

# WOMEN, BUSINESS AND THE LAW 2023

Viktoriya Khaitina and Liang Shen

March 31, 2023



# AGENDA

1. Background
2. WBL 2023 Key Global and Regional (OECD High Income) Findings
3. Deep Dive – Key Findings of Japan
4. 53 Years of Women’s Rights in Japan
5. What’s Next



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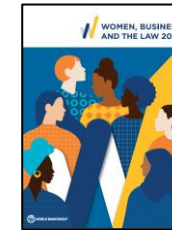
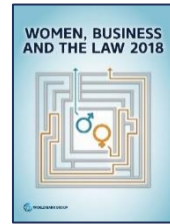
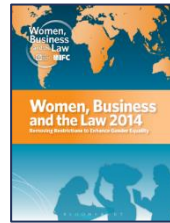
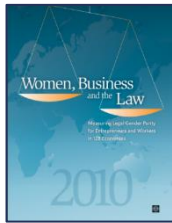


# Meet Almagul



Source: Kabylbekova, Almagul. Redefining 'women's work' in Kazakhstan. Dec 13, 2021, openDemocracy <https://www.opendemocracy.net/en/odr/redefining-womens-work-in-kazakhstan/>

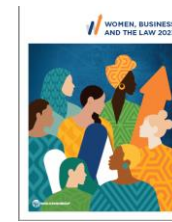
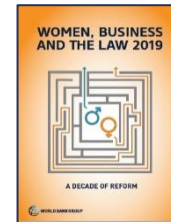
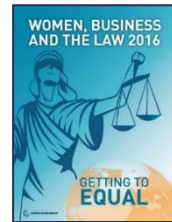
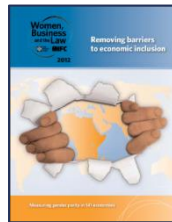
# LEGAL EQUALITY AND WOMEN'S ECONOMIC EMPOWERMENT



- Scoring proposed
- Expert discussions

- Data collected in 190 economies
- 50-year panel dataset introduced

- Two new areas introduced
- Annual update of data



- Index introduced
- Engagement with users

- First annual update of data

- Annual update of data
- Data trends from 53 years of reforms

# LEGAL EQUALITY AND WOMEN'S ECONOMIC EMPOWERMENT



## The eight *Women, Business and the Law* indicators

### Mobility

Examines constraints on freedom of movement



### Workplace

Analyzes laws affecting women's decisions to work

### Pay

Measures laws and regulations affecting women's pay



### Marriage

Assesses legal constraints related to marriage

### Parenthood

Examines laws affecting women's work after having children



### Entrepreneurship

Analyzes constraints on women's starting and running businesses

### Assets

Considers gender differences in property and inheritance



### Pension

Assesses laws affecting the size of a woman's pension

# WITH GREATER EQUALITY OF OPPORTUNITY, MORE WOMEN WORK AND START BUSINESSES



**GENDER  
EQUALITY**



More women working



Higher wages



More businesses



Stronger economy

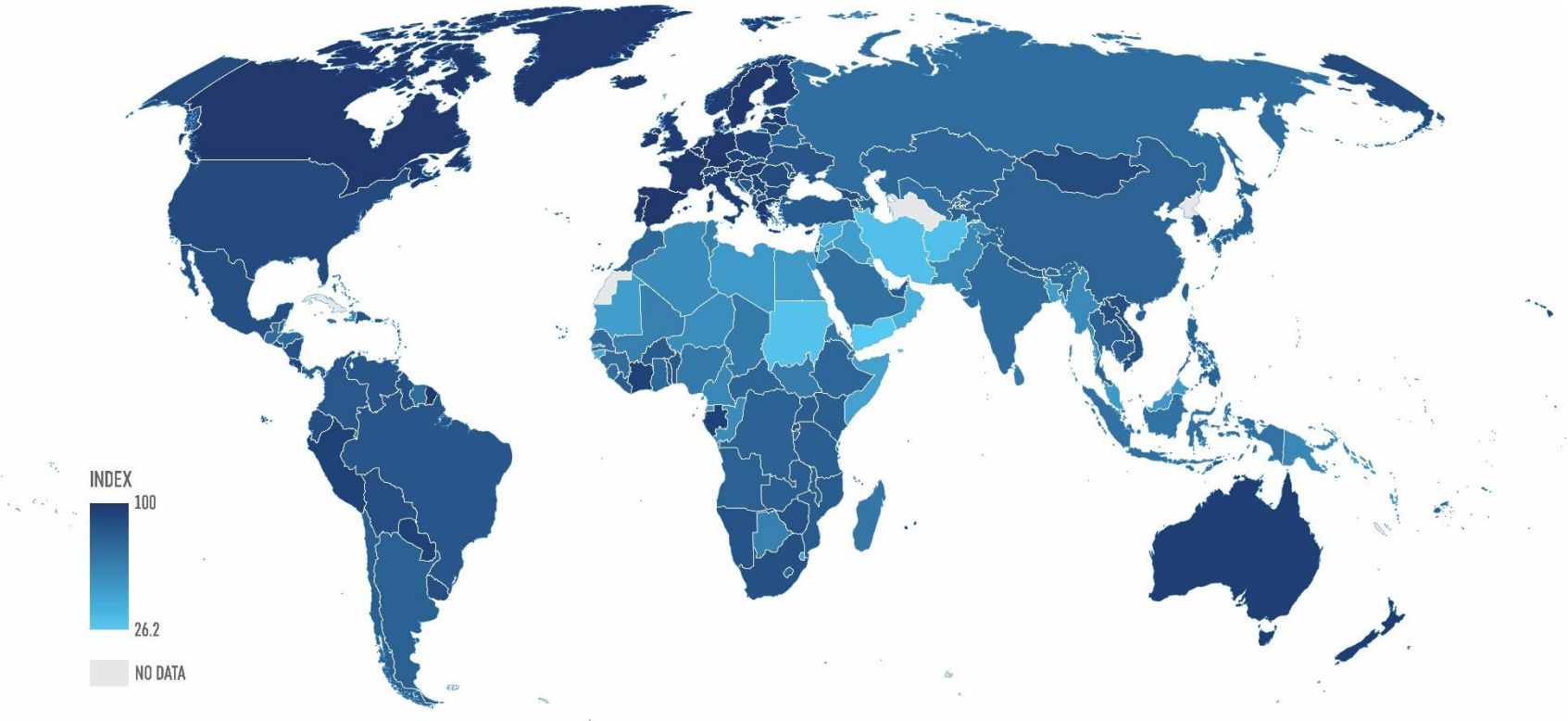
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# GLOBALLY, WOMEN HAVE JUST 3/4 OF THE LEGAL RIGHTS AFFORDED TO MEN

