Women as a fundamental asset for recovery

The MENA-OECD Women’s Economic Empowerment Forum (WEEF) is a regional platform that works to galvanize and support the implementation of policy reforms to improve women’s access to economic opportunities across the MENA region. The focus of its 2020 edition, held virtually this year, was Closing the gender gap to rebuild a post-Covid-19 economy for all.

The meeting brought together 119 participants from 29 countries, including 14 MENA countries, and regional and international organisations (UN Women, UNDP, ILO, UNIDO, EU, IMF, UfM, CAWTAR and AfDB). The two co-Chairs of the WEEF – H.E. Dr. Hala El Saeed, Minister of Planning and Economic Development of Egypt and H.E. Jan Thesleff, Ambassador of Sweden to Egypt – opened the event alongside Juan Yermo, OECD Chief of Staff, and Cynthia Samuel-Olonjuwon, ILO Director for Africa. Other high-level participants included H.E. Imen Zahouani Houimel, Minister of Women, Family and the Elderly of Tunisia, H.E. Amal Hamad, Minister of Women of the Palestinian Authority, and H.E. Muriel Pénicaud, Permanent Representative of France to the OECD.

Key messages

◆ **Women’s economic empowerment is at the core of the region’s competitiveness reform agenda.** MENA countries have undertaken intense reform efforts over the past decade to advance women’s role in the economy, yet women’s participation rate in the labour market, as both employees and entrepreneurs, remains the lowest worldwide. Governments recognise the private sector’s key role to create jobs and achieve regional economic transformation, and hence the need to take urgent steps to unlock women’s potential.

◆ **The crisis is an opportunity to empower women as drivers of recovery and growth.** During the Covid-19 pandemic, in the MENA region and as in many other parts of the world, women have been at the frontline of the crisis. Women represent the predominant share of workers in the health and care sectors. At the same time, the sectors where women are highly represented, such as services, tourism, and manufacturing, have been particularly hard hit by containment measures, while unpaid care work has increased considerably. However, the crisis also offers an opportunity to reinforce positive attitudes towards women’s role in society and has drawn attention to the necessity of addressing sectoral and occupational segregation to enable women’s participation in the full spectrum of economic activities.

◆ **Tackling structural issues that predate Covid-19 is critical to unleash the potential of MENA women.** A key factor holding women back in MENA is the lack of alignment between countries’ commitment to gender equality on paper (constitutional provisions guaranteeing gender equality and adherence to key international standards) and the reality of women’s daily lives, where discriminatory legal frameworks and social norms hamper their access to economic opportunity. Additional efforts are required to align legal and policy frameworks with domestic and international law as well as to foster values of inclusion and social acceptance.

◆ **The law in itself cannot empower women if it is not enforced.** Several factors account for the region’s weak performance in facilitating implementation and compliance, such as high levels of legal illiteracy, common among both men and women, inadequate awareness-raising campaigns, insufficient budgetary allocations, lack of complementary policy measures, lack of trained personnel responsible for enforcement, persistent conservative values, restricted access to justice and lack of political will. There is a need at the regional level for concrete implementation tools to ensure that reforms can have a real impact on the ground.
Building the evidence base is a pivotal component of any strategy to achieve the global gender agenda. This is particularly relevant to the MENA region, where countries have made extensive efforts over the past years to improve data collection and analysis on particular aspects of women’s economic empowerment. However, considerable gaps remain in the data needed for measuring SDG indicators related to the economic empowerment of women as well as in the data concerning vulnerable groups of women. An additional challenge comes from the fact that even where gender-disaggregated data exist, they are often underused. Moreover, countries need to improve data governance, both in ensuring data comparability, consistency and regularity of collection as well as strengthening the use of data to inform policy-making and programming. A solid and rigorous evidence base would enable measuring the impact of legal and policy reforms over time.

Way forward

The ministerial panel of the WEEF has agreed on a range of guiding principles as objectives that MENA countries need to strive for in order to close the gender gap. Building on the outcome of two technical consultations that gathered legal experts, economists, members of the judiciary, and civil society and private sector representatives on 26 and 30 November 2020, the WEEF developed a set of recommended actions for each objective (see Annex). The MENA-OECD Competitiveness Programme will use the identified objectives and priority actions to design its 2021-2025 programme of work on women’s economic empowerment.

