



# WORLD BANK'S "WOMEN, BUSINESS AND THE LAW" 2016 REPORT: IOE INSIGHTS ON ASIA



"WOMEN, BUSINESS AND THE LAW 2016: GETTING TO EQUAL" IS THE FOURTH IN THE SERIES OF THESE REPORTS. THIS NEW PUBLICATION PRESENTS DATA ON LEGAL RESTRICTIONS ON WOMEN'S ENTREPRENEURSHIP AND EMPLOYMENT IN ORDER TO INFORM POLICY DISCUSSIONS AND PROMOTE RESEARCH ON THE LINKAGES BETWEEN THE LAW AND WOMEN'S ECONOMIC OPPORTUNITIES.

The data focuses on seven indicators: assessing institutions, using property, getting a job, providing incentives to work, going to court, building credit and protecting women from violence. New areas covered within these indicators include legislation on issues such as non-discrimination in access to credit, care leave for sick relatives, the legal age of marriage and protection orders for victims of domestic violence.

## Report findings on East Asia and the Pacific

ACCORDING TO THE REPORT, EVERY ECONOMY IN THE EAST ASIA AND PACIFIC REGION WITH THE EXCEPTION OF TAIWAN AND CHINA HAS AT LEAST ONE LAW THAT MAKES IT HARDER FOR WOMEN TO GET A JOB OR START A BUSINESS.

Certain jobs are out of bounds for women in China, Fiji, Mongolia, Myanmar, Papua New Guinea, Thailand and Vietnam. Some of these restrictions are across entire industries, as in the case of mining in Papua New Guinea, while others are specific job-related tasks such as driving certain kinds of agricultural tractors in Vietnam.

Seven countries in the region have tax provisions that directly favour men: Brunei Darussalam, Cambodia, Fiji, Indonesia, Lao PDR, Malaysia and the Philippines.

Despite these disparities and setbacks, the Report finds that the region has made substantial progress towards equalizing the field for men and women in the past two decades. Economies in this region also show innovative policies to support women's economic opportunities. For instance, Singapore is one of only three economies in the world providing a specific tax credit or deduction to women.

On the whole, the region continued to make substantial gains towards women's economic inclusion, despite barriers in some countries.

## Report findings on South Asia

SEVERAL ECONOMIES FROM THE SOUTH ASIA REGION ARE AMONG THE MOST RESTRICTIVE IN THE WORLD IN THE DIMENSIONS MEASURED AFFECTING WOMEN'S ENTREPRENEURSHIP AND EMPLOYMENT.

The region as a whole has been lagging in enacting reforms in the areas measured by the Report, with only three reforms made in two economies in the past two years.

Afghanistan, which is one of the most restrictive economies in the world, imposes more than 20 legal barriers to women's economic inclusion. The Report finds that in Afghanistan, married women cannot choose where to live, apply for a passport, or obtain

a national ID card in the same way as married men. Women also cannot work in the same jobs as men.

India, on the other hand, has introduced a law mandating at least one female member on the board of publicly listed companies, rendering it the only developing country and one of only nine countries in the world to mandate female inclusion on corporate boards.

In Pakistan, many restrictions on women persist. However, Pakistan has issued two reforms in the past two years, namely setting the legal age for marriage at 18 years and introducing criminal sanctions against men who contract marriage with a minor and anyone who performs, facilitates or permits underage marriage. These reforms are expected to increase women's opportunities to access the labour market, as young women are able to pursue higher education without being tied down with marriage at a relatively young age.

On the whole, women in South Asia continue to trail their peers in many other parts of the world, as discriminatory laws thwart their economic advancement. But there are signs that attitudes are slowly changing, as evidenced by the reforms in some of these countries.

## IOE Insights

A LEGAL FRAMEWORK THAT DOES NOT PROVIDE FOR THE OVERLAPPING PRODUCTIVE AND REPRODUCTIVE ROLES OF WOMEN EFFECTIVELY KEEPS A LARGE SLICE OF THE POPULATION FROM WAGE-EARNING ACTIVITY AND DEPRIVES THE ECONOMY OF A POTENTIALLY VALUABLE RESOURCE.

Ensuring the appropriate use of half of the world's available talent pool is of utmost importance to Asia,

which is facing serious demographic challenges in the form of ageing populations, as well as the problem of skills shortages.

While countries in Asia have widely different approaches to women's empowerment affected by resources, levels of development and social and cultural norms, they all share a common objective, which is to grow and develop their economies. Ensuring the appropriate use of its talent force (both men and women) would have a vast bearing on a country's growth and development as evidenced by the growth miracle in South East Asia. The Asian Tigers story is one in which significant progress was made by tapping into the female talent pool. East Asian governments accorded a high priority to investment in human capital in their developmental efforts by ensuring a conducive environment to foster talent in the economy. In Singapore, for instance, laws came into place to make primary education compulsory for both boys and girls.

All governments should be encouraged to implement measures to revise existing laws that are discriminatory against women and improve the circumstances surrounding women as economic actors, from better childcare and family support to greater workplace and labour market flexibility.

Public policy should be the result of active dialogue and engagement between the public and private sectors, as well as with other stakeholders, to deliver policies that align with and support efforts by business to advance women's economic opportunities.

The IOE and its members collaborate in advancing gender diversity and supporting the economic dividend this creates for women, families, companies and society.

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