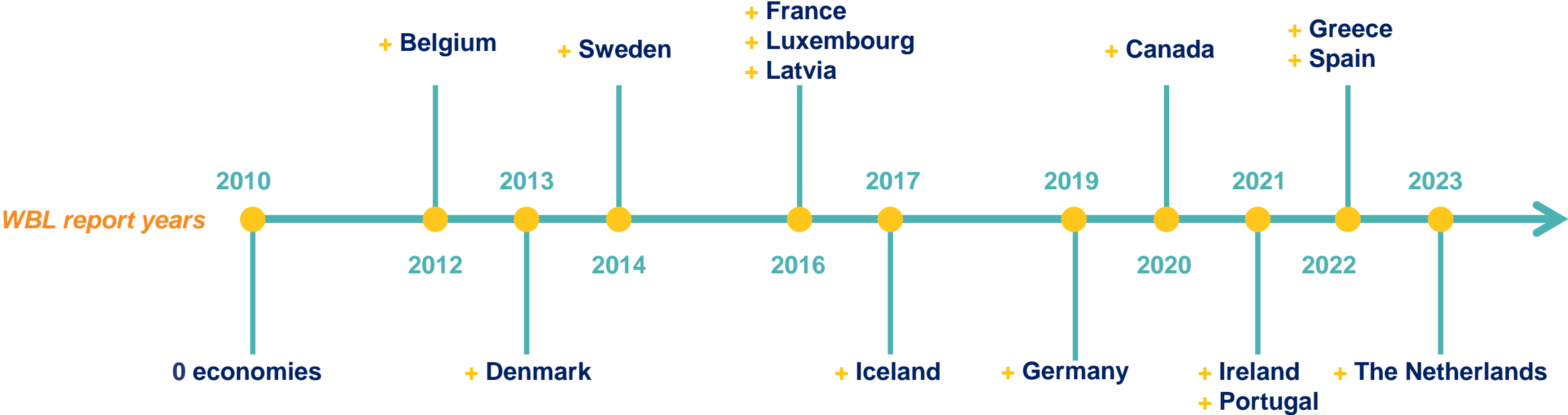


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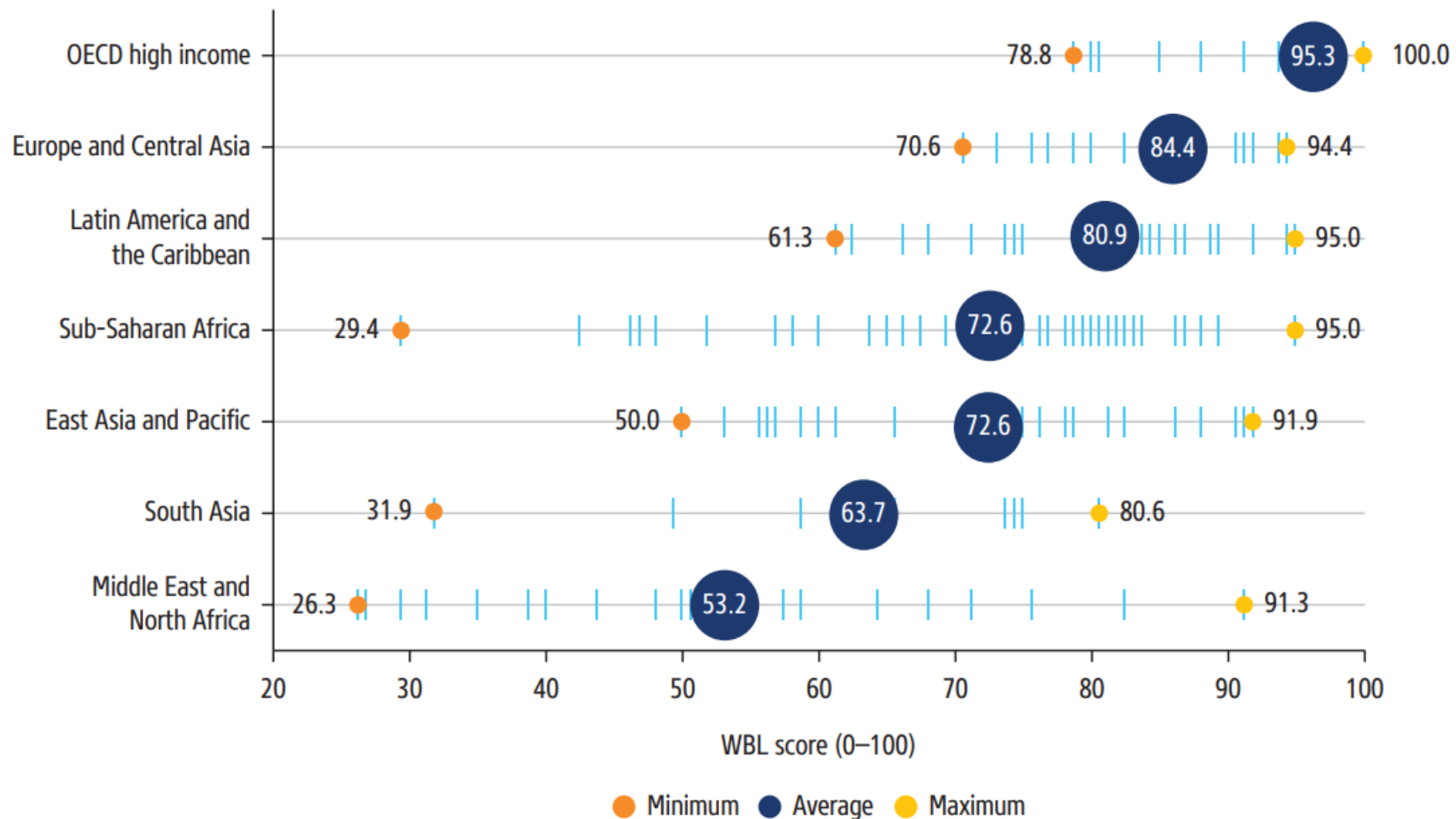
The global average score is **77.1 out of 100**

Nearly **2.4 billion women** out of working age still do not have the same legal rights as men

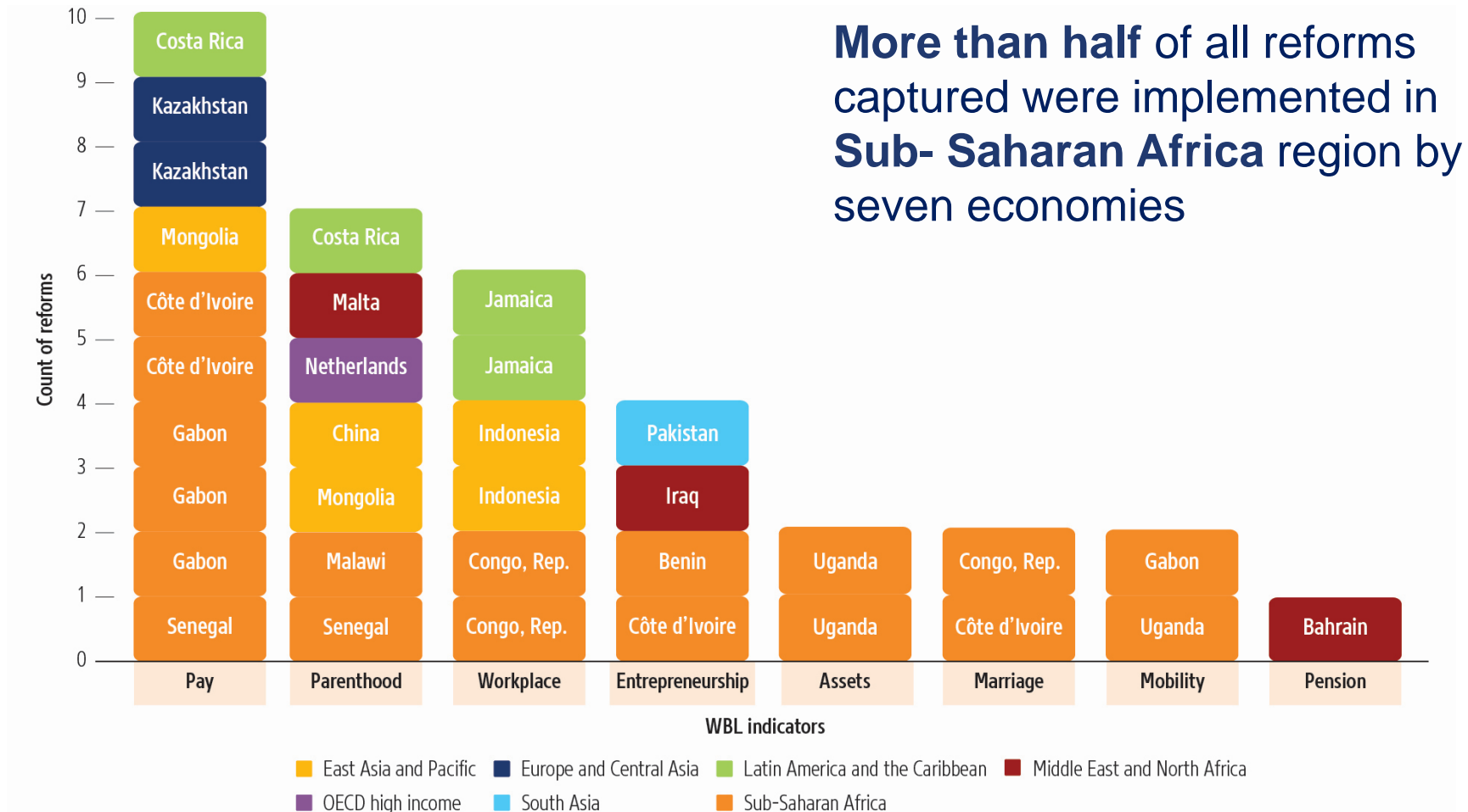
# THIS YEAR, JUST 14 ECONOMIES SCORE 100



# THE LARGEST GAPS ARE IN THE MIDDLE EAST AND NORTH AFRICA AND IN SUB-SAHARAN AFRICA



# 18 COUNTRIES ENACTED 34 REFORMS – THE LOWEST NUMBER OF REFORMS IN 20 YEARS

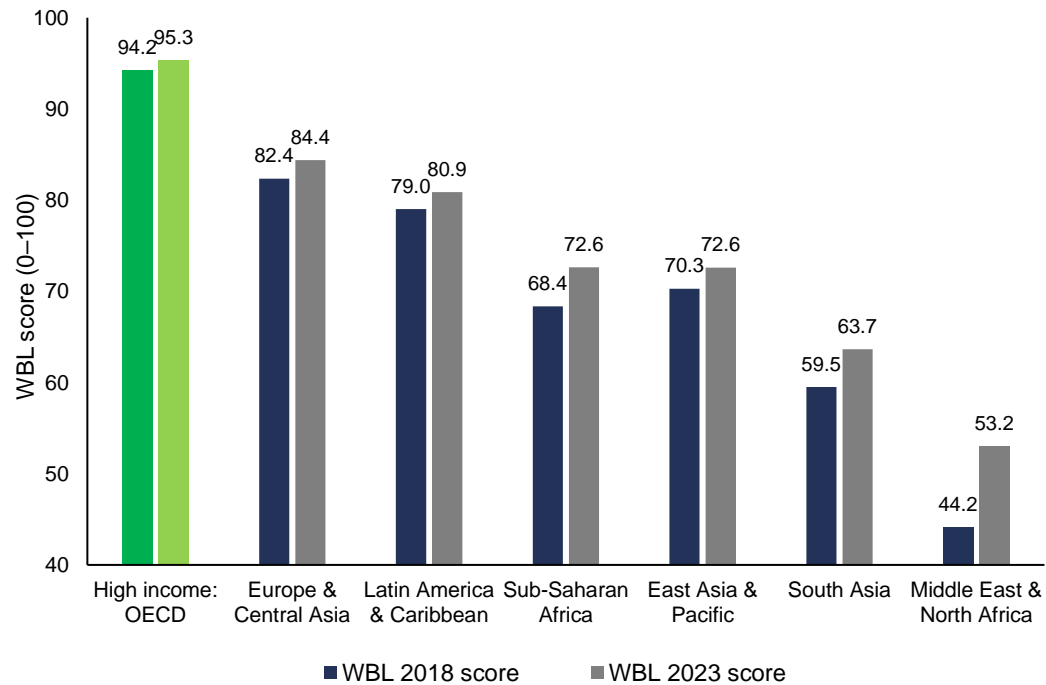


# THE PATTERN AMONG REGIONS HAS CHANGED



*Improvements in Women, Business and the Law average scores over the last five years, by region*

