



Policy Paper

WOMEN'S ECONOMIC JUSTICE AND RIGHTS IN THE ARAB REGION





Introduction

This policy paper is developed within the process of preparing for Beijing +25 and the Generation Equality Forum 2021. Given the pluralistic nature of the Arab region, and in view of UN Women's commitment to participation and inclusivity, a series of policy papers on four gender thematic areas were prepared by the Arab States CSOs and Feminists Network to amplify the voice of civil society and feminist organizations and push forward the gender equality agenda.

Prepared by:

Dr. Fatemah Khafagy | Zeina Abdel Khalik

Assistant Researcher:

Oday Naji

Women Within the Arab Economies

There is a striking gap between women's improved education and their limited participation in economic activities in several of the Arab countries such as in Algeria, Egypt, Jordan, Libya, Morocco, Palestine and Tunisia. The Arab region has the world's lowest rate of female labor force participation - 18.4% compared to the global average of 48%. Female unemployment in the Arab states is at 15.6% – three times higher than the world average. Unemployment rates in the MENA region among young women are nearly 50% higher than among young men. Women in managerial positions are low in the region, with only 11% of women holding managerial positions as compared to the world average of 27.1%.¹

Vulnerable or informal employment is particularly high among women, resulting in poor earnings and low-quality jobs. In entrepreneurship, the gender gap in the Middle East-North Africa region is the greatest in the world. The lack of gender-based statistics is an obstacle in measuring women's participation in economic life and their vulnerability.

Besides, political instability and conflicts in the region limit women's economic opportunities and exacerbate poverty, education, health and social services.

Arab Women in the Informal Sector

The majority of women in many of Arab countries work in the informal sector. Moreover, as a result of the "Arab Spring", which began in 2010, both youth unemployment and informal employment were on the rise. With the current conflict, terrorism and despotism in the region, cross-border migration has increased, leading to even greater unemployment and informal employment.

Informal employment is a greater source of employment for women workers than for men workers. For most Arab countries, regular reliable data on informal employment in general are not readily available, much less data on informal employment by branch of industry, status in employment or place of work. Informality of work leaves women with lower pay, no protection of labor laws, and no benefits such as pensions or health insurance.

¹ ILO, 2019. "World Employment Social Outlook" – Trends 2019. Available at https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_670542.pdf

Unpaid Care Work

Women's unpaid burdens are significant. Unpaid childcare work results in women spending almost five times more hours than men on unpaid care work.² A 2015 study showed that about 91% of the females in both Egypt and Palestine perform unpaid activities such as household activities and caring for children and the elderly compared to only 26% of men, and the survey notes that the domestic (unpaid) work burden for married women does not decrease when they join the labor market.³ Women in Lebanon spend an average of 60 hours per week on unpaid household-related activities such as child care, cooking and cleaning.⁴ Care work is perceived as the responsibility of wom-

en and girls, and is enshrined in the prevalent gender norms which frame women and girls as "natural carers" who have "inherent skills" that allow them to master these tasks.⁵ Care is considered as the main responsibility of women and highly prioritized over their participation in the productive labor market; thus, affecting women's decision to choose a given job and making work-life balance a huge hurdle on women.

Women and Entrepreneurship

Female entrepreneurship rates are relatively low in the MENA region. Female-owned enterprises in Arab countries tend to choose the service business sector. The size of their business is relatively small, and they are prone to employ fewer employees. According to the Global Entrepreneurship Monitor Report 2012,⁶ in the MENA region, males have demonstrated four times the likelihood of starting a business compared to females. Women entrepreneurs operate primarily as one-woman businesses with no employees.⁷ Recently Arab female entrepreneurs are founding companies at an increasing rate, especially in the Arab Gulf area. However female-led businesses in the region still lag behind the global growth rate in female entrepreneurship.

