Business Environment Reform and Gender

Business Environment Working Group (BEWG)

Donor Committee for Enterprise Development

August 2016

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This Paper has been produced by the Business Environment Working Group (BEWG) of the DCED. Katherine Miles, consultant to the BEWG, is the principal author. The following individuals were closely involved in the production and financial support of this Annex and the accompanying Technical Report: Jenny Spruell (DFID), Chantal Felder (SDC), Stefanie Springorum (BMZ/GIZ).

The BEWG would like to thank the following individuals for participating in the stakeholder consultation for the research which contributed to the development of this Annex: Sarah Iqbal, Valerie D'Costa, Ruta Aidis, Rebekah Bakewicz, Ximena Querol, Louise Williams, Jana Steverding, Devyani Hari, Katharina Kuehn, Raquel Capio, Fiorina Mugione, Zvezdana Oluic, Makena Mwiti, Henriette Kolb, Virginia Rose Losada, Helen Bradbury, Maria José Chamorro, Emeka Eluemunor, Zarina Kosymova, Myrna Jarillas, and Liz Patterson. Special thanks are directed to the German Development Cooperation, the Swiss Agency for Development and Cooperation (SDC) and the UK's Department of International Development (DFID) who financed the Technical Report and this Annex. Feedback is welcome and should be sent to: Coordinator@Enterprise-Development.org.

The DCED is the long-standing forum for donors, foundations and UN agencies working in private sector development, who share their practical experience and identify innovations and formulate guidance on effective practice.

The BEWG serves as a platform to share information and knowledge on donor-supported business environment reform in developing countries and to identify and support good practices and new approaches in this field. For more information on the DCED BEWG, please visit the DCED website at http://www.enterprise-development.org/organisational-structure/working-groups/overview-of-the-business-environment-working-group/

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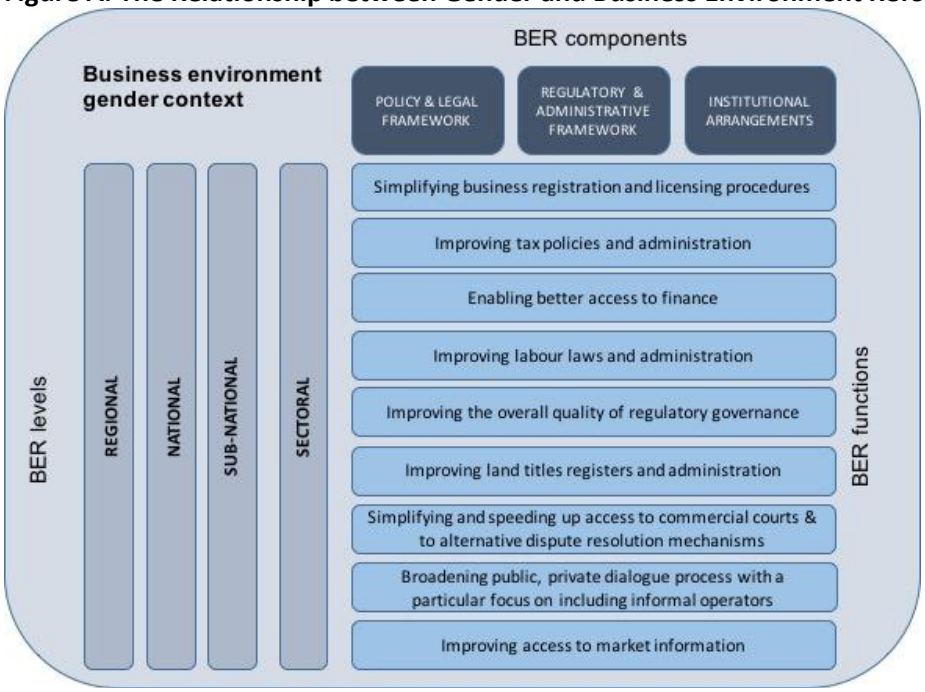
Executive Summary

Gender-sensitive reform of the complex policy, legal, institutional, and regulatory conditions that govern business activities has the potential to positively impact women's economic empowerment, support the fight against poverty and contribute to business and macro-economic performance. This research conducted on behalf of the Business Environment Working Group (BEWG) of the Donor Committee for Enterprise Development (DCED) addresses the following questions:

- ***What are the factors in the business environment that have a direct and specific impact on women-owned and managed enterprises and the employment of women?***
- ***What are the related lessons learned from previous and existing programmes of how DCED members can identify, measure and manage gender in business environment reform (BER) programmes?***

This research has applied the DCED's conceptualization of the three components and four levels of the business environment, and the nine functions of BER as the basis for the identification and analysis of gender and business environment reform (see figure A). This research is based on the premise that all components and functions of the business environment both impact on and are impacted by gender roles in society.

Figure A. The Relationship between Gender and Business Environment Reform



The methodology for this research consisted of a desk-based literature review and stock-take of existing donor programmes that address gender and business environment reform related topics, complemented by stakeholder consultation conducted via telephone interviews.

The literature review highlighted a range of factors in the business environment that have a direct and specific impact on women-owned and managed enterprises and the employment of women. (see figure B & C).

Figure B. Summary of Evidence Related to Business Environment Function and Component

By business environment function, this figure summarizes the factors where evidence exists and in turn which business environment component the evidence relates to.

Business Environment Function	***Business Environment Component***		
	Policy and Legal Framework	**Regulatory and Administrative Framework**	**Institutional Arrangements**
Business Registration and Licensing	✓	✓	
Corruption, harassment and extortion by officials		✓	
Business registration procedures	✓	✓	
Tax Policy and Administration	✓	✓	
Direct taxes	✓		
Indirect taxes	✓		
Awareness of tax requirements and procedures		✓	
Unequal treatment, corruption and harassment during tax collection		✓	
Benefits from tax payments		✓	
Access to Finance	✓	✓	✓
Overall legal capacity	✓		
Land titles and property rights	✓		
Discriminatory banking laws	✓		
Know your customer (KYC) requirements	✓		
Supply side banking data	✓		
Financial infrastructure – credit bureaus, collateral registries, digital distribution channels	✓		
Lines of credit for women and credit guarantee schemes	✓	✓	
De facto land titles and property rights law		✓	
De facto discriminatory banking laws		✓	
Male dominated public policy making			✓
Labour Laws	✓	✓	
Legal gender differences	✓		
Gender based work restrictions	✓		
Gender discriminatory laws	✓		
Maternity, paternity and parental leave	✓	✓	
Child care	✓		
Elderly care	✓		
Quality Regulatory Governance		✓	
National sector guidelines and quality standards		✓	
Land Titles, Registration and Administration	✓	✓	✓
Equal land and property rights	✓		
Administering land titles		✓	
Women's participation in land reform and titling programmes			✓
Access to Commercial Courts and ADRM		✓	
Gender discrimination by the judiciary		✓	
Legal literacy		✓	
Broadening Public Private Dialogue	✓	✓	✓
Legal rights for women	✓		
Quotas for women in parliament/ public sector	✓		
Gender diversity in the private sector		✓	
Gender diversity in government and administration		✓	
Women's trade union participation		✓	
Women's engagement in business associations and networks			✓
Access to Market Information	✓	✓	
Public procurement	✓		
Legal and business licensing information		✓	
Business support and extension services		✓	

Yet, while numerous factors have been defined, in many instances empirical research does not exist on the extent of the implications of these factors on women, nor on how business environment reforms work to overcome these constraints or take advantage of these opportunities. Indeed, in some functions of the business environment, namely the **quality regulatory governance and access to commercial courts and alternative dispute mechanisms**, there was no evidence found on the constraints that impact on women and their businesses.
The greatest quantity of evidence concerns actual reforms or impacts related to **child care provision** followed by substantial evidence on the positive impacts of the **administration of joint land titles** and **women's engagement in business associations.**

The literature review found that **any gender sensitive business environment reform may require addressing more than the direct business environment factors that impact women's employment and their enterprise.** Equally important will be addressing **socio-cultural binding constraints** on women, which impact on a women's ability to engage in employment and entrepreneurship with implications for women's economic empowerment and sustainable economic growth. For example, even in instances where the legal component of the business environment may be gender-neutral, customary laws can prohibit women to own land, to go to work or have a business or to have the agency over the economic resources in general.