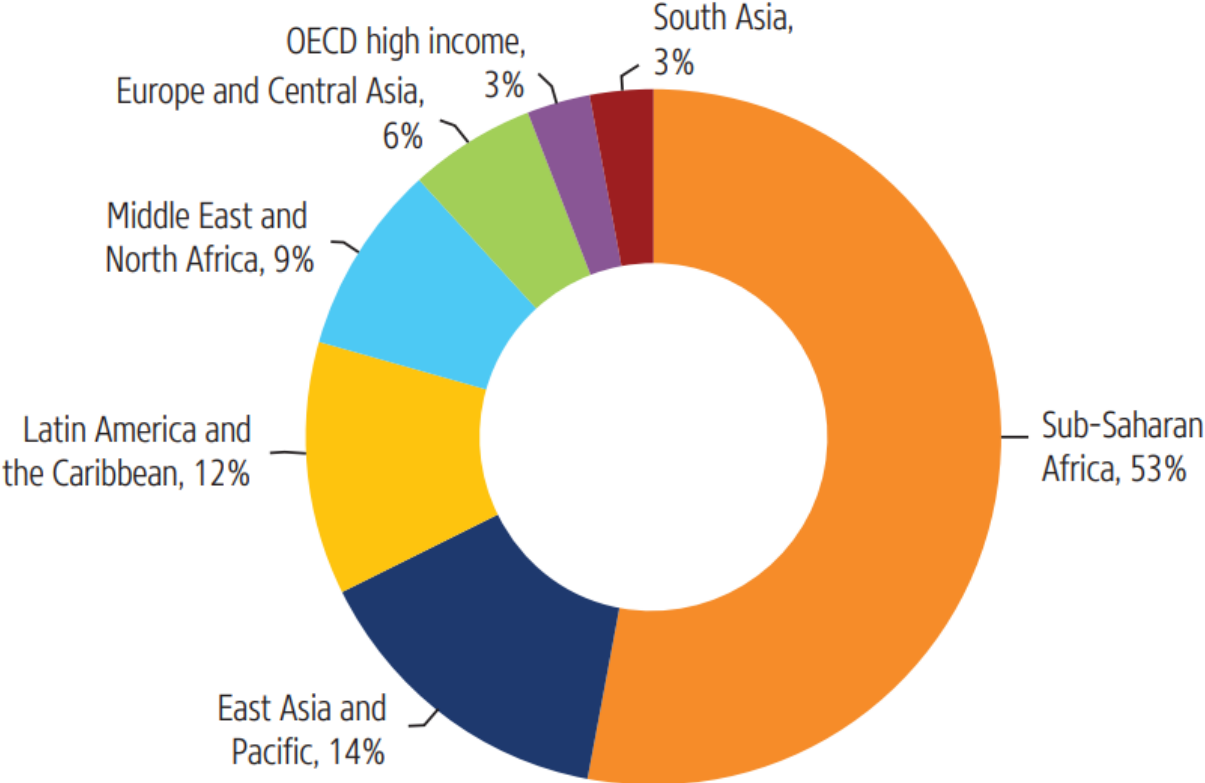
**a. Average WBL score, 2018 and 2023**



**b. Changes in average WBL score, 2018–23**



# REFORMS INTRODUCED IN THE OECD HIGH-INCOME REGION IN WBL23



## Parenthood

### The Netherlands

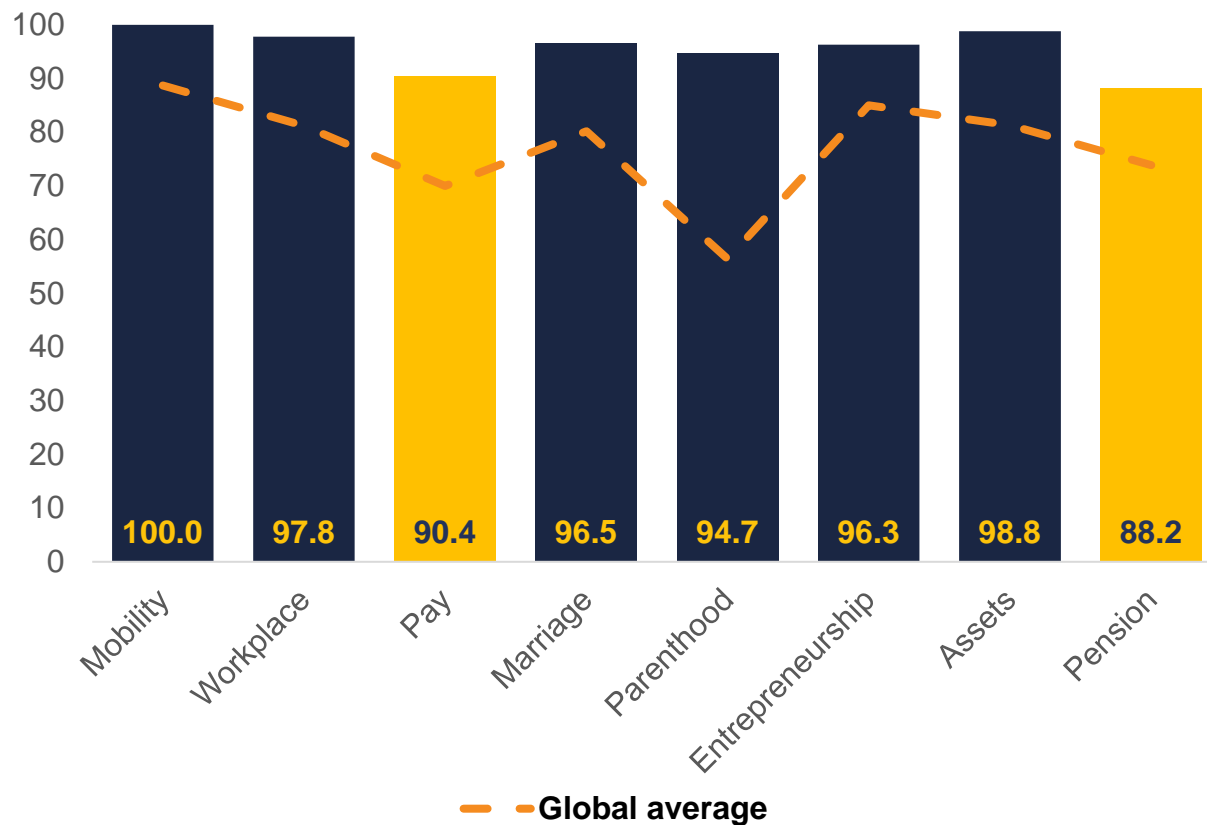
*The Netherlands introduced paid parental leave.*

Source: Women, Business and the Law database.

