


# General comments on the report

- Objective measurement of the legislative system rather than looking at gender inequality outcomes
- Traditional analysis of business activities does not look at family laws; similarly it ignores the interplay of customary laws. However, to understand obstacles to female entrepreneurs we need also to take these areas into account;
- Implementation also matters and this is something to consider in the future analysis and the report provides an important starting point for this analysis.



# What aspects of the gender work would you like to prioritize?

- ✓ Focus on those gaps that do not disappear with growth
  - Reducing **gender gaps in human endowments** (pockets of gender disadvantage in education and excess female mortality)
  - Closing **earnings and productivity gaps** between men and women
  - Shrinking **gender differences in voice and agency**
  - Limiting the **reproduction of gender inequality** over time
- ✓ Target the determinants/causes of gender inequality (sometimes multiple – e.g. employment segregation)

# What is your vision for the role of the department in advancing gender agenda within the World Bank?

- Global action complementary to national action and policies
- Focus on the **4 priority areas** plus **1 cross-cutting** priority (supporting evidence based public action through data and knowledge)
- Three types of activities:
  - ✓ Providing financial support
  - ✓ Fostering innovation and learning
  - ✓ Leveraging effective partnerships

# What is your vision for the role of the department in advancing gender agenda within the World Bank?

- ❑ Relative importance of these priorities will vary across countries
- ❑ Ongoing efforts in these areas need to be sustained and past commitments met
- ❑ But **new** or **additional** action needed in multiple fronts:
  - ❑ Additional financing for clean water and sanitation, maternal mortality, HIV/AIDS, ECD and child care
  - ❑ Support (financial and technical) to foster innovation and learning in service delivery, investing in rural women, increasing access to justice
  - ❑ Leveraging partnerships with other donors; private sector; UN Women

How do you think the findings of the “*Women, Business and the Law*” 2012 report could be integrated into operations of the World Bank and of broader developmental community?

- The report provides a clear snapshot of the legislative situation and help indentifying the key obstacles for women in this area.
- Similarly it would help us analyze how discriminatory legislation can act as constraints on women participation in society.

Examples:

- The report analyze inequalities in laws related to access to justice system. Improving access to justice is key for business owned by women, women property rights, mobility, and for other dimensions such as domestic violence.
- The report also provides information on family policies and the presence of inequalities on labor laws and this is key to address market/institutional failures that prevent women participation to economic opportunities
- The report also discusses the presence of inequalities in property rights, including inheritance, and this is fundamental if we want to improve access to finance for women
- Finally, the report has started to address the role of customary law, which in certain countries affect the majority of the population.

Given your experience, do you think that women of the developed and developing world face different challenges when it comes to legal parity with men?

#### Challenges developing countries

- Lack of resources and capacity of the legal system disproportionately affect women
- Many men and women excluded from formal legal system (80% in SSA). Acknowledgement in report of customary law as a source of law and this is a positive step – traditional systems profoundly impact on the role and rights of women.
- Lack of infrastructure (courts) judges/lawyers etc. geographical distance, cost literacy, language, social norms which stigmatise women who bring complaints.
- Lack of participation in the legal process (both as legal personnel and as participants in the legal system)

#### Challenges facing developed world

- As report acknowledges, legislative change has been relatively recent in some countries in the developed world.
- Legislative reform substantial but still ongoing – only recently did the UK acknowledge a yardstick for equal division of marital property on divorce.
- Still common problem of implementation – Labor legislation still has failed to address notion of equal pay for equal work and so these areas for focus.
- women's access to legal services and also participation in legal system. Few women in senior ranks of judges etc. Labor legislation still has failed to address notion of equal pay for equal work and so these areas for focus.
- Demand for legal reform by civil society and women's networks and greater participation resulted in reform in developing countries

From your experience with the UNDP and the World Bank, between the human right and economic perspective, which argument works best when communicating with governments? Or do both arguments reinforce each other?

- Economic and human right perspective reinforce each others:
- As the WDR 2012 shows “Progress toward increasing women’s rights is clustered around major international human rights conferences”  
“International conferences opened political space for national governments and societal actors to raise concerns, generate awareness, learn about cross-national experiences, generate momentum, and apply pressure to advance a gender equality agenda nationally.”
- Progress in this front is a factor that lead to a reduction in constraints that women face and this has economic effects:
  - It brings an efficient allocation of existing resources and thus increase growth
  - It provides for intra-generational returns
- Similarly, the economic perspective can push the reform agenda among policy makers