Figure C. Overview of Evidence Related to Business Environment Function and Component
By business environment function, this figure summarizes the business environment factors that impact on women owned and managed enterprises and the employment of women where evidence exists. It also notes where the literature cites the challenges or opportunities these factors present, the impacts of these factors on women's employment or entrepreneurship and any solutions posed to these challenges and associated impacts.

Gender and Business Registration and Licensing			
Factor	**Challenge/ Opportunity**	**Impacts of Challenges/ Opportunities on Women**	**Solutions (cited in the literature)**
Regulatory and Administrative Framework			
Business registration procedures	Legal constraints in registering a business Lack of awareness Lack of time and skills to undertake procedures Inability to afford the cost of business registration Lack of collateral or funds to contribute towards the high start- up capital requirements Costs of exiting business if start-up fails Customary law/ socio-cultural issues	Formalization of business	Remove legal restrictions for women to register a business Initiatives to increase awareness of the benefits of business registration Simplifying business registration procedures to make it easier and quicker Reducing cost of procedures for business registration and licensing Lower start-up capital requirements Lower exit requirements and costs for closing business
Corruption, harassment and sextortion by officials	Women are at greater vulnerability to corruption and harassment in the process of business registration and licensing		
Gender and Tax Policies and Administration			
Legal and Policy Framework			
Direct taxes	Explicit and implicit gender bias in personal income tax regulations	Labour force participation and formalization of business	Remove gender specific provisions in tax legislation and deductions or credits only granted to male heads of household; Implement individual tax filing systems, independent of marital status or household structure Value unpaid work; Create tax incentives to encourage women to join the formal economy
Indirect taxes	Restrictions on informal businesses claiming VAT refunds	Profitability of informal enterprises	Zero rating of basic necessities in value-added taxes
Regulatory and Administrative Framework			
Awareness of tax requirements and procedures	Level of awareness of tax requirements and procedures	Less regular tax payments	
Unequal treatment, corruption and harassment during tax collection	Vulnerability to unequal treatment, harassment, violence, bribery and extortion during tax collection including cross border trade		Establishment of a redressal mechanism
Benefits from tax payments	Lack of services and infrastructure investments resulting from taxes paid	Perceived value in paying taxes	
Gender and Access to Finance			

Legal and Policy Framework			
Overall legal capacity	Overall legal capacity in terms of rights	Access to finance – account opening and accessing credit	
Land titles and property rights	Lack of immovable assets	Unable to meet collateral requirements	Changing the collateral requirements for banks allowing them to accept moveable or unconventional collateral e.g. reputational collateral as an alternative
Discriminatory banking laws	Laws discriminating against women on the basis of gender and marital status	Access to credit and labour force participation	Remove provisions by banks for requiring a husband's signature to enter into contracts or open a bank account
Know your customer (KYC) requirements	Lack of identification documents	Unable to meet KYC requirements and in turn access a bank account or register for a mobile sim card	
Supply side banking data	Lack of sex-disaggregated data in general and on specific government programmes	Evidence based policy making	Collection of sex-disaggregated lender portfolio data by banks and national financial policy makers
Financial infrastructure	Existence of collateral registries, credit bureaus, digital distribution channels	Facilitates women's access to finance and use of movable collateral to access credit	Promote digital financial services, establish credit bureaus and registries
Lines of credit and credit guarantee schemes	Lack of access to lines of credit or guarantee funds specifically for women	Access to finance	Credit guarantee schemes for women
Regulatory and Administrative Framework			
De facto land titles and property rights law	The application of de facto law rather than law de jure	Collateral to access finance	
De facto discriminatory banking laws	Application of old laws as 'de facto law'	Access to finance	
Lines of credit for women and credit guarantee schemes	A lack of publicity and other factors	Usage of credit or guarantee funds specifically for women	Promotion of credit guarantee schemes for women
Institutional Arrangements			
Male dominated public policy making	Lack of women's engagement in financial policy making and low levels of representation of women in financial sector industry associations	Recognition of gender specific constraints in access to finance	Engaging with women's networks and business associations and increasing women's access to networks such as the chamber of commerce and industry associations
Gender and Labour Laws and Administration			
Legal and Policy Framework			
Legal gender differences	Levels of legal gender equality	Women's labour force participation, agricultural employment, entrepreneurship and earnings	Enshrining equal rights for women in the law
Gender based work restrictions	Gender based job restrictions on working hours and night working, sectors and occupations	Occupational segregation, productivity and earnings of women and women-owned enterprises, the gender wage gap	
Gender discriminatory laws	Gender discriminatory law exists which prevent women from working	Growth and success of female entrepreneurs	
Maternity, paternity and parental leave	Maternity and paternity leave policies	Women's workforce participation, employment choices and underlying norms about care	Legislate to provide leave for informal sector workers

Child care	Public or subsidized child care	Women labour force participation, and types and quality of jobs women do, how productive they are and how much they earn	
Elderly care	Policies supporting elderly care	Women's labour force participation	
Regulatory and Administrative Framework			
Maternity, paternity and parental leave	Lack of policy implementation, with parents denied their leave entitlement	No maternity, paternity or parental leave	Gender-neutral parental leave
Gender and Quality of Regulatory Governance			
Regulatory and Administrative Framework			
National sector guidelines and quality standards	Difference between de jure and de facto rules related to controls, inspections and audits	Discrimination in application of rules	
Gender and Land Titles, Registers and Administration			
Legal and Policy Framework			
Equal land and property rights	Equal property rights Women's land rights	Women's labour force participation Employment of women outside of agriculture and into wage work Access to contract farming Agricultural production Access to finance	
Regulatory and Administrative Framework			
Administering land titles	Ability to have joint land titling, length of registration processes Customary law	Control over land, Women's labour supply Agricultural productivity.	
Institutional Arrangements			
Women's participation in land reform and titling programmes	Women's representation in decision-making bodies that administer land rights or hold public bodies to account	Access to land	
Gender and Access to Commercial Courts and to Alternative Dispute Resolution Mechanisms			
Regulatory and Administrative Framework			
Gender discrimination by the judiciary	Gender discrimination by members of the judiciary	Access to justice Conflict resolution Contract enforcement	
Legal literacy	A lack of legal literacy in terms of handling commercial disputes e.g. non-payment by customers, breaches of contract		
Gender and Broadening Public Private Dialogue			
Legal and Policy Framework			
Legal rights for women	Legal rights for women	Representation in parliament Participation at senior levels in the private sector	
Quotas for women in parliament/ public sector	Legal quotas	Participation in parliament and government administration	