# CHALLENGES REMAIN IN THE PAY AND PENSION INDICATORS



WBL 2023 indicator averages, OECD high income



## Out of 34 economies in OECD High-income region:



**6 economies** do not mandate equal remuneration for work of equal value



**In 4 economies** a woman cannot work in an industrial job in the same way as a man



**In 8 economies** the age at which men and women can retire with full pension benefits is different

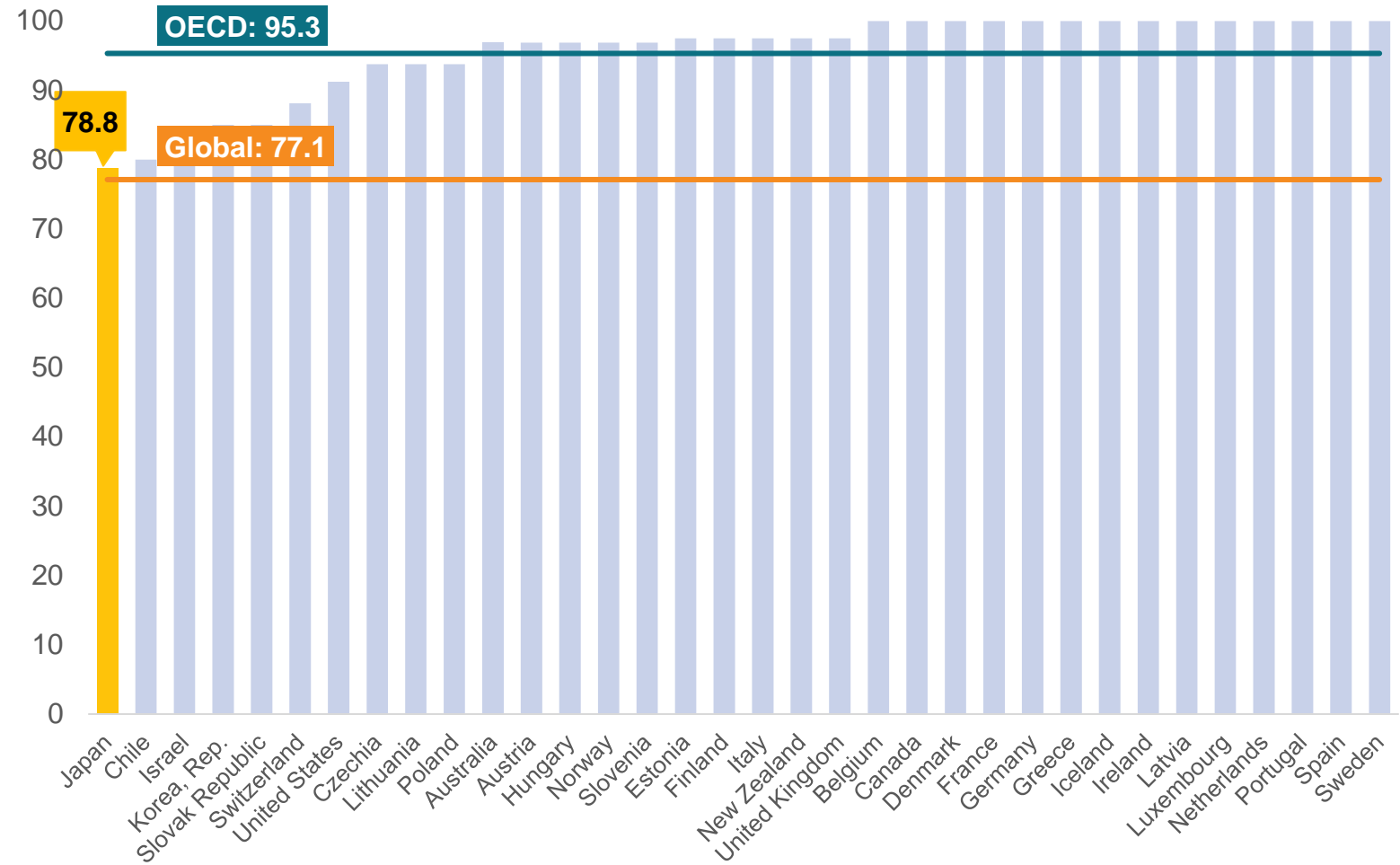


**In 18 economies** periods of absence due to childcare are not accounted for in pension benefits

# JAPAN SCORES 78.8 IN THE WBL 2023 INDEX

No reform identified in Japan in the past year.

## WBL 2023 Scores, OECD High Income





# PERFORMANCE BY INDICATORS (2023)



Mobility



Workplace



Pay



Marriage



Parenthood



Entrepreneurship



Assets



Pension



WBL Score

	Mobility	Workplace	Pay	Marriage	Parenthood	Entrepreneurship	Assets	Pension	WBL Score
Japan	100	50	25	80	100	75	100	100	50.6
Regional average	100.0	97.8	90.4	96.5	94.7	96.3	98.8	88.2	95.3
Global average	88.7	81.2	70.0	80.2	56.4	85.0	81.3	73.9	77.1

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# MOBILITY: MEASURING RESTRICTIONS TO WOMEN'S FREEDOM OF MOVEMENT



Removing restrictions on women's mobility enables more women to join the labor force and open their own businesses.

Source: Women, Business and the Law



**34 countries**

prevent women from choosing where to live in the same way as men



## WORKPLACE: MEASURING LAWS AFFECTING WOMEN'S DECISION TO WORK



Thanks to the Barbados Employment Sexual Harassment (Prevention) Act 2017, every employer must have a clear written policy against sexual harassment.

Source: Nation News



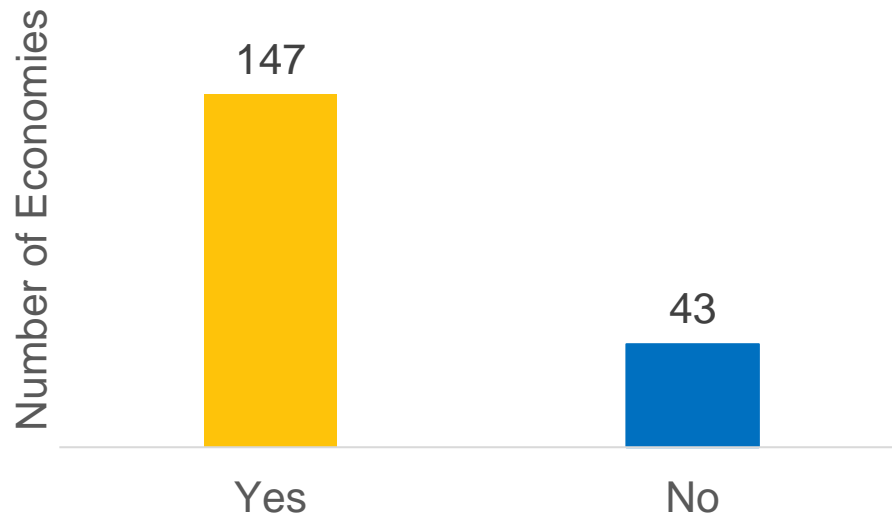
43

**countries**

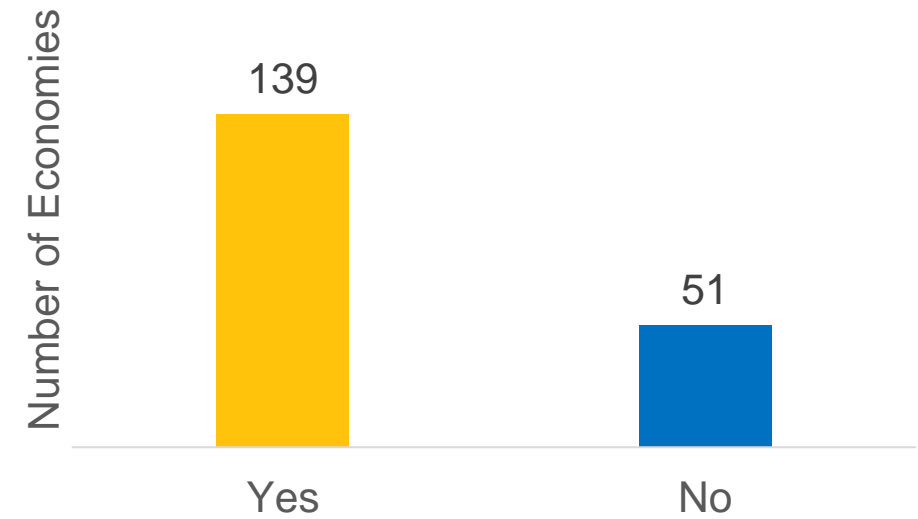
still do not have  
legislation on sexual  
harassment in employment



# WORKPLACE: MEASURING LAWS AFFECTING WOMEN'S DECISION TO WORK



Is there legislation that specifically addresses sexual harassment in employment/workplace?



Is there legislation and redress measures (criminal penalties or civil remedies) for sexual harassment in employment/workplace?

Source: Women, Business and the Law database.



# WORKPLACE: LEGISLATION ON SEXUAL HARASSMENT IN EMPLOYMENT



## PORTUGAL



*Labor Code, Art. 29*

“The practice of harassment is prohibited. Sexual harassment represents unwanted sexual behavior, in a verbal, non-verbal or physical form, with the purpose or effect of disrupting or dignity, or create an intimidating, hostile, degrading, humiliating or destabilizing environment”

## SLOVENIA



*Employment Relations Act, Arts. 7 and 47*

“unwanted verbal, non-verbal or physical conduct or conduct of a sexual nature with the effect or intent to affect the dignity of a person, especially when creating an intimidating, hostile, degrading, shameful or offensive environment”



# PAY: MEASURING LAWS AND REGULATIONS AFFECTING WOMEN'S PAY



Equal pay



Night work



Dangerous: arduous



Industries: mining; water





# PAY: EQUAL REMUNERATION FOR WORK OF EQUAL VALUE

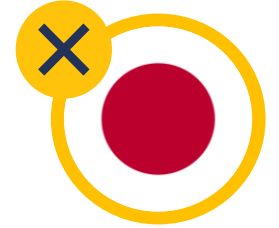


## FRANCE



- *Code du Travail, Art. L3221-2*
- “Every employer shall ensure, for the **same work or for work of equal value, equal remuneration** for women and men.”

## JAPAN



- *Labor Standard Act, Art. 4*
- “An employer shall not engage in discriminatory treatment of a women as compared to a man with respect to wages by reason of the worker being a woman (...).”

