2.0 questions

TABLE 2A.1 WOMEN, BUSINESS AND THE LAW 2.0 QUESTIONS			
Indicator	Legal frameworks	Supportive frameworks	Expert opinions
Safety	<ol style="list-style-type: none"> 1. Does the law address child marriage? 2. Does the law address sexual harassment? 3. Does the law address domestic violence? 4. Does the law address femicide? 	<ol style="list-style-type: none"> 1. Has the government developed comprehensive mechanisms to address violence against women? 2. Are special procedures in place for cases of sexual harassment? 3. Is a government entity responsible for monitoring and implementing national services, plans, and programs addressing violence against women? 4. Is an annual budgetary allocation devoted to violence against women risk mitigation, prevention, and response programs? 	<ol style="list-style-type: none"> 1. In practice, are women free from gender-based violence?
Mobility	<ol style="list-style-type: none"> 1. Can a woman choose where to live in the same way as a man? 2. Can a woman travel internationally in the same way as a man? 3. Can a woman travel outside her home in the same way as a man? 4. Do a woman and a man have equal rights to confer citizenship on their spouses and their children? 	<ol style="list-style-type: none"> 1. Are passport application processes the same for a woman and a man? 2. Are the application processes for official identity documents the same for a woman and a man? 3. Does a current policy or plan explicitly consider the specific mobility needs of women in public transportation? 	<ol style="list-style-type: none"> 1. In practice, do women enjoy the same freedom of movement as men?
Workplace	<ol style="list-style-type: none"> 1. Can a woman get a job in the same way as a man? 2. Does the law explicitly prohibit discrimination in recruitment based on marital status, parental status, and age? 3. Does the law prohibit discrimination in employment based on gender? 4. Does the law allow employees to request flexible work? 	<ol style="list-style-type: none"> 1. Does a specialized body receive complaints about gender discrimination in employment? 2. Has the government published guidelines on nondiscrimination based on gender in recruitment? 3. Has the government published guidelines on flexible work arrangements? 	<ol style="list-style-type: none"> 1. In practice, do women enjoy the same opportunities to enter the workplace as men? 2. In practice, do women enjoy the same opportunities to remain in the workplace as men?
Pay	<ol style="list-style-type: none"> 1. Does the law mandate equal remuneration for work of equal value? 2. Can a woman work at night in the same way as a man? 3. Can a woman work in a job deemed dangerous in the same way as a man? 4. Can a woman work in an industrial job in the same way as a man? 	<ol style="list-style-type: none"> 1. Are pay transparency measures or enforcement mechanisms in place to address the pay gap? 2. Have sex-disaggregated data on employment in different industries or sectors been published? 	<ol style="list-style-type: none"> 1. In practice, do women and men enjoy equal remuneration for work of equal value? 2. In practice, do women and men have equal access to high-paying jobs?

(Table continues next page)