### Policy area 1. Effectiveness of law enforcement and improvement of women’s access to justice

- Foster an environment conducive to respect for women’s rights and nurture a culture of inclusion and
  gender equality.
- Develop the analysis to better understand discriminatory legal frameworks as well as the challenges related to the implementation of legal reforms.
- Strengthen monitoring and evaluation for better performance in law enforcement.
- Mobilise stakeholders to accelerate the dynamic of change.
- Consolidate capacity-building and peer-learning activities.
- Foster an enabling environment for women’s access to justice and strive towards effective and accountable justice institutions.

### Policy area 2. Full participation of women in the private sector

- Facilitate women entrepreneurs’ access to information, financial services, markets, investment opportunities, land and other assets.
- Improve legal frameworks, remove legal and structural barriers, and increase equality in the workplace.
- Extend social protection to improve work-life balance and involve more women in social dialogue.
- Leverage the benefits of multilateral co-operation to ensure effective support to national women’s economic empowerment programmes.

### Policy area 3. Efficient governance of the collection, analysis and dissemination of gender data and statistics

- Promote the collection of gender data and statistics in the national statistical system, to support the design and monitoring of sound policy initiatives for gender equality and women economic empowerment.
Policy area 1. Effectiveness of law enforcement and improvement of women’s access to justice

Objective
Foster an environment conducive to respect for women’s rights and nurture a culture of inclusion and gender equality.

Recommended actions
- Disseminate the content of existing laws and build on success factors to achieve further progress.
- Teach gender equality and women’s rights in universities and judicial institutes to tackle legal illiteracy, which undermines women’s rights enforcement. This will help entrench a culture of women rights within judicial institutions.
- Raise public awareness to ensure people understand the advantages of non-discriminatory legal frameworks, but also to increase women’s awareness about their right to resort to courts. Gender-neutral laws in a culture that is not neutral may not correctly be implemented.
- Focus on the jurisprudence of constitutional and lower courts in order to assess the actual enforcement of women’s rights.
- Analyse fiscal legislation, which are neutral with respect to conservative traditions, and identify how this area of law may be used to advance women’s rights.
- Further analyse Personal Status Codes to identify provisions that indirectly constrain women’s participation in the economic and social life, such as restrictions on their freedom to travel or guardianship of their spouse or father.
- Clarify ambiguous terms in legal texts, constitutions in particular, which may give rise to interpretations that contravene the implementation of gender equality and women’s rights principles.
- Develop mechanisms to monitor the implementation of gender equality legal frameworks. This needs to be put in place using a granular approach to order to identify discriminations at different levels.
- Strengthen the role of constitutional courts in reviewing the laws and their implementation in order to avoid any loopholes in decisions rendered in favour of women, in accordance with national and international laws.

Develop the analysis to better understand discriminatory legal frameworks as well as the challenges related to the implementation of legal reforms.

Strengthen monitoring and evaluation for better performance in law enforcement.
**Mobilise stakeholders to accelerate the dynamic of change**

- Train and encourage stakeholders, such as the media as well as influencers, to become more involved, especially in raising women’s awareness of their rights.
- Strengthen multi-stakeholder initiatives aimed at advocating in favour of women’s rights, like the action of the Equality Now collective in Morocco, which works for the adoption of a framework law for the effective implementation of equality between women and men, as stated in article 19 of the 2011 Constitution.
- Work in close co-operation with politicians to understand and address remaining barriers to women’s economic empowerment, even where there is a genuine political will to overcome obstacles.

**Consolidate capacity-building and peer-learning activities**

- Strengthen the capacities of institutions responsible for women’s rights, in particular concerning the management of financial resources accruing from regional and international co-operation.
- Increase synergies between countries through the establishment of consortia to share and disseminate at the regional level best practices in designing gender-sensitive legislations and implementing legal reforms.

**Foster an enabling environment for women’s access to justice and strive towards effective and accountable justice institutions.**

- Accelerate and simplify the drafting of reports when women file a complaint.
- Improve the training of officers responsible for interviewing women victims.
- Improve the training of legal professionals such as judges, prosecutors, and lawyers.
- Increase financial support for women to help them cover the legal costs, such as lawyers, experts, bailiffs, etc.
- Shorten delays in court proceedings.
- Ensure free legal aid for vulnerable women.
- Boost the role of CSOs providing shelters for women victims of violence and assistance to facilitate women’s access to justice.
- Tackle social pressure preventing women from filing complaints, in particular for crimes related to violence against women, which is still a taboo.
- Facilitate the recourse to international jurisdictions, such as the African Court on Human and Peoples’ Rights.
- Ratify the CoE Convention on preventing and combating violence against women and domestic violence.
Policy area 2. Full participation of women in the private sector

Objective

Facilitate women entrepreneurs’ access to information, financial services, markets, investment opportunities, land and other assets.