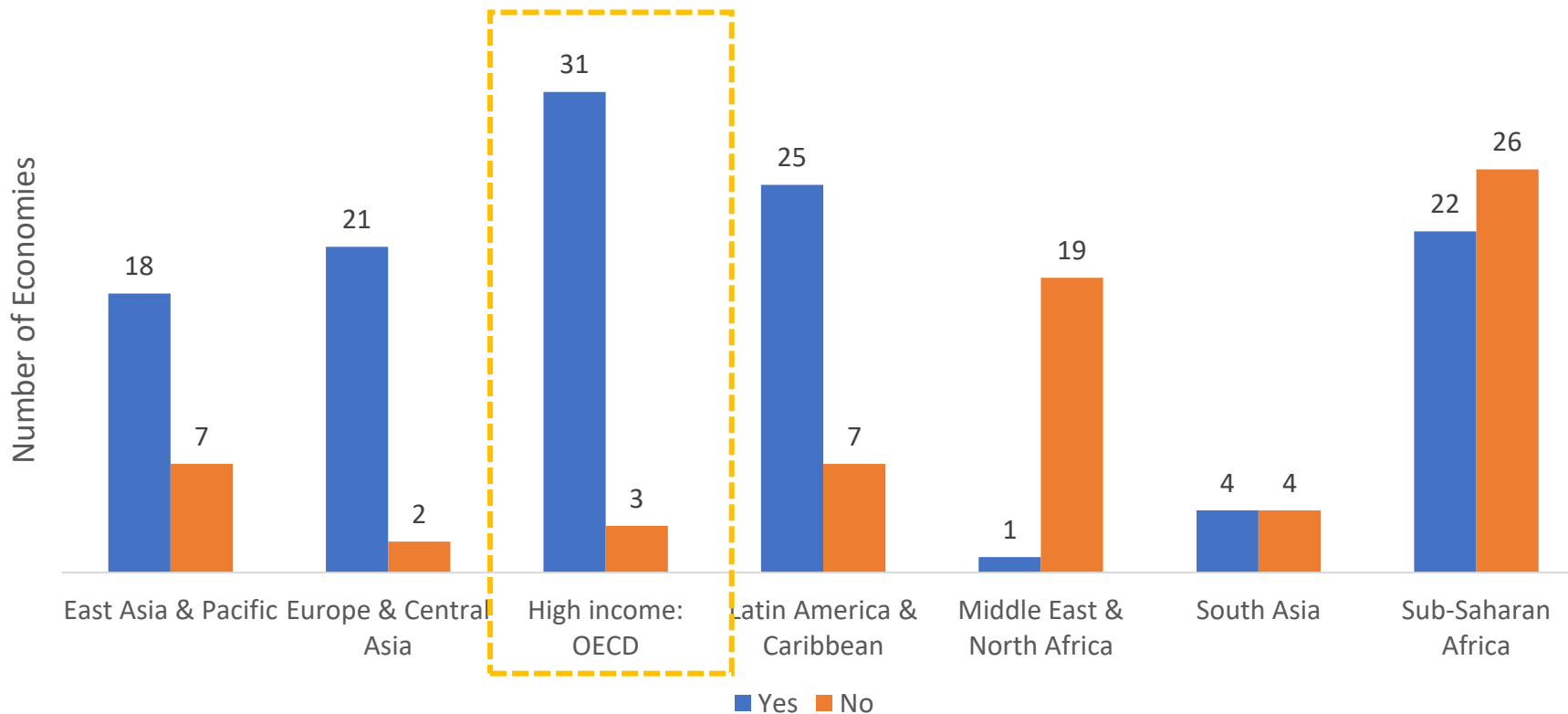




# MARRIAGE: MEASURING LEGAL CONSTRAINTS RELATED TO MARRIAGE AND DIVORCE



*Does a woman have the same rights to remarry as a man?*



**68** economies still restrict women's ability to remarry

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



# PARENTHOOD: MEASURING LAWS AFFECTING PARENTS' ABILITY TO TAKE TIME OFF WORK



**Six economies introduced six reforms on family leave policies in the past year**





# ENTREPRENEURSHIP: LAWS SUPPORTING WOMEN FROM STARTING AND RUNNING A BUSINESS



## FINLAND



*Act on Equality between Men and Women, Sec. 8e*

“The conduct of a supplier of goods or services shall be deemed to be discrimination prohibited by this Act if a **person is placed at a disadvantage on the basis of sex** in the provision of publicly available goods and services in the public or private sector or is otherwise treated in the manner referred to in section 7.”

## UNITED STATES



*Equal Credit Opportunity Act, Art. 1691(a)(1)*

“It shall be unlawful for any creditor to **discriminate** against any applicant concerning any aspect of a **credit transaction** based on race, color, religion, national origin, **sex** or marital status, or age (provided the applicant has the capacity to contract.)”



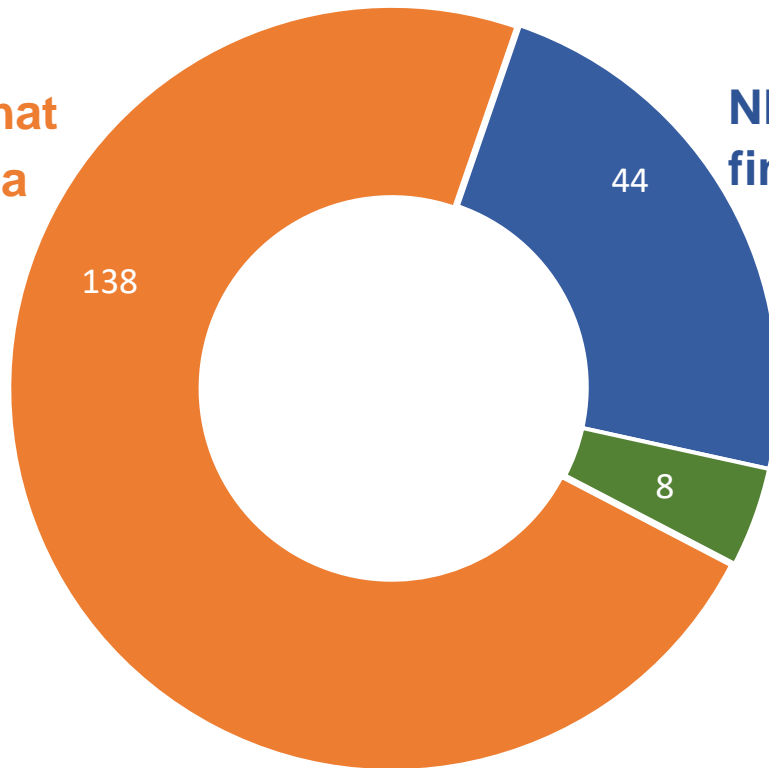


# EMERGING TRENDS IN NATIONAL FINANCIAL INCLUSION STRATEGIES THAT SUPPORT WOMEN'S ENTREPRENEURSHIP



Women's access to credit and sex-disaggregated data reporting in National Financial Inclusion Strategies

**Economies that do not have a NFIS**



**NFIS that highlight women's financial inclusion**



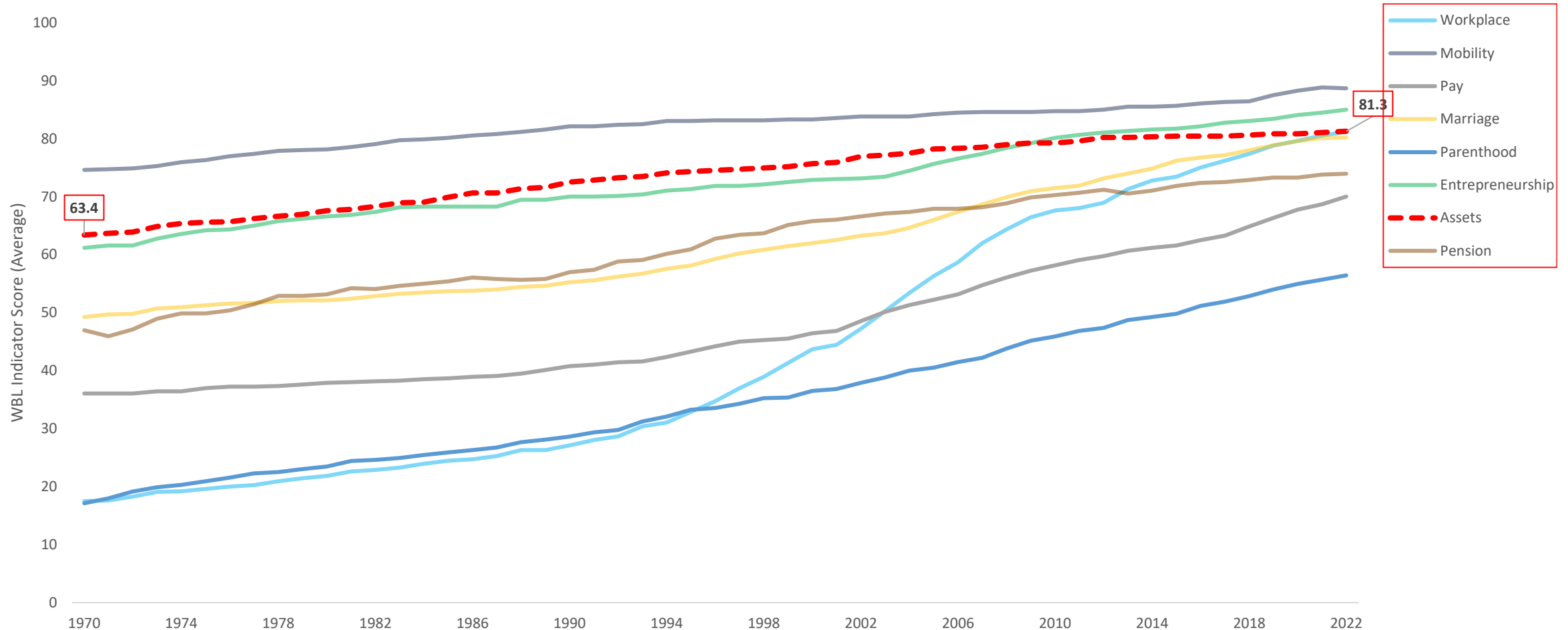
Only **10 of the 44** address the need to increase women's access to credit