Regulatory and Administrative Framework			
Gender diversity in the private sector	Increased women's workforce participation	Economic growth Enterprise profitability	
Gender diversity in government and administration	Women's increased representation in parliament	Reforms that give women greater property rights and legal capacity	The creation of a quota system and/ or preferential hiring of women
Women's trade union participation	Low level of women's unionization compared to men	Women's views are not represented by unions	Proactive policies to encourage more women to join unions
Institutional Arrangements			
Women's engagement in business associations and networks	Women's increased membership of associations or group membership	Incomes Access to credit, Revenue generation Facilitate participation in mixed business associations Policy change beneficial for women	
Gender and Access to Market Information			
Legal and Policy Framework			
Public procurement	Women's lack of access to market information related to public tenders and procurement processes	Business revenues Enterprise growth	Requirements for public procurement to target women
Regulatory and Administrative Framework			
Legal and business licensing information	Lack access to market information	Enterprise growth Compliance with standards Business formalization Contracting Access to credit	
Business support and extension services	The gender of extension service workers and the timings and format of the way these services are delivered	Access to support services and market information through public extension services	Using ICT for delivering extension services provision of one-stop shops, information desks and business support centres for women

From the donor stock-take, **15 gender-sensitive BER programmes** were selected for analysis (see figure C). Donor programmes were found to **not only act on existing evidence**, but also **contribute to the evidence base** of business environment factors and their impacts on women in areas, such as **regulatory governance and access to commercial courts, and sector-specific business environment reforms**. But there is also **scope for a greater focus** on business environment factors in donor programming **where evidence does exist**: For example, related to **the implementation of labour laws protecting women**, as well as **child care** policies that support women's labour force participation. This stock-take research also identified that the **institutional component** of the business environment underpins all gender sensitive business environment reform programmes. This supported the indications through the literature review that **there is an overlap between the institutional component of the business environment and the function of public private dialogue.** By this what is meant that women are represented in each of the institutional stakeholder groups in order to participate in public private dialogue related to business environment reforms regarding all components and functional areas.

Figure D. Donor Stock-take Summary

	Name	Donors	Country
1	Alliances Lesser Caucasus Project (ALCP)	SDC	Georgia
2	The APEC Policy Partnership for Women and the Economy (PPWE)	US ATAARI	APEC
3	The Economic Integration of Women in the MENA Region (EconoWin)	BMZ/GIZ	Regional - Egypt, Jordan, Morocco, Tunisia
4	Facility for Investment Climate Advisory Services (FIAS)	World Bank/Multi	Global
5	Funding Leadership Opportunities for Women (FLOW)	MinBuza	Global
6	The Growth in Employment in States (GEMS) 3	DFID	Nigeria
7	The Gender Responsive Economic Actions for the Transformation of Women Project (GREAT Women)	GAC	Philippines
8	The ILO WED Assessment Tool/ Women's Entrepreneurship Development and Economic Empowerment Programme (WED-EE)	ILO/ Irish Aid	Multi
9	Land Investment for Transformation (LIFT)	DFID	Ethiopia
10	Land Tenure Regularisation Programme (LTRP)	DFID	Rwanda
11	Land Tenure Support Programme (LTSP)	DFID	Tanzania
12	The Philippine-German Private Sector Promotion (PSP/SMEDSEP)	GIZ	Philippines
13	The Promotion of Economy and Employment Programme (Eco-Emploi)	GIZ	Rwanda
14	Trade Mark East Africa (TMEA Phase 2)	Multi	East Africa
15	Women Business and the Law (WBL)	World Bank/ Multi	Global

This research compiled **a collection of practical insights on challenges and lessons learned** from existing **gender-sensitive BER donor programmes** in developing countries. This compilation was informed by a process of stakeholder consultation and based on the DCED **four stages of the programme cycle of business environment reform programmes**, namely: diagnostic phase; solutions design phase; implementation phase; and evaluation and sustainability phase. (See figure E.)

Many of the lessons learned identified through this research were found to be not specific to BER programmes and were at **the operational level**. Furthermore, where programmes are focused on policy reform **many programmes are not yet tracking the gender impacts** of the reform activities. At the same time, the findings indicated that much more can be done to **seriously integrate gender considerations into donor programming**. Going forward, it is anticipated that members of the DCED can apply these learnings to better manage and measure future gender sensitive business environment reform programmes.

Figure E. Learnings on Stages of the Project Cycle

Diagnostic Phase

- ✓ Conducting a value chain analysis of women's constraints at the micro, meso and macro level to understand the source of gender issues.
- ✓ Engaging with Civil Society Organizations to access their knowledge of on-the-ground gender and human rights related issues.
- ✓ Using Women Business and the Law Data to identify legal and policy constraints facing women to inform areas for reform.
- ✓ Gathering baseline data from the intended women beneficiaries.
- ✓ Using publicly available sex-disaggregated data to inform the identification of gender constraints in the business environment to inform the strategy development process.

Solutions Design Phase

- ✓ Ensuring the close collaboration between M&E specialists and gender specialists in the design and review of the programmes results chains and log frames.
- ✓ Incorporating technical assistance budget to support programme partners to adjust their electronic systems and associated processes to capture gender data.
- ✓ Establishing requirements with multilateral donors in investment agreements to provide sex-disaggregated data and report on gender indicators.
- ✓ Establishing measures to show change at the level of reform.
- ✓ Mainstreaming the integration of gender considerations into the monitoring and measurement of a BER programmes from the inception stage to identify and address any harmful effects on women
- ✓ Using the result measurement framework established at the beginning to help facilitate the difficulty between the partnerships.
- ✓ Using a combination of indicators to capture sex-disaggregated as well as specific gender indicators to ensure the 'women's issues' are not lost.
- ✓ Defining clearly terms e.g. women's empowerment and where appropriate have multiple indicators to capture empowerment at the business, household level.
- ✓ Using both qualitative and quantitative methods to gather data on programme results.
- ✓ Gathering the impact on both women and men to compare if there are differences.
- ✓ Involving partners in indicator development and incorporate its collection into their monitoring structures.

Implementation Phase

- ✓ Hiring in-country gender experts to provide technical advice to the programme partners.
- ✓ Establishing a gender focus point in each country to support capacity building and data collection.
- ✓ Promoting mechanisms for continuous engagement between the teams such as gender network meetings to ensure people are on the same page and align expectations for results measurement.
- ✓ Conducting gender training for local staff and mainstreaming gender concepts into other trainings such as on M&E.
- ✓ Collaborating with women's business associations to boost women's participation in programmatic activities.
- ✓ Providing childcare for women during training programmes and factoring in women's socio-cultural constraints in designing consultations and trainings to be sensitive to their child care responsibilities and safety concerns.
- ✓ Conducting capacity building on gender for programme leads and local partners on how to conduct a gender analysis on programme results data.
- ✓ Using proxy indicators to indicate changes in women's income.
- ✓ Using technology to support data collection e.g. mobile phone apps or tablets.