Recommended actions

► Support the design of incentives for the private sector to increase women’s participation. These incentives can be implemented at several levels, for instance at the level of corporate income tax.

► Work directly with CEOs and boards to foster a culture of gender equality within the workplace, through:
  a. Setting concrete and measurable goals on gender diversity
  b. Developing a diversity strategy aligned with the recruitment strategy
  c. Increasing availability of health insurance schemes, childcare facilities, parental leave, etc.
  d. Giving more importance to soft skills in recruitment processes, which are often found among women, i.e. emotional intelligence, communication, problem solving, etc.

► Develop incentives to enhance formal bank lending to female entrepreneurs, i.e. reducing requirements in terms of assets/collateral for women entrepreneurs or introducing government guarantees on loans granted to women.

► Include gender equality provisions in investment laws and follow up on their implementation so that women entrepreneurs also get to access and benefit from investment opportunities.

► Encourage greater interest and participation of local, regional and international investors in women-owned businesses, i.e. through the organisation of an annual investor-pitching event for female-led start-ups.

► Foster multi-stakeholder initiatives including all actors of the entrepreneurship ecosystem to mainstream gender considerations across all layers. This is key to ensure appropriation and accountability by all actors.

► Continue the discussion on equality in inheritance and penalise the illegal deprivation of inheritance.

► Support the provision of relevant and timely information on economic opportunities, access to finance, investment opportunities, legal frameworks and processes for enterprise creation, etc. This can be done through the elaboration of a practical guide, as the one developed by the Egyptian Centre for Economic Studies.

► Increase and structure trainings for young female entrepreneurs.
Create a virtual hub for women entrepreneurs across the region to share experiences, knowledge and mentor each other.

Review and restructure legal provisions that can significantly affect women’s economic participation, including:

- Developing a legal framework for flexible work, including remote work.
- Lifting restrictions on sectors and working hours for women (e.g. night work).
- Defining and sanctioning sexual harassment in the workplace.
- Introducing and/or extending paternity leave.

Remove all discriminatory legal provisions related to women’s participation in the labour market, including by revising personal status laws, and include a non-discrimination provision in the labour code together with specific provisions on women’s rights at work.

Make the adoption of an SME law a priority area of focus, as a framework conducive to the development and growth of micro, small and medium businesses will directly impact women who are over-represented among these businesses.

Introduce flexible work in the legislation and in practice and encourage both women and men to take advantage of this option so that men can share family responsibilities.

Improve labour inspections that focus on gender equality so that legal provisions on non-discrimination and gender equality are enforced.

Support the creation of economic opportunities closer to where women live to address the issue of (public) transportation, which can constrain women’s (labour) mobility.

Encourage investments in digital infrastructure and enhance women’s access to technology as a means to foster business creation among women.

Extend social protection to improve work-life balance and involve more women in social dialogue.

Continue the reforms of countries’ social protection systems with a focus on addressing gender inequalities and promoting women’s participation in the labour force.

Align the duration of maternity leave with the ILO Maternity Convention and introduce a system whereby social protection costs do not only fall on the employer but are distributed across male and female workers. Introduce and/or extend paternity leave and encourage fathers to take up this leave in order to share family responsibilities.

Invest in quality childcare facilities and provide incentives to companies who wish to establish such facilities. Make these facilities available for the children of both male and female employees.

Launch a public-private dialogue on the provision of social protection services to align services provided by the state with those provided by the private sector.

Improve legal frameworks, remove legal and structural barriers, and increase equality in the workplace.
Leverage the benefits of multilateral cooperation to ensure effective support to national women’s economic empowerment programmes.

Policy area 3. Efficient governance of the collection, analysis and dissemination of gender data and statistics

Objective
Promote the collection of gender data and statistics in the national statistical system, to support the design and monitoring of sound policy initiatives for gender equality and women economic empowerment.

Recommended actions
► Support the adoption of **solid methodologies for data production**, in line with international standards and based on harmonised concepts and definitions to allow for data comparability at the regional and international level.
► Enhance **technical and organisational capacities** of institutions in charge of collecting, analysing and disseminating data within the national statistical system and/or in coordination with it.
► Support the development of **new sectoral and transversal areas for data collection** to respond to emerging and evolving needs.
► Support **digitalisation of tools and processes** for data collection, analysis and dissemination.
► Foster **partnerships between the public sector, private enterprises and civil society** to increase the scope and effectiveness of data collection.
► Strengthen the role of the WEEF as a platform for **peer learning and knowledge sharing** on data collection between OECD and MENA countries.