Only **13 of the 44** call for the collection of sex-disaggregated data

**NFIS that do not highlight women's financial inclusion**



# ASSETS: INEQUALITIES IN PROPERTY RIGHTS ARE SLOW TO BE REFORMED

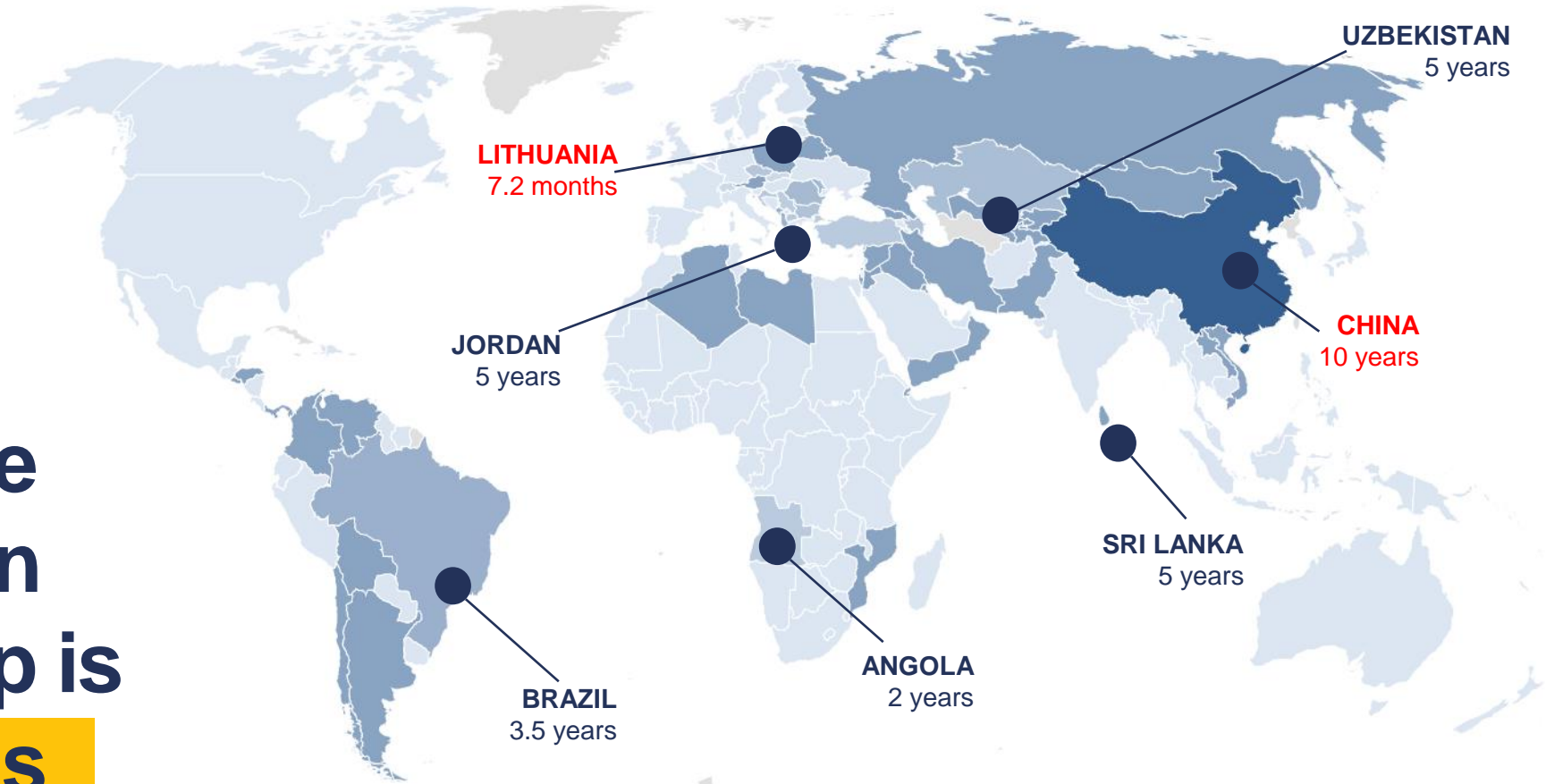




# PENSION: MEASURING LAWS AFFECTING WOMEN'S RETIREMENT AGE AND BENEFITS



The average pension age gap is **4 years**



With the current pace of reforms, how many years would it take to achieve legal gender equality globally?



<https://www.menti.com/bl6g417jge41>

# Agenda

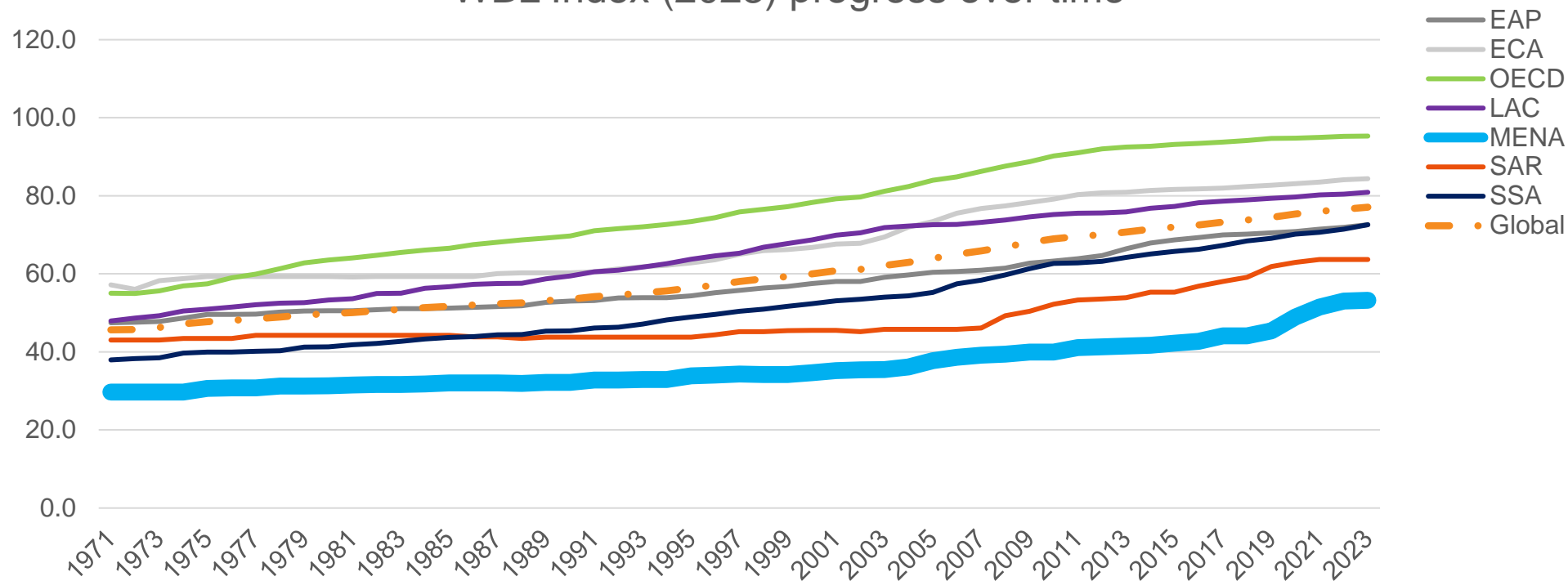
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# EACH REGION HAS MADE PROGRESS OVER THE PAST 53 YEARS



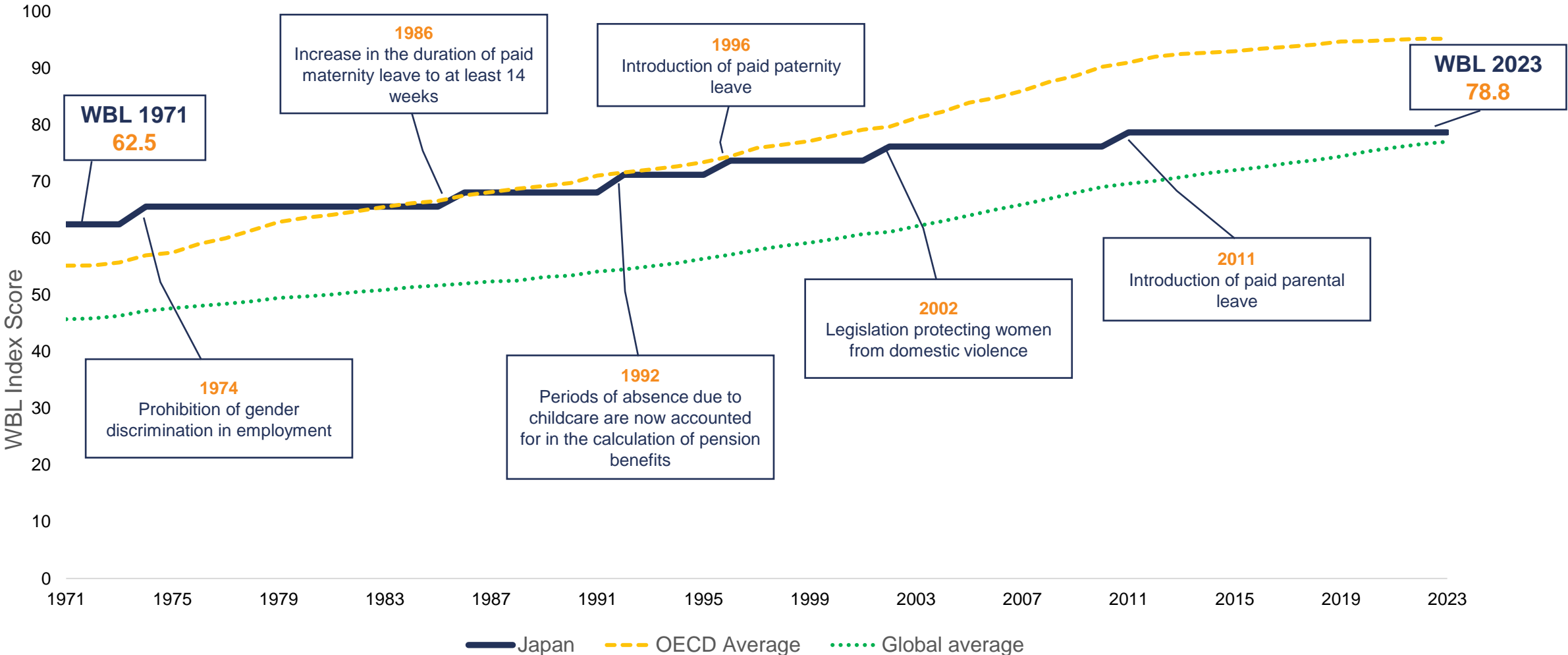
WBL Index (2023) progress over time



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[Regional profiles](#) | [Economy summaries](#) | [Reforms database](#)

# 53 YEARS OF WOMEN'S RIGHTS IN JAPAN



# UNPACKING REFORM EFFORTS: MAIN TAKEAWAYS FOR OECD HIGH INCOME ECONOMIES



*Women, Business and the Law* score has improved by about two-thirds as a result of more than 2,000 reforms expanding women's legal rights.