Women and Technology

There is a big digital gender gap in the Arab region. The percentage of Arab females who access and use the Internet is just 36.9 per cent compared to 46.2 per cent of Arab males.⁸ Thus, if women and girls are less able to access relevant content, they will find themselves at a serious disadvantage in acquiring digital skills and literacy, learning about and exercising their rights, participating in public processes and accessing more skilled jobs, which generally tend to be better paid. They will also be deprived from the different jobs and earning opportunities created virtually as a result of the spread of COVID-19.

2 ILO. 2019. "World Employment Social Outlook" – Trends 2019. Available at https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_670542.pdf

3 Central Agency for Public Mobilization and Statistics (CAPMAS) Time-Use Survey, 2015.

4 UN Women. (2016). Supporting Women's Empowerment and Gender Equality in Fragile States: Lebanon. Research Brief. Available at https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2016/fge_fragile_states_research_brief_lebanon.pdf?la=en&vs=2824.

5 Abou Habib, L. "Feminist Perspectives on Care Work in The MENA Region". Friedrich-Ebert-Stiftung.

6 See more at <https://www.gemconsortium.org/report/gem-2012-global-report#:~:text=The%20GEM%202012%20Global%20Report,highest%20rates%20of%20entrepreneurial%20activity>.

7 Badran M.F. (2015) "Empowering Female-Owned SMEs with ICT in A Group of Selected Arab Countries and Brazil". In: Tiropanis T., Vakali A., Sartori L., Burnap P. (eds) Internet Science. INSCI 2015

8 ITU. (2016) "Measuring the Information Society Report".

Women Facing Multiple Forms of Discrimination

Rural Women

MENA women are more concentrated in the agriculture sector than men. Around 27% of Arab women and 18% of men are working in agriculture and up to two-thirds of women work in agriculture in countries with a large rural economy, such as Morocco. In Tunisia, 70% of the agricultural workforce is female. In some countries such as Jordan, many rural women are precarious daily wage workers working on large farms. Moreover, despite some promising initiatives to facilitate rural women's social protection coverage, rural women generally lack access to social protection, more exposed to harmful pesticides and have very limited access to quality healthcare facilities, making them particularly vulnerable.⁹

Refugee women

Refugee women are usually isolated, subject to legal restrictions on their ability to work and earn income, with lack of information and support to enter the labor market.

LBTQ women

Another major group of women facing discrimination and challenges are LBTQ women particularly trans women. They are the ones most discriminated against in the organized workforce (no protection laws, constant exposure to blackmail and harassment due to their identities) in addition to finding themselves oftentimes in a position to practice “survival sex”, which is a form of sex work done purely to survive in the need of financial income and shelter especially that they're the ones most exposed to violence

from their immediate entourage as well as the rest of society.

More generally, LBTQ women have very little space for employment, no matter their qualifications, and when employed there are no forms of protection although they suffer from high rates of physical, psychological, and economic violence.

Female migrant domestic workers

According to ILO, around 19 per cent of the world's domestic workers live in the Arab States and the region hosts the largest number of women migrant domestic workers in the world, estimated at 1.6 million.¹⁰ Migrant domestic workers live isolated in a house with limited mobility and no community, many domestic workers, especially women, are vulnerable to abuse including serious sexual assault. Afraid to lose their right to work, employees can endure a lot. Legal provisions do exist now— in several countries, workers can file a criminal complaint against their employers, or approach labor courts for help. But often they are unaware of, or unable to access, the existing labor protections and resources.

In most Arab countries, domestic workers are required to have a local sponsor, to whom their legal residency is tied. The sponsorship creates dependency which, in Arab societies, is justified by the need to “protect” the domestic worker – typically a woman. In effect, the lack of adequate State protection, the sponsorship system creates vulnerability and makes exploitation much more likely.