TABLE 2A.1 WOMEN, BUSINESS AND THE LAW 2.0 QUESTIONS (continued)			
Indicator	Legal frameworks	Supportive frameworks	Expert opinions
Marriage	<ol style="list-style-type: none"> 1. Is the law free of legal provisions that require a married woman to obey her husband? 2. Can a woman be "head of household" or "head of family" in the same way as a man? 3. Can a woman obtain a judgment of divorce in the same way as a man? 4. Does a woman have the same rights to remarry as a man? 	<ol style="list-style-type: none"> 1. Is there a fast-track process or procedure for family law disputes? 2. Are there specialized family courts? 3. Is legal aid available for family law disputes? 	<ol style="list-style-type: none"> 1. In practice, do women and men enjoy equal rights during marriage? 2. In practice, do women and men enjoy equal rights when getting a divorce?
Parenthood	<ol style="list-style-type: none"> 1. Is paid leave of at least 14 weeks available to mothers? 2. Are leave benefits for mothers paid solely by the government? 3. Is paid leave available to fathers? 4. Is dismissal of pregnant workers prohibited? 	<ol style="list-style-type: none"> 1. Is it possible to apply for maternity benefits through a single government application process? 2. Are incentives in place to encourage fathers to take paternity leave upon the birth of a child? 3. Have sex-disaggregated data on unpaid care work been published? 	<ol style="list-style-type: none"> 1. In practice, do women have access to paid leave for the birth of a child? 2. In practice, do men have access to paid leave for the birth of a child?
Childcare	<ol style="list-style-type: none"> 1. Does the law establish the provision of center-based childcare services? 2. Does the law establish any form of support for families for childcare services? 3. Does the law establish any form of support for nonstate childcare providers? 4. Does the law establish quality standards for the provision of center-based childcare services? 	<ol style="list-style-type: none"> 1. Is there a publicly available registry or database of childcare providers? 2. Is there a clearly outlined application procedure to request financial support from the government for childcare services by parents? 3. Is there a clearly outlined application procedure to request financial support from the government for childcare services by nonstate childcare providers? 4. Has the government published any reports on the quality of childcare services? 	<ol style="list-style-type: none"> 1. In practice, do women have access to affordable and quality childcare services?
Entrepreneurship	<ol style="list-style-type: none"> 1. Can a woman undertake entrepreneurial activities in the same way as a man? 2. Does the law prohibit discrimination in access to credit based on gender? 3. Does the law prescribe a gender quota for corporate boards? 4. Does the law include gender-sensitive procurement provisions for public procurement processes? 	<ol style="list-style-type: none"> 1. Have sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses been published? 2. Are government-led programs supporting female entrepreneurs providing access to finance and training, coaching, or business development? 3. Does a current national government plan or strategy focus on women's access to financial services? 	<ol style="list-style-type: none"> 1. In practice, do women enjoy the same opportunities to start and run a business as men? 2. In practice, do women and men have equal access to credit?
Assets	<ol style="list-style-type: none"> 1. Do a woman and a man have equal administrative power and ownership rights to immovable property, including land? 2. Do sons and daughters have equal rights to inherit assets? 3. Do male and female surviving spouses have equal rights to inherit assets? 4. Does the law provide for the valuation of nonmonetary contributions? 	<ol style="list-style-type: none"> 1. Are mechanisms or incentives in place to encourage women to register immovable property (including joint titling)? 2. Are awareness measures in place to improve women's access to information about marital and inheritance rights? 3. Have anonymized sex-disaggregated data on property ownership been published? 	<ol style="list-style-type: none"> 1. In practice, do women and men enjoy equal rights to immovable property?

(Table continues next page)

TABLE 2A.1 WOMEN, BUSINESS AND THE LAW 2.0 QUESTIONS (continued)			
Indicator	Legal frameworks	Supportive frameworks	Expert opinions
Pension	<ol style="list-style-type: none"> 1. Are the ages at which a woman and a man can retire with full pension benefits the same? 2. Are the ages at which a woman and a man can retire with partial pension benefits the same? 3. Is the mandatory retirement age for a woman and a man the same? 4. Are periods of absence due to childcare accounted for in pension benefits? 	<ol style="list-style-type: none"> 1. Are incentives in place to increase women's retirement benefits? 2. Is a procedure in place for pension beneficiaries to challenge the decisions of the competent authority regarding their benefits? 	<ol style="list-style-type: none"> 1. In practice, do women and men enjoy equal pension benefits after retirement?

Source: *Women, Business and the Law 2024* database.

Notes

1. See World Bank, Global Public Procurement Database, 2020, <https://www.globalpublicprocurementdata.org>.
2. The threshold adopted is five or more expert opinion responses per question for economies with an adult population above 2 million in 2021 and three or more for those economies with an adult population under 2 million. The criteria are based on the *Women, Business and the Law* team's extensive review of the literature and consultations on global practices in conducting opinion surveys.
3. For indicators with one expert opinions question (Safety, Mobility, Childcare, Assets, and Pension), the question score is equal to the indicator score.
4. The format of the response options is the same for all expert opinions questions except the second question of the Parenthood indicator, which asks about men's access to paid leave for the birth of a child (table 2.4).

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