The *Women, Business and the Law* average score for OECD high income has improved by **72.5%** thanks to **490** reforms expanding women's legal rights



Only 14 economies have reached legal gender parity in 2022.  
Progress has been uneven across regions and over time.



All 14 economies that score 100 on the WBL Index are OECD high income economies



Progress across the areas measured has been uneven, with most reforms in Workplace and Parenthood.



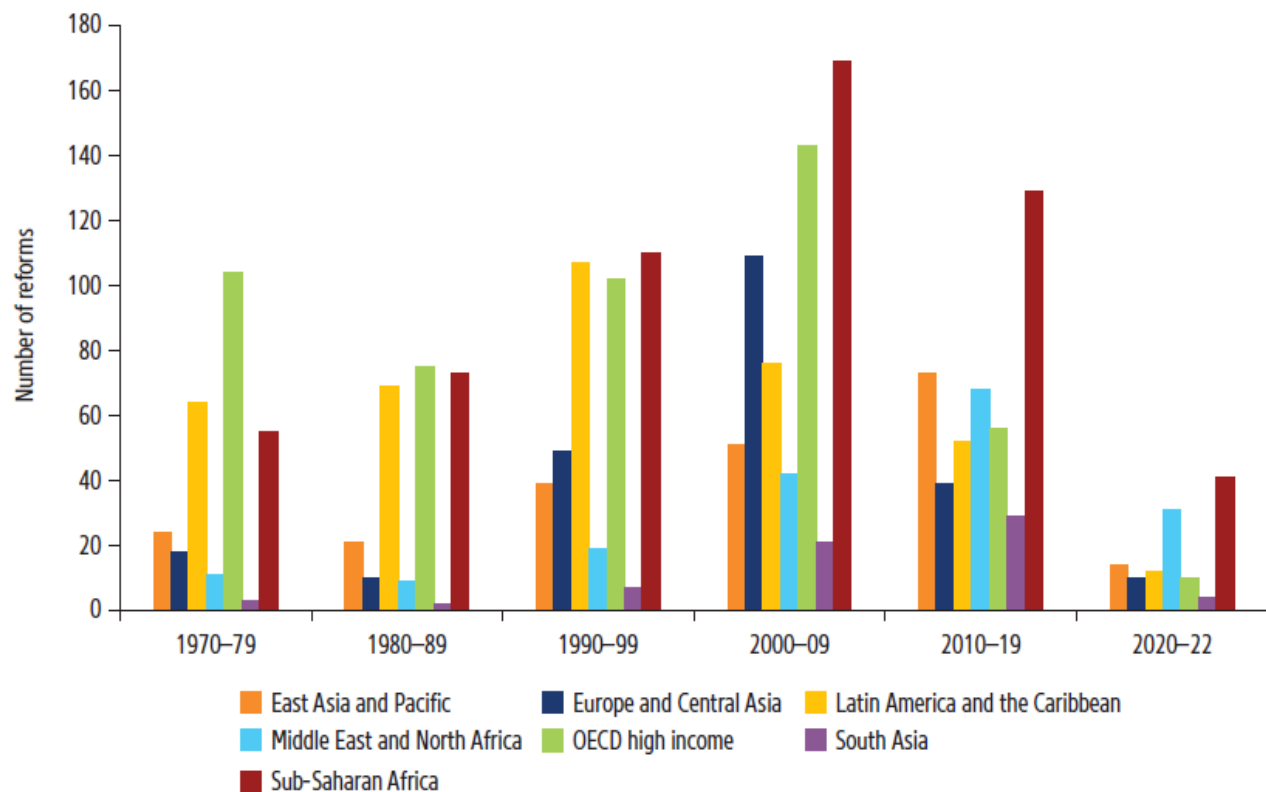
Most reforms in the OECD region have been in the Workplace and Parenthood indicators; least in Mobility and Asset indicators.



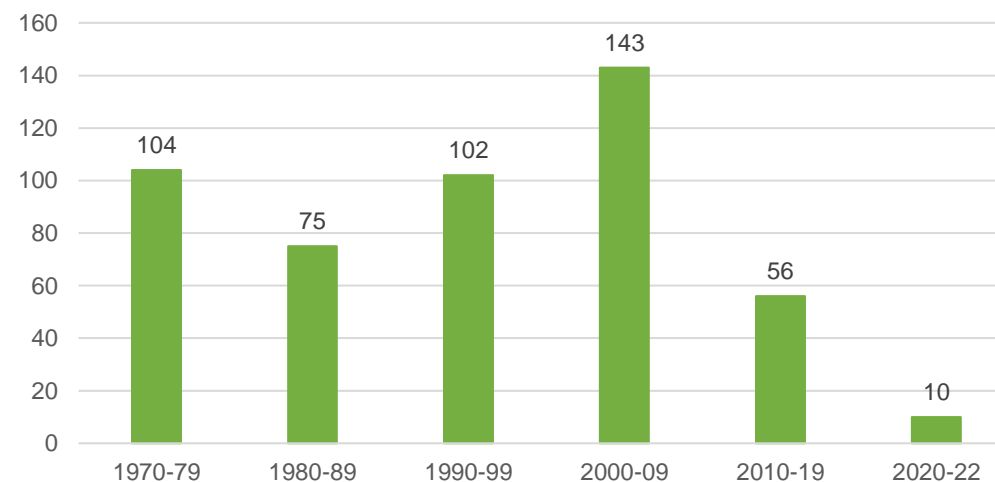
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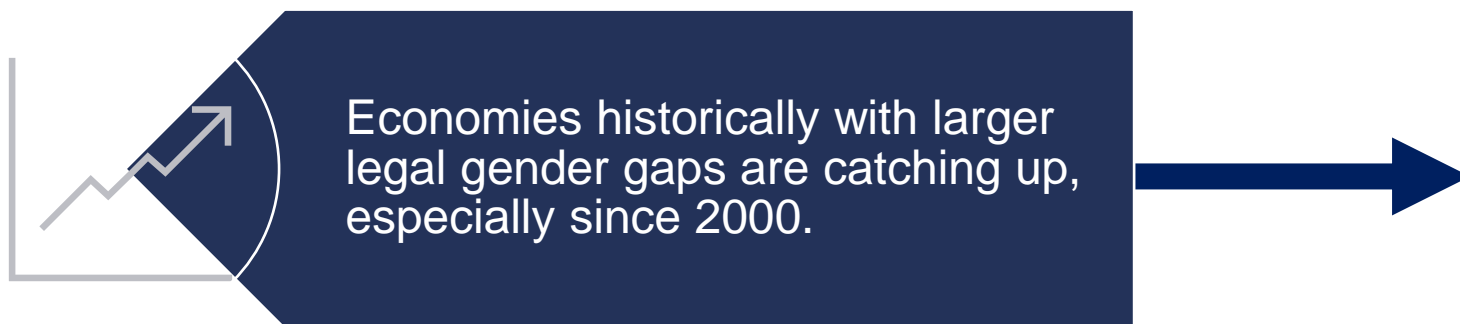
Number of women's rights reforms implemented, by decade and region



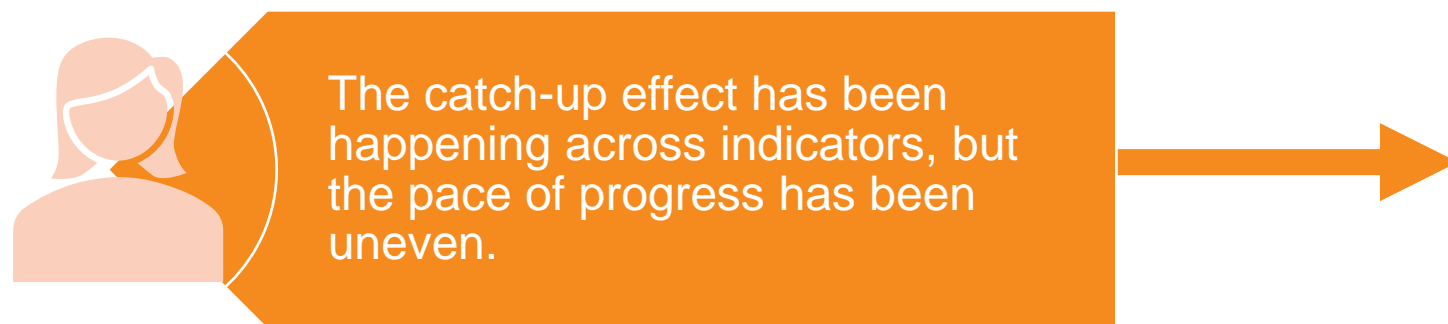
Number of reforms implemented by OECD high income economies, by decade



# UNPACKING REFORM EFFORTS: MAIN TAKEAWAYS FOR OECD HIGH INCOME ECONOMIES



Economies with the highest growth rates in OECD include Luxembourg, New Zealand, and Iceland.