⁹ OECD. 2020. COVID-19 crisis in the MENA region: impact on gender equality and policy responses. 10 June 2020. Available at <https://www.oecd.org/coronavirus/policy-responses/covid-19-crisis-in-the-mena-region-impact-on-gender-equality-and-policy-responses-ee4cd4f4/#back-endnotea0z15>

¹⁰ See more at https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_619661.pdf

Compounded economic impacts on women caused by COVID-19

UN Women and UN Economic and Social Commission for West Asia (ESCWA) estimate that women in the Arab World will lose approximately 700,000 jobs as a result of the COVID-19 outbreak¹¹ which is expected to increase unemployment in the region by 1.2% in the immediate future, amounting to a total loss of 1.7 million jobs. Amongst those who are left out are those working in the informal sector where women have been historically deployed (agriculture, family business, agro-food production, small industries, tourism etc.). These categories, mostly women, are left without any form of social protection.

The Covid-19 pandemic has underlined the inherent structural insecurity of the roles of women in the labor market. This crisis has shown that the fragmented social protection systems of the MENA region are incapable of protecting the more vulnerable, including women, to the pandemic and its aftermath in terms of temporary and mostly permanent losses of livelihoods and lives.¹²

Women and Social Protection in the MENA Region

The gender social protection coverage gap is evident in the Arab region. The reasons include the gender gap in employment and job quality, lower rates of formal wage and salaried employment, fewer hours and fewer years in insured employment for women. As a result of gender gaps at work, coverage (both legal and effective) by contributory compulsory social protection schemes is lower for women than for men. Low female labor participation rates, together with the limited development of non-contributory pensions, weigh significantly on women's effective pension coverage in the Arab States among other regions, where the proportions of older women in receipt of a pension are around a meager level of 3%.¹³

In spite of the fact that several of the countries in the Arab States region have introduced social security programs over the last decade, the scope of legal social security coverage remains low, especially among women: only 34.8% of women are covered, against a coverage of 45.9% for the population as a whole.¹⁴

11 UN Women and ESCWA. (2020), The impact of COVID-19 on gender equality in the Arab States, Available at <https://www2.unwomen.org/-/media/field%20office%20arab%20states/attachments/publications/2020/04/impact%20of%20covid%20on%20gender%20equality%20-%20policy%20brief.pdf?la=en&vs=4414>

12 Abou Habib, L. "Feminist Perspectives on Care Work in The MENA Region". Friedrich-Ebert-Stiftung.

13 ILO. (2016). "Women at Work: Trends 2016", Geneva

14 ILO, 2017. World Social Protection Report 2017–19: Universal social protection to achieve the Sustainable Development Goals (Geneva)

Challenges

There are several reasons that are responsible for limiting women's access to economic opportunities and not tapping their full potential. Some of these factors are economic factors while others are related to legislations, culture and traditions.

1. Macro-economic obstacles and limited access to resources:

Certain macro-economic obstacles prevail such as overall lack of job creation in the region, slow down economic growth in some countries like Palestine, Lebanon, Syria and Tunisia, and decreasing private foreign and domestic investment. Economic reform policies adopted in several countries (Egypt, Tunis) are male-biased and fail to take into account the specific conditions of women and in particular in the labor market.

Labor market obstacles constrain the economic participation of women due to several factors such as corruption, the declining role of government in employment which reduces opportunities for educated women, the retreat of the private sector to employ married women and to accommodate women reproductive roles, the weak supporting services (transport and child care) and the discrimination in recruitment, promotion and wages and laws designed for women's protections end up hindering their employment. Arab women do not have equal rights to economic resources or access to ownership and control over land and other forms of property such as financial services, inheritance and natural resources. Women cannot acquire the property collaterals needed to secure credit. Laws provide for independent financial resources for both spouses. However, it is noticed that control of resources—even if the woman's wage is spent in the family, are always with men. The ownership of the house is mostly in the husband's name. In case of divorce in some countries, the woman needs financial documents (invoices) to prove ownership of furniture.

Across the region, women have lower rates of financial inclusion than men. Only 38% of women in MENA have a bank account, compared to 57% of men¹⁵ and much fewer women than men have bank loans. Girls

risk facing disproportionate difficulties in accessing Information, Communication, and Technology (ICT)-based learning due to their overall lower levels of digital inclusion. The number of men/women that use the Internet as a percentage of the respective total male/female population, for MENA shows a 44.2% for women compared to 58.5% for their male counterparts, and this gap has been growing over the past years.¹⁶

In some Arab countries, cultural norms can include restrictions on access to ICTs or lack of availability of relevant content. The pervasive presence of inappropriate content and aggressive behavior of the online community, can act as a deterrent or as barriers to women access to ICTs. Also, the weak ICT service in remote and rural areas presents an additional barrier for access.