Evaluation and Sustainability Phase

- ✓ Gathering qualitative information through focus group discussions, or face to face interviews –with both women and men, to understanding how and why things are happening especially related to gender, informal rules, and behaviours', which will not be captured through quantitative indicators.
- ✓ Conducting women-only consultations as well as mixed consultations order for them to share information on the social pressure issues that influence their business behaviours.
- ✓ Drawing on the support of the communications team to disseminate the programme results.
- ✓ Establishing a mechanism to capture data and information the unintended effects of the programme e.g. through social media.

To conclude this research has pointed to a number of areas of **further research** (see figure D) and **principles** that could be applied to support the development and implementation of future gender sensitive BER programmes (See figure E). In doing so, future donor BER programmes can contribute to women's economic empowerment, gender equality and sustainable development.

Figure F. Recommendations for Further Research

- Create a series of case studies highlighting examples of:
  - Where business environment reforms have worked for women through previous and existing donor programmes e.g. related to land, tax, and women's participation in business environment policy making;
  - Labour market policy reforms that have contributed to women's employment and productivity e.g. related to child care provision, gender wage gap etc…;
  - Policy interventions to support women's participation in the private sector, in government administration and business associations in developing countries;
  - Procurement policies and initiatives in the private sector to incentivize procurement from women owned / managed SMEs.
- Conduct literature reviews on:
  - Existing evidence related to the business environment reforms that have successfully supported the transition of women from operating businesses informally to formally or enhanced their participation in the workforce.
  - The gender dimensions of standards and quality agency policies and practices e.g. national food standards agencies to further explore evidence related to the business environment function of quality of regulatory governance.
  - How customary law can impact the business environment for women entrepreneurs and women employees;
- Convene expert consultations on:
  - the impact of tax policy for women's employment and their enterprises;
  - the impact financial inclusion policies that support access to credit for women's SMEs (e.g. KYC requirements, financial infrastructure, movable assets as collateral for women and the impact of collateral or credit registries on women's access to credit); and
  - sector specific business environment reforms in key sectors with significant women's labour force participation.
- Coordinate with other donors at a regional level through regional economic groupings to support sex-disaggregated data collection related to factors in the business environment that impact women.

Figure G. Principles for Donor Gender Sensitive BER Programmes

- Use data on legal constraints facing women in a specific geographic and/or evidence of what policies work for women, as a starting point for identifying interventions for gender sensitive business environment programmes;
- In the absence of evidence of interventions and policy reforms that work, innovate and pilot potential solutions through donor programming to address business environment constraints facing women's employment and their enterprises to fill these evidence gaps;
- Conduct country specific qualitative research on the perceived gender constraints in the business environment and implications for business environment reform (from both women and men's' perspectives);
- Support interventions to gender sensitize SME policy development and support its implementation at a national and sub national level;
- Engage through regional economic groupings (e.g. APEC) to support comparable sex-disaggregated data collection efforts and policy coordination related to inter-country trade and how that relates to the business environment.
- Consult with women and women's business associations in business environment reform programmes and ensure that women are represented and participate in the policy reform process related to all functions of the business environment;
- Focus not only on legal and policy reforms but the operationalisation of these laws and policies at the regulatory and administrative level as policies and laws may not be implemented in practice or maybe impacted by customary law;
- Integrate gender considerations into all stages of the BER programme cycle;
- Ensure that gender is integrated at each level within the results measurement framework –at the impact, outcome and output levels;
- Create gender sensitive indicators at each functions of business environment reform being addressed by any given BER programme;
- Ensure that programmatic activities related to gender and business environment reform have corresponding gender sensitive indicators to track impact; and
- Provide capacity building and develop tools to support colleagues with the implementation and measurement of gender sensitive BER programmes at a local level.

1. Introduction

1.1 Research Question

Gender-sensitive reform of the complex policy, legal, institutional, and regulatory conditions that govern business activities has the potential to positively impact women's economic empowerment, support the fight against poverty and contribute to business and macro-economic performance. Yet to date there has been a lack of research providing insights into good practices and lessons learned in gender-sensitive Business Environment Reform (BER) and how BER can help women's economic empowerment. This research conducted on behalf of the Business Environment Working Group (BEWG) of the Donor Committee for Enterprise Development (DCED) seeks to close this gap through addressing the following questions:

- ***What are the factors in the business environment that have a direct and specific impact on women-owned and managed enterprises and the employment of women?***
- ***What are the related lessons learned from previous and existing programmes of how DCED members can identify, measure and manage gender in business environment reform (BER) programmes?***

This study on BER and Gender will support DCED members conduct further research into the topic where there are gaps in the evidence basis. Furthermore, it can be used to support donors formulate and implement future gender-sensitive business environment reform programmes in developing countries to contribute to a more conducive business environment that works for women as well as men. As a consequence, these donor interventions may enhance sustainable economic development and women's economic empowerment.

1.2 Conceptual Framework for Research

Based on the World Bank definition, the term **gender** refers to the relationship between men and women, boys and girls, and how this is socially constructed as compared to sex which identifies the biological differences between men and women[1]. Gender roles are dynamic and change over time.

The **business environment** is defined by the DCED as a complex of policy, legal, institutional, and regulatory conditions that govern business activities. [2] It is a sub-set of the broader investment climate. Specifically, the business environment is comprised of **three components**:

- Policy and legal framework – The policies, laws and regulations that affect business;
- Regulatory and administrative framework –The ways in which policies, laws and regulations are enforced and managed); and
- Institutional arrangements – The ways in which government and business represent themselves and communicate with each other e.g. through government agencies, regulatory authorities, and business membership organisations including businesswomen associations, civil society organisations, trade unions, etc.[3]