Globally, reforms in the Pay indicator happened after reforms in the Workplace indicator.

# DRIVERS OF LEGAL REFORMS: RESEARCH AND DATA



*International legal mandates*



*Technical assistance*



*Civil society activism*



*Multi-stakeholder coalitions*



**Research and data**

**Kenya** → *2015 Protection Against Domestic Violence Act*

**Egypt** → *2021 Central Bank of Egypt Circular*

**United Arab Emirates** → *2020 reforms of Personal Status Law*

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# WHAT'S NEXT?



**WBL**  
**2023**

Research on childcare, implementation, safety, and other areas

**WBL**  
**2024**

Publication of new data on childcare, disability, implementation, and safety

**WBL**  
**2025**

Incorporation of new indicators into WBL index and report

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



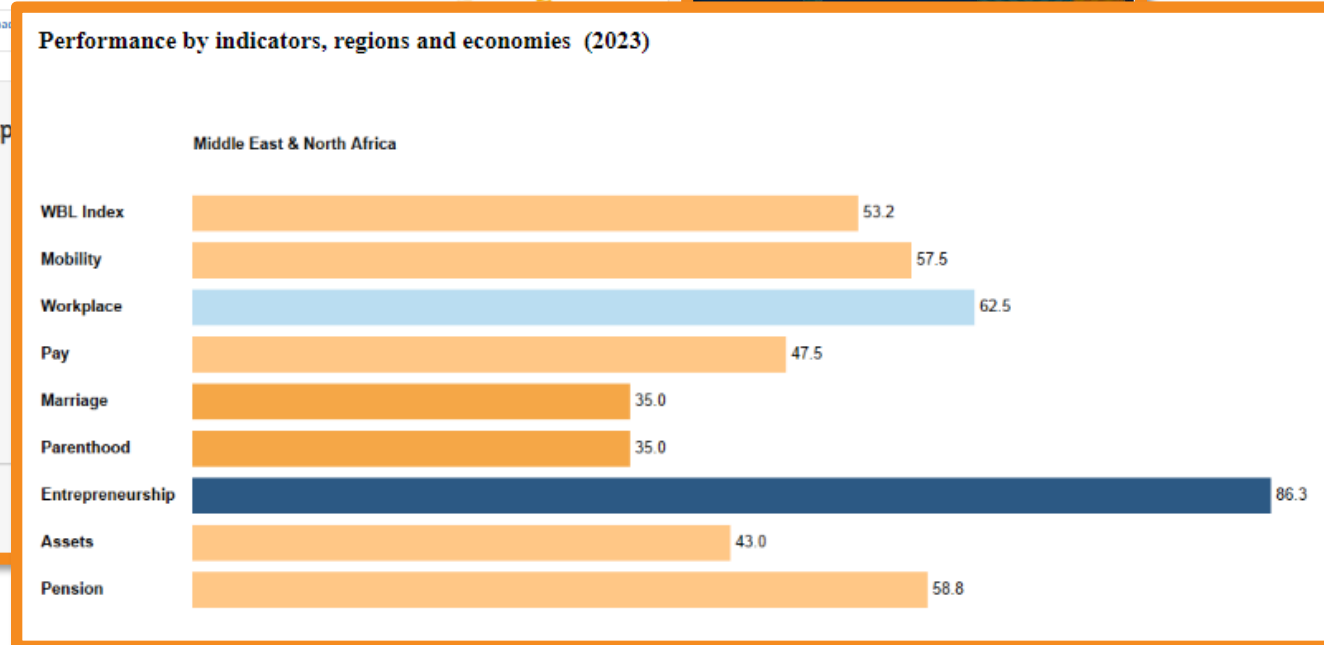
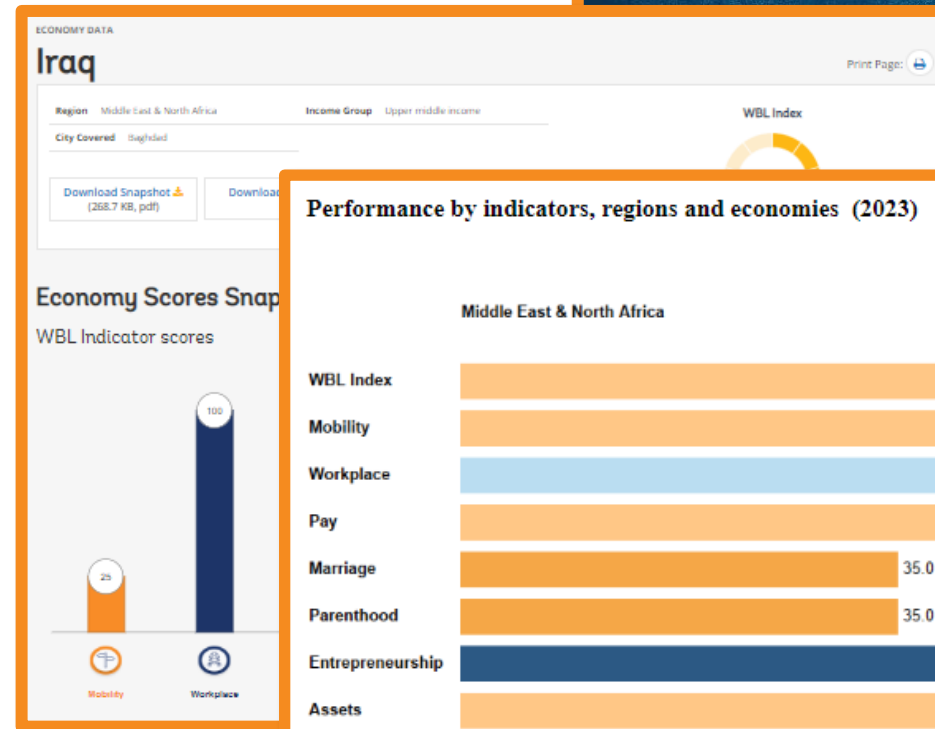
# KEY RESOURCES FOR COUNTRY TEAMS, POLICYMAKERS AND CIVIL SOCIETY ORGANIZATIONS



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to access:

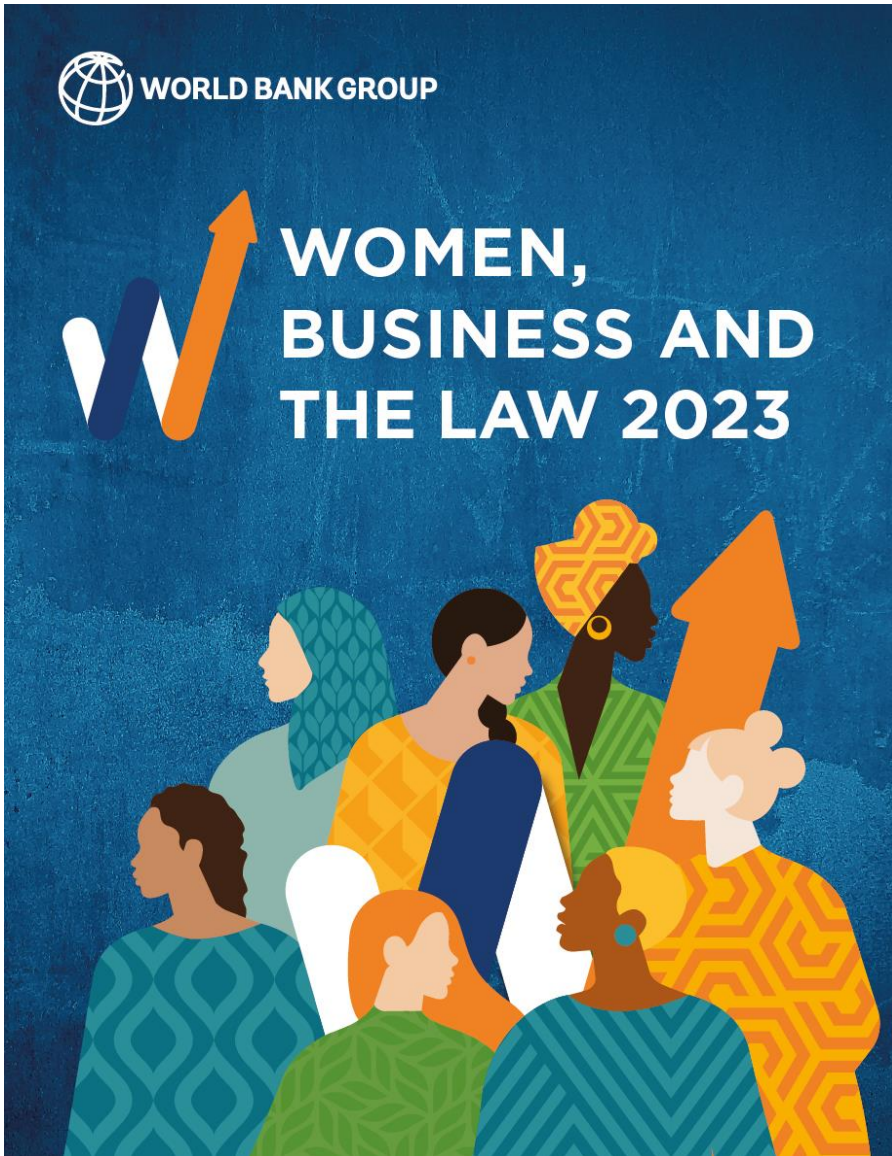


- Economy snapshots
- Regional profiles
- Reforms database
- Historic overview:  
1971 - 2023





# WOMEN, BUSINESS AND THE LAW 2023



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