2. Discriminatory Laws and Insufficient Legal Protection:

The labor law in several of the Arab countries is equitable and favorable to women. However, employer's perceptions are unfavorable towards women's work in particular for the private sectors. Women are perceived to be expensive workers for many employers. This is due to the laws that provide for maternity leaves, child care centers, nursing breaks and extended leaves to take care of children or the elderly. Also, costs of maternity leave are borne by the employer in the majority of Arab countries; which strongly discourage employers from recruiting women of child-bearing age. Rules imposed by the 'guardianship system' in some countries of the Gulf Cooperation Council (GCC) limit women's access to employment and some laws limit their access to certain professions as well as their ability to work at night.

In addition, women in majority of Arab countries still

¹⁵ World Bank. (2017). The global finindex database. Available at <https://openknowledge.worldbank.org/handle/10986/29510>

¹⁶ ITU (2019), Measuring Digital Development. Facts and Figures 2019. Available at <https://www.itu.int/en/ITU-D/Statistics/Documents/facts/FactsFigures2019.pdf>

suffer from a number of discriminatory laws that have negative impact on their economic participation. These include laws that limit their equal access to financial resources such as inheritance laws or banking laws. Also, provisions in family law directly constraining women's autonomy, such as the need to obtain authorization from husbands or fathers to work or to travel, limit women's capacity to participate in the labor market.

3. Adverse Social Norms and Sexual Harassment at Workplace

Women are still generally defined in many Arab countries as dependents, and expected to be subordinate to men. Reproduction and childcare are generally seen as their primary responsibilities. Particularly during times of high unemployment, there is an implicit understanding that women should stay at home, ceding their places in the labor force to men.

Social norms determine economic outcomes for women in several ways, especially in the Arab region where they shape women's decisions regarding which occupational and educational opportunities to pursue. Social norms affect the distribution of unpaid care work and wages in paid care activities, such as nursing and teaching, which employ a high proportion of women. They, also, reflect and reinforce discriminatory gender stereotypes and implicit biases, which limit women's pay and promotion prospects.¹⁷ In all Arab states, a sizeable gap exists between women's constitutional/legal rights and prevalent social norms, with traditional social expectations, the commonly held versions of manhood and cultural restraints allowing for

the perpetuation of various forms of violence against women from domestic violence and sexual assault, to isolation and economic exclusion and contributing to the environment of impunity enjoyed by the perpetrators.¹⁸

Gender stereotyping provides the basis for women's representation in care oriented positions such as nurses, teachers and social workers. The labor market is highly segmented by sex, women do not usually do the same types of jobs as men (horizontal segregation), and tend to have lower status than men (vertical segregation). Share of females in vulnerable employment (unpaid jobs) is currently the highest in the world.

Also, obstacles to equal economic participation sometimes include the cost-benefit analysis of women themselves, and the factors that weigh into their decisions not to work which include family responsibilities, perception of benefits, economic considerations, and socio-cultural factors, particularly family expectations and structure.

Working women in many cases suffer from sexual harassment at workplace. They are rarely protected by legal frameworks that encourage them to report such harassment.¹⁹ Only Jordan has joined lately ILO C190 convention on eliminating harassment at work. In Egypt, more than 99% of women experienced a form of sexual harassment, including at work, according to a 2013 study and in Jordan, 52% of Jordanian women reported experiencing sexual harassment at work in a 2018 study.²⁰ The Arab region still lacks the comprehensive knowledge base and the clear legal provision criminalizing workplace sexual harassment.