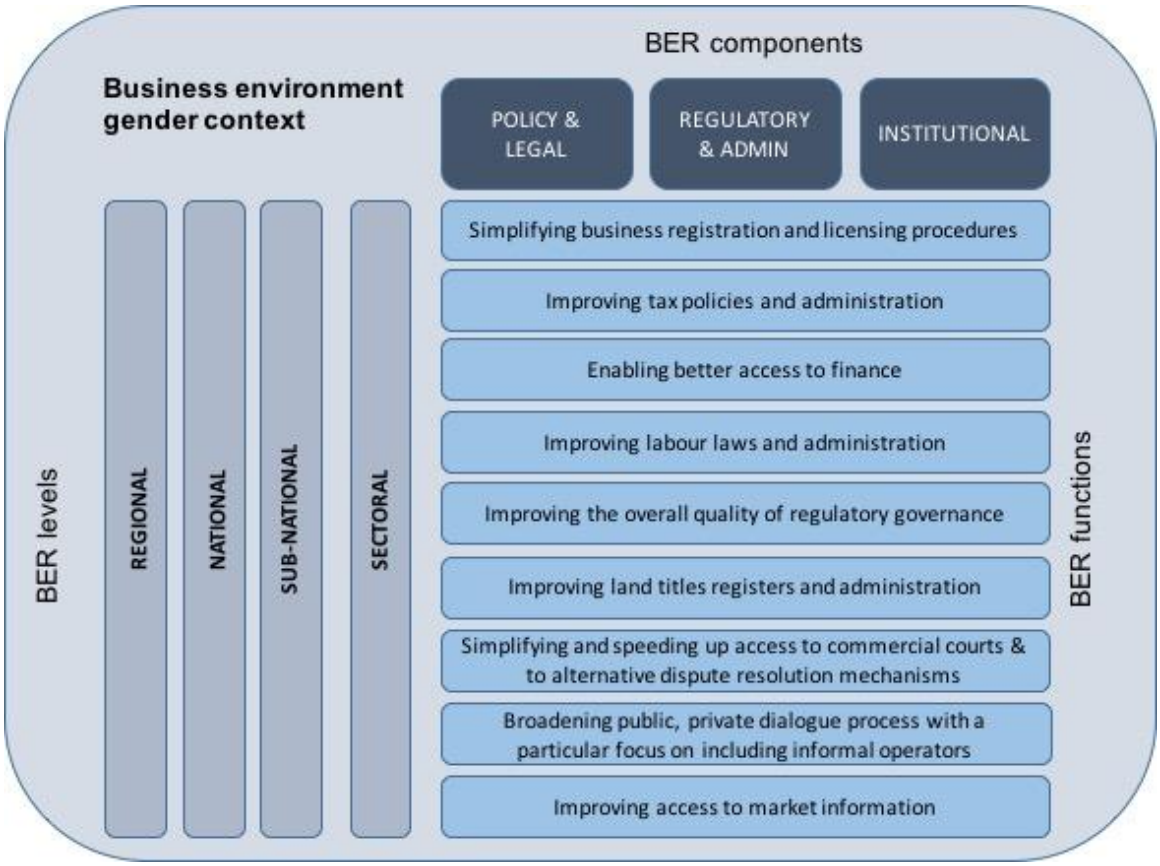
[1] https://info.worldbank.org/etools/docs/library/192862/introductorymaterials/Glossary.htm
[2] DCED, 2008.
[3] DCED, 2008.

This research analyses the extent to which gender has been considered in previous or existing BER programmes. It looks at those donor programmes that focus on the systems that govern markets and the interactions between public, private and civil society actors and aim to improve the conditions in which private enterprises operate. The goal of these programmes is to contribute to changes in business behaviour in ways that are likely to lead to increased levels of investment and innovation, and the creation of more and better jobs.[4]

There are **four 'levels' of BER** at which business environment reform can be supported by donor programmes and nine **'functions' of BER** that affect business activity. These are set out in figure 1.[5]

This research has applied the DCED's conceptualization of the three components and four levels of the business environment, and the nine functions of BER as the basis for the identification and analysis of gender and business environment reform (see fig. 1). This is based on the premise that all components and functions of the business environment both impact on and are impacted by gender roles in society

Figure 1: The relationship between gender and business environment reform



The impact of the business environment is considered both in terms of women-owned and managed enterprises and the employment of women. In line with the IFC definition, **women-owned and managed enterprises**, are those entities with (a) ≥51.0 percent

[4] Ibid.
[5] Ibid.

ownership/stake by a woman/women; or (b) ≥20.0 percent owned by a woman/women AND ≥1 woman as CEO/COO (President/Vice-President) as well as ≥30.0 percent of the board of directors being women where a board exists.[6] Women- owned and managed enterprises may be operating formally or (disproportionately) informally in any economy. This research assumes that women's employment and their entrepreneurship through enterprises contributes to women's economic empowerment. **Women's economic empowerment** is defined in terms of women's ownership and access to assets, power and agency, as well as decent employment.[7]

1.3 Approach and Structure

The methodology for this research consisted of a desk-based literature review and stock-take of existing donor programmes, complemented by stakeholder consultation conducted via telephone interviews. A series of 21 telephone interviews took place with technical experts on specific BER and gender issues representing a diverse number of bilateral and multilateral donor agencies, with the objective of gathering their perceptions on the research question. Interviews were held to ascertain the lessons learned from donor BER and gender programmes in terms of challenges and good practices in their operationalization and gender-sensitive measurement; as well as to gather feedback on areas of further research and work on gender-sensitive BER.

This report presents the results of the research as follows:

- Chapter Two: A literature review on the Factors in the Business Environment that Impact on Women's Enterprises and Employment.
- Chapter Three: An Overview of Previous and Existing Business Environment Reform Programmes Targeting Women or Mainstreaming Gender
- Chapter Four: Practical Insights on Challenges and Lessons Learned from Previous and Existing Business Environment Reform and Gender Programmes.
- Chapter Five: Conclusion and Recommendations.

[6] IFC, 2014.
[7] DFID, 2008.

2. Literature Review: Business Environment Factors Impacting Women's Enterprises and Employment

2.1 Introduction

There are factors in the business environment that have a direct and specific impact on women-owned and managed enterprises and the employment of women. Indeed it is assumed that socially constructed gender roles, expectations and behaviours influence and are reinforced by all factors in the business environment. In this context, this literature review seeks to answer the following question: *what evidence exists on the factors in the business environment that have a direct and specific impact on women-owned and managed enterprises and the employment of women?*

This review draws on the DCED's conceptualization of the nine functions of BER as a starting point for the identification and analysis of the gender dimensions of the business environment. As each function is considered in turn, it analyses what evidence exists on each business environment factor, the challenges and opportunities it presents and associated impacts on women's enterprises and employment related to its three respective components: Policy and legal framework; Regulatory and administrative framework; and Institutional arrangements.[8] All factors identified are considered from the perspectives of women-owned and managed enterprises and also in terms of the employment of women.

A broad definition of evidence has been applied. The evidence identified through the review ranges from quantitative economic studies, to surveys of limited sample size and qualitative interviews – some at the global or regional level, while others at a country or sub national level. However, a limitation of this review is that much of the information identified reflects unsubstantiated evidence, which may be unproven and merits further research. Despite this the literature review provides valuable insights into the relevance of considering the gender dimensions of business environment reform. Some solutions to the challenges identified were documented in the literature and have been incorporated into the literature review. Omissions in the tables presented, reflect a lack mention of any solution to the challenges and impacts in the literature reviewed. These tables do not reflect a comprehensive overview of potential or actual solutions to specific constraints or impacts.[9]

[8] DCED, 2008.

[9] It should be noted that additional evidence may exist that has not been included in this review which may complement or contradict the findings – and for any omissions the author takes responsibility.

Table 1: Summary of Factors Identified Related to BE Function and Component

By business environment function, this figure summarizes the factors where evidence exists and in turn which business environment component the evidence relates to.

Business Environment Function	*Business Environment Component*		
	Policy and Legal Framework	Regulatory and Administrative Framework	Institutional Arrangements
Business registration and licensing		✓	
Business registration procedures	✓	✓	
Corruption, harassment and sextortion by officials		✓	
Tax Policy and Administration	✓	✓	
Direct taxes	✓		
Indirect taxes	✓		
Awareness of tax requirements and procedures		✓	
Unequal treatment, corruption and harassment during tax collection		✓	
Benefits from tax payments		✓	
Access to Finance	✓	✓	✓
Overall legal capacity	✓		
Land titles and property rights	✓		
Discriminatory banking laws	✓		
Know your customer (KYC) requirements	✓		
Supply side banking data	✓		
Financial infrastructure – Credit bureaus, Collateral registries, Digital distribution channels	✓		
Credit lines for women and credit guarantee schemes	✓	✓	
De facto land titles and property rights law		✓	
De facto discriminatory banking laws		✓	
Male dominated public policy making			✓
Labour Laws	✓	✓	
Legal gender differences	✓		
Gender based work restrictions	✓		
Gender discriminatory laws	✓		
Maternity, paternity and parental leave	✓	✓	
Child care	✓		
Elderly care	✓		
Quality of Regulatory Governance		✓	
National sector guidelines and quality standards		✓	
Land Titles, Registration and Administration	✓	✓	✓
Equal land and property rights	✓		
Administering land titles		✓	
Women's participation in land reform and titling programmes			✓
Access to Commercial Courts and ADRM		✓	
Gender discrimination by the judiciary		✓	
Legal literacy		✓	
Broadening Public Private Dialogue	✓	✓	✓
Legal rights for women	✓		
Quotas for women in Parliament/ Public Sector	✓		
Gender Diversity in the Private Sector		✓	
Gender Diversity in Government and Administration		✓	
Women's Trade Union Participation		✓	
Women's Engagement in Business Associations and Networks			✓
Access to Market Information	✓	✓	
Public procurement	✓		
Legal and business licensing information		✓	
Business support and extension services		✓	

2.2 Business Registration and Licensing

From a policy and legal perspective, business registration and licensing is widely acknowledged to be gender neutral. Nevertheless, there is evidence of differential impacts on women and men due to social norms in terms of how these processes are administered. This contributes to women entrepreneurs choosing to operate informally with implications for tax-collection, women's social protection and business growth. While there is acknowledgement of the gender dimensions of business registration and licensing from the policy and legal and regulatory and administrative components of the business environment, the literature does not refer to levels of women's engagement in the institutional arrangements.

Table 2: Gender and Business Registration and Licensing

Factor	Challenge/ Opportunity	Impacts of Challenges/ Opportunities on Women	Solutions (cited in the literature)
Regulatory and Administrative Framework			
Business registration procedures	Legal constraints in registering a business Lack of awareness Lack the time and skills to undertake procedures Inability to afford the cost of business registration Lack of collateral or funds to contribute towards the high start- up capital requirements Costs of exiting business if start-up fails Customary law/ socio-cultural issues	Formalization of business	Remove legal restrictions for women to register a business Initiatives to increase awareness of the benefits of business registration Simplifying business registration procedures to make it easier and quicker Reducing cost of procedures for business registration and licensing Lower start-up capital requirements Lower exit requirements and costs for closing business
Corruption, harassment and sextortion by officials	Women are at greater vulnerability to corruption and harassment in the process of business registration and licensing		

Business Registration Procedures

In four countries (Bhutan, the Democratic Republic of Congo, Pakistan and Suriname), married women are still not able to register a business in the same way as men – and in even more countries highlighted in the World Bank's Women Business and the Law, there is legislation that falls out of scope of the business environment that may restrict their potential to do so related to other aspects of family law (see section 2.11 Other Binding Factors).[10] Women face greater vulnerability to corruption in the process of registering a business, they often lack information more than men and are less aware about the procedures. In addition, they may be less likely able to afford the procedures, have a lack of collateral or funds to contribute towards high start-up capital requirements, less time available for completing lengthy procedures in part due to the burden of domestic responsibilities, and greater difficulty accessing registration facilities. All of these barriers may negatively affect women contributing to their choice to not formalize their businesses.[11]

[10] World Bank, 2015.

[11] World Bank, 2010; Chamlou, 2008; ADB, 2014; DFID, 2013.

There are also knock on implications. For example, the lack of formal business registration influences a woman's credit history and ability to borrow [12] and can restrict enterprise growth and legal responsibilities, rights and protections as employers, [13] and access to business development services.[14]

Countries with more cumbersome business environments have smaller shares of women entrepreneurs and vice versa. Accordingly, simplifying business processes can create more first-time female business owners at a rate 33% faster than that for their male counterparts.[15] Indeed research in Ghana found that regulatory reforms were implemented with the intention to make it easier, cheaper and quicker to start a business for women in the country.[16]

A study in the Middle East and North Africa found that lengthy procedures for starting a business can also have gender differentiated effects in the region. It states that regions with lower start-up capital and lower exit barriers have higher shares of female entrepreneurs in the formal sector.[17]

There are gender dimensions to the business registration process. Gender and investment climate assessments undertaken in Africa and the Pacific, indicate women face greater constraints in registering businesses due to their overall lower skill, experience, and ability to navigate the system. They also note other inhibiting cultural factors restricting women's mobility and interaction with male officials and the burden of domestic responsibilities.[18]

"52.3% of respondents in a study of women in Tanzania said that prior consent from their husbands was necessary if they wanted to register a business"

(Equality for Growth, 2009.)

Country specific evidence from Tanzania found that women who are time poor are even more likely to be deterred by the business registration process. More than three quarters of the respondents (79.3%) did not have a license for their business and two thirds (66.8%) of respondents stated that they were unaware of the legal procedures related to business registration.[19]

In Kyrgyzstan a survey found that awareness of the procedures for the enterprise registration influenced the decision of one third of women entrepreneurs to register their company. Conversely, the factors that prompted women entrepreneurs not to register their

[12] ADB, 2014, ILO, 2011, AfDB and ILO, 2007.
[13] AfDB and ILO, 2007.
[14] ILO, 2011.
[15] Chamlou, 2008.
[16] Hampel-Milagros, 2011.
[17] Chamlou, 2008.
[18] IFC & GPFI, 2011.
[19] Equality for Growth, 2009.

businesses included the absence of state support (41% respondents), high costs (38%), and the extensive time required to complete the registration procedures (37%).[20]

A study on the business environment in Ghana found that regulations on starting a business, paying taxes, registering property and obtaining credit are more or less gender-neutral. Yet women face disadvantage in starting and running a business due to strong traditional values and gender bias.[21]

Simplifying the procedures and reducing the time and cost needed to register a business is associated with increased numbers of firms being registered. This can benefit women disproportionately. Moreover, it is suggested that policy makers gather data on the gender of the owners in business registration forms as well as an increase women's awareness of the benefits of registration. [22]

Corruption, Harassment and Extortion by Officials

A survey from Bangladesh suggests that women are more vulnerable to corruption during the business registration and licensing processes. It found that government clerks were more likely to target women to charge "speed payments" to process claims and that pregnant and ill women were more likely to be subject to such "informal payments". The impact of this is acknowledged as contributing to women remaining in the informal sector.[23]

In Central Asia, a survey in Kyrgyzstan concluded that women in the country were choosing to operate informally to avoid "under the table payments"; were more often exposed to cases of bribery extortion and harassment by inspectors; and almost 10% of women entrepreneurs experienced some type of harassment by state officials during the two years preceding the survey – although it is not known how many men faced such harassment as a comparison.[24]

Women's level of vulnerability to corruption may be country specific. A study in Tanzania found that relatively few (7.8%) women entrepreneurs applying for licenses, had to make an unofficial payment in order to obtain their licenses and only slightly more at 10.2% had trouble obtaining a license. [25] However, it could be that survey questions regarding paying bribes or unofficial payments do not tell the full story, as anecdotally "sextortion" - when an official exercises power to sexually exploit someone for a service in his or her authority – is a problem facing women entrepreneurs in the country.[26]

2.3 Tax Policies and Administration

Seemingly gender neutral tax policy and legislation can be gender biased and women and men may experience tax administrations processes differently. In turn this can impact both women-owned and managed enterprises and the employment of women. It can also respectively influence the profitability of their enterprises and labour force participation. Limited sources of literature refer to gender dimensions of tax policies and administration from the policy and legal and regulatory and administrative components of the business

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[20] ILO, 2009.
[21] Hampel-Milagros, 2011.
[22] IFC & GPFI, 2011.
[23] World Bank, 2010.
[24] ILO, 2009.
[25] Equality for Growth, 2009.
[26] http://uk.reuters.com/article/uk-tanzania-sextortion-idUKKBN0NF1LG20150424

environment. No literature refers to women's engagement in the development of tax policy.

Table 3: Gender and Tax Policies and Administration

Factor	Challenges and Opportunities	Impacts of Challenges/ Opportunities on Women	Solutions (cited in the literature)
Legal and Policy Framework			
Direct taxes	Explicit and implicit gender bias in personal income tax regulations	Labour force participation and formalization of business	Remove gender specific provisions in tax legislation and deductions or credits only granted to male heads of household; Implement individual tax filing systems, independent of marital status or household structure Value unpaid work; Create tax incentives to encourage women to join the formal economy
Indirect taxes	Restrictions on informal businesses claiming VAT refunds	Profitability of informal enterprises	Zero rating of basic necessities in value-added taxes
Regulatory and Administrative Framework			
Awareness of tax requirements and procedures	Level of awareness of tax requirements and procedures	Less regular tax payments	
Unequal treatment, corruption and harassment during tax collection	Vulnerability to unequal treatment, harassment, violence, bribery and extortion during tax collection including cross border trade		Establishment of a redressal mechanism
Benefits from tax payments	Lack of services and infrastructure investments resulting from taxes paid	Perceived value in paying taxes	

Direct Taxes – Explicit and Implicit bias

Gender differences in personal income tax regulations may affect a woman's decision to enter the workforce and work formally. This may be due to either explicit or implicit gender biases in taxation. Explicit gender bias occurs when 'the tax legislation contains specific provisions that treat women and men differently' and implicit gender bias occurs where 'tax legislation intersects with gender relations, norms and economic behaviour'.[27] In 16 of 173 economies tax provisions directly favour men, either granting men an explicit tax deduction or credit, or an implicit tax deduction or credit is granted to the male head of household.[28]

There is an impact of implicit tax bias on women's labour market participation, as it can result in higher tax for secondary earners where there are joint filing systems.[29] Consequently it is argued that individual tax filing systems[30] are more gender-equitable than

[27] UNDP, 2010.
[28] World Bank, 2016.
[29] Where tax liability is assessed on the combined income of the married couple.
[30] where income earners are individually responsible for filing taxes based on their own earnings, independent of marital status or household structure.

joint filing systems.[31] How tax policy considers or values unpaid work can impact on women's paid employment by affecting labour supply incentives and influence women's choice of whether to pursue paid employment.[32] There is evidence that female labour supply is more responsive to taxes than the male labour supply. Hence, reducing the tax burden for (predominantly female) secondary earners by replacing family taxation with individual taxation can potentially generate large efficiency gains and improve aggregate labour market outcomes.[33] Evidence from Canada shows that a reduced secondary earners' tax contribution can result in an increase in labour force participation of women.[34]

Indirect Taxes

Indirect taxes have become an increasingly important revenue base for developing countries, given the size of the informal sector.[35] Systems that impose a tax on the consumption of basic goods and services may place a heavier tax burden on women. Given men are often more likely to be employed in formal jobs and women are more likely to be self-employed in the informal economy, implicit tax biases may exist. This may be for example due to eligibility for work-related exemptions, tax collection mechanisms and treatment of assets that men benefit from.[36]

Grown and Valodia argue that zero rating of basic necessities in value-added taxes can facilitate greater income and gender equity in indirect tax incidence. Moreover, that it is possible to reform VAT and excises in ways that promote gender equality and maintain revenue neutrality.[37]

In terms of impact of any gender bias in indirect taxes, a study in Vietnam found a gender bias in VAT impacted the profitability of women-led SMEs. The sectors with a greater representation of women as SME owners had a higher VAT rate for inputs than those sectors in which men were more active, with women-led SMEs in urban settings bearing 105 per cent of the cost of male-led SMEs even though the women's earnings were only 67 per cent of their male counterparts. It found that many of the women's businesses were operating informally which restricted their opportunity to claim VAT refunds. The result of this was that the women's businesses were smaller and less profitable.[38]

Awareness of Procedures, Tax Collection and Benefit

From the perspective of the administration of any tax system, women's MSMEs are more likely to be disadvantaged in knowing how much tax to pay, and what procedures to follow.[39] A study of the business environment in Ghana found that the lack of transparency of the Ghanaian tax system has an impact on women. The respondents referred to constant difficulty in paying taxes, which are collected inconsistently, unsystematically and in a non-transparent manner. The study concluded that since women were on average less well educated than men, they found it harder to cope with tax regulations. The research found that among formally registered business owners, more male entrepreneurs seem to pay taxes on a regular basis than females but there was no difference between males and

[31] IMF, 2013. UNDP, 2010. Grown and Valodia, 2009.
[32] UNDP, 2010.
[33] IMF, 2013.
[34] McKinsey, 2015.
[35] Grown and Valodia, 2009.
[36] UNDP, 2010.
[37] Grown and Valodia, 2009.
[38] Akram-Lodhi and van Staveren, 2003 in Christian Aid, 2014.
[39] ADB, 2014.

females in the difficulties they encountered in paying taxes or in their feeling that tax authorities discriminated against them.[40]

Similarly, another study in Ghana found a lack of awareness of tax requirements, unfair treatment by tax collectors and an absence of redress mechanisms, as well as a lack of services and infrastructure investments impacted women's enterprises. The qualitative study, focused on the experiences of women working in the informal sector, found that more than 90 percent of women traders paid taxes but almost 60 percent of them felt they were not well informed on why they had to pay them and half of the women surveyed said they did not see tax revenue being spent on services.[41]

Evidence suggests that women are at greater vulnerability of having to pay additional fees during cross border trade. A study from the Great Lakes region in Africa found that female cross-border traders in DRC, Rwanda and Burundi faced high levels of violence from border guards and others who hassle traders for goods and money.[42] In a study of the Kyrgyz Republic, it was found that 50% of women who have become victims of harassment traded across borders. In addition to harassment, these women more often became victims of bribery and extortion by state officials.[43]

In terms of recommendations, it has been suggested that tax incentives could be used to promote the creation of jobs for women in the formal economy.[44] Going forward, future research in this area could be on the gendered impact of local government revenues, which tend to rely heavily on property and land taxes as well as consumption taxes.[45]

2.4 Access to Finance

There is a wide range of literature at an international, regional and country level detailing the access to finance constraints facing women as individuals and entrepreneurs. Yet, while there is evidence related to the policy and legal, regulatory and administrative components of the business environment, more is needed on women's participation in the policy making process.

Table 4: Gender and Access to Finance

Factor	Challenges and Opportunities	Impacts of Challenges/ Opportunities on Women	Solutions (cited in the literature)
Legal and Policy Framework			
Overall legal capacity	Overall legal capacity in terms of rights	Access to finance – account opening and accessing credit	
Land titles and property rights	Lack of immovable assets	Unable to meet collateral requirements	Changing the collateral requirements for banks allowing them to accept moveable or unconventional collateral e.g. reputational collateral as an alternative
Discriminatory banking laws	Laws discriminating against women on the basis of gender and marital status	Access to credit and labour force participation	Remove provisions by banks for requiring a husband's signature to enter into contracts or open a bank account

[40] Hampel-Milagros, 2011.
[41] Christian Aid, 2014.
[42] DFID, 2013.
[43] ILO, 2009.
[44] Mckinsey, 2015b.
[45] Grown and Valodia, 2009.

Know your customer (KYC) requirements	Lack of identification documents	Unable to meet KYC requirements and in turn access a bank account or register for a mobile sim card	
Supply side banking data	Lack of sex-disaggregated data in general and on specific government programmes	Evidence based policy making	Collection of sex-disaggregated lender portfolio data by banks and national financial policy makers
Financial infrastructure – credit bureaus, collateral registries, digital distribution channels	Existence of collateral registries, credit bureaus, digital distribution channels	Facilitates women's access to finance and use of movable collateral to access credit	Promote digital financial services, establish credit bureaus and registries
Lines of credit and credit guarantee schemes	Lines of credit or guarantee funds specifically for women	Access to finance	Credit guarantee schemes for women
Regulatory and Administrative Framework			
De facto land titles and property rights law	The application of de facto law rather than law de jure	Collateral to access finance	
De facto discriminatory banking laws	Application of old laws as 'de facto law'	Access to finance	
Lines of credit for women and credit guarantee schemes	A lack of publicity and other factors	Usage of credit or guarantee funds specifically for women	Promotion of credit guarantee schemes for women
Institutional Arrangements			
Male dominated public policy making	Lack of women's engagement in financial policy making and low levels of representation of women in financial sector industry associations	Recognition of gender specific constraints in access to finance	Engaging with women's networks and business associations and increasing women's access to networks such as the chamber of commerce and industry associations

The credit gap for formal women-owned SMEs across all regions is roughly US$2872 billion, which is 30 percent of the total credit gap for SMEs.

(IFC, 2014)

Overall Legal Capacity
Evidence confirms that women's legal capacity and their property rights impacts women's access to finance, whether to open a bank account or to get a loan.[46]

Immovable Assets and Collateral
Women entrepreneurs can be prevented from accessing financial products and services due to their lack of immovable assets and collateral and in turn their inability to meet bank's collateral requirements. For instance, the absence of land titles significantly limits women farmers' access to institutional credit in India.[47] A resulting impact is that women entrepreneurs are unable to access credit, which limits their investment in their business including in terms of agricultural inputs and equipment. [48]

There is evidence of a link between women's weak property rights and being unable to meet collateral requirements and consequently lacking access to credit.[49] For example in Ghana, land inheritance follows de facto law rather than de jure law resulting in discriminating against women with the consequence that they lack property they can use as collateral. [50] To address the lack of collateral for women, commercial banks in Africa have begun to accept movable or unconventional collateral, and reputational collateral can be used as an alternative.

Gender Discriminatory Banking Laws
It is well established that banking laws which discriminate based on gender and marital status can impact women's access to credit.[51] For example restrictions exist in some countries on women applying for credit, or making money transfers without the involvement of a male family member's signature.[52] Indeed to highlight this issue the World Bank's Women, Business and the Law tracks whether legislation prohibits this discrimination and if marital status makes a difference in terms of whether a married woman can open a bank account in the same way as a married man.[53] Although it is recommended to remove provisions requiring a husband's signature to enter into contracts or open a bank account, even if this is legally not required women still may face problems related to de facto law.[54]

Evidence from a study in the Middle East suggests that even if, legally, women do not require their husband's or a male relative's signature to open a bank account, in reality banks may require it. This can have implications for women's access to finance. Indeed the same research found that there was a range of legal interpretations within a single country and argues that guidance is needed on how to interpret specific laws to avoid them being inconsistently interpreted.[55] Separate evidence has found those countries that do not require permission for wives to open bank accounts have women's labour force participation that is on average 2.62% higher than those that do.[56] Initiatives to enhance the collection of

[46] Hallward-Driemeier et al, 2013.
[47] IFC and GPFI, 2011.
[48] ADB, 2014; AFI & WWB, 2016.
[49] IFC and GPFI, 2011; AFI and WWB, 2016.
[50] Hampel-Milagros, 2011.
[51] AFI & WWB, 2016; Chamlou, 2008; World Bank, 2015.
[52] AfDB, 2013.
[53] World Bank, 2015.
[54] IFC & GPFI, 2011.
[55] Chamlou, 2008.
[56] Hallward-Driemeier, et al. 2013

data on women's access to credit indicate that they receive less credit than men but women's credit constraints are different from men's.[57]

Know Your Customer (KYC) Requirements

Know Your Customer Requirements for financial institutions is a well-established business environment factor that can constrain women's access to finance. Women disproportionately lack the necessary identification documents to support this process required by banks and also telephone providers for SIM card registration procedures, which would allow them to access mobile financial services.[58] Data indicates that where women face greater difficulty obtaining a national ID card, they are less likely to borrow from a financial institution. There are ten countries around the world where married women still need to provide more documentation than men to get a national ID card. Furthermore there are still countries where women require permission from a male to apply for a passport, which is another source of identification that can be used to open bank accounts.[59]

Women make up the majority of the world's 2 billion unbanked adults at 55 percent or 1.1 billion.

The gender gap in account ownership remains constant at 9 percentage points in developing countries, with the largest gender gap in absolute terms being in South Asia at 18 percent.
(World Bank, 2015b)

Sex-disaggregated Supply Side Banking Data

There is a noted lack of sex-disaggregated supply side banking data which can be used for identifying and quantifying the barriers to women's financial inclusion and in turn formulating financial policies to address these barriers. As such, it is recommended that this data is collected at a national level. [60] Anecdotal evidence suggests that the collection of sex-disaggregated supply-side financial inclusion data in Rwanda has impacted women's access to finance.[61] In another example, a directive from the Reserve Bank of India for all public sector banks to disaggregate and report the share of credit to women within their total lending portfolio has contributed towards increasing access to finance for women.[62]

As a subset of supply side data, there is a documented need to specifically collect sex-disaggregated data for government programmes to expand SME access to finance. For example, it is recommended that sex-disaggregated lender portfolio data be collected, as well as the terms and conditions of any loans. In turn, this information is analyzed to understand gender dimensions of access to finance challenges for this segment. To support

[57] World Bank, 2015.
[58] AFI & WWB, 2016; BMZ, GIZ & UK AID, 2013; Centre for Global Development, 2015; IFC, 2014.
[59] World Bank, 2015.
[60] The Commonwealth, 2015; AFI & WWB, 2016; GBA, 2015; IFC & GPFI, 2011.
[61] GBA, 2015.
[62] The Commonwealth, 2015.

the analysis and collection of this data multiple sources of literature refer to the importance of defining a women-owned and managed enterprise.[63]

Financial Infrastructure - Credit Bureaus and Collateral Registries
The availability and regulation of financial infrastructure and specifically collateral registries and the existence of credit bureaus can impact women's access to finance.[64] Policies that promote digital financial services (DFS) and regulation that enables mobile distribution channels are impacting women