Goals

In alignment with SDG 8, adopt and implement policies, legal frameworks, innovative solutions, viable public-private partnerships and a shift in institutional culture and in the mindset of both women and men to achieve full and productive employment and decent work for all women, including young women and persons with disabilities and other disadvantaged groups with equal pay for work of equal value.

17 ILO. (2017). Achieving Gender Equality in the Arab Region amidst the Changing World of Work. Beirut 3 April 2017.

18 UNFPA, March 2020. Reporting on gender-based Violence in Humanitarian Settings. Available at <https://arabstates.unfpa.org/sites/default/files/pub-pdf/Journalist%27s%20Handbook%20-%20March%208%20-%20English.pdf>

19 UN Women. (2013). Study on Ways and Methods to Eliminate Sexual Harassment in Egypt.

20 ARDD. (2018). Silent Women. ARDD's Report on harassment problem in the workplace. Amman, Jordan, Nov 2018.



Recommendations

1. Macro-economic policies:

- Governments should adopt economic policies that do not discriminate against sectors that hire women intensively, encourage more flexible working hours, improve access to transportation and private sector and state-subsidized child care, and provide tax breaks to employers that employ women.

2. Universal social protection and legal frameworks:

- Move social protection schemes from targeting to universality. All women in spite of the type of work they undertake should be covered by social protection and health insurance.
- Promote decent work and policies of social protection devoted to prevent unemployment, reduce informal labor and mechanisms to guarantee a minimum income for the most vulnerable groups of women in times of crisis.
- Create an enabling environment for informal employees and enterprise operators to exercise their right to organize and to bargain collectively. Enact laws and apply procedures that punish sexual harassment in the workplace and public places, with clear enforcement and accountability mechanisms.
- Join all the four key ILO gender equality Conventions which are the Equal Remuneration Convention, Convention on Discrimination (Employment and Occupation), Convention on Workers with Family Responsibilities, and Maternity Protection Convention and also the new Violence and Harassment Convention, 2019.

3. Recognition of the unremunerated care-work:

- Take concrete measures towards the re-distribution of unpaid care work. Redistribute care work and shift from the household to government and the private sector
- Link the issues of care work to fiscal policies and wider macro-economic issues such as the link with progressive taxation.

4. Elimination of the digital gap:

- Create an enabling business environment to women entrepreneurs in terms of reducing cost and time to register a business, and develop policies that would encourage greater access to Information, Communication and Technology as business enabler.
- Make available affordable mobile technology and Internet services.

5. Collection of gender data:

- Implement time use surveys to highlight women's unpaid care responsibilities
- Collect data on access to affordable childcare services as an enabler to women's labor force participation
- Collect data on the enabling environment for women entrepreneurs — including health care, use of public transport, ownership of government-issued identification, market access, and access to capital.
- Collect data on how women benefit from financial inclusion effort and whether they are yielding the desired transformation in gender norms in terms of promoting women's decision-making power, control over resources, and access to market opportunities.

Regional Best Practice

The following best practice is an index prepared and implemented by the Arab Women Feminist Union in six Arab countries that represent the sub-regions (the Arab Mashreq, the Arab Maghreb, and the Gulf States) by two countries and these are Egypt and Sudan from the Arab Mashreq, Tunisia and Algeria from the Arab Maghreb, and Bahrain and Saudi Arabia from the Gulf

- The General Arab Women Feminist Federation developed a regional index, the first of its kind in the region which provides a culture-specific better understanding of the factors that impact the economic empowerment of Arab women in 6 countries of the region. It identifies the factors that influence the economic and social decisions made by women in the private and public spheres

The index identified 21 indicators to measure the environment attributes for Arab women empowerment. These categories are: economic participation (with 4 indicators); Freedom of mobility (6 indicators); Decision-making in home/ family management (3 indicators); Social and political participation (1 indicator); Resistance to domestic, especially intimate partner, violence (2 indicators); Resistance to harassment in public spaces (2 indicators); and finally value of basic education (1 indicator).

This index can be replicated in other countries and can be used regularly in all Arab countries to measure the economic/social empowerment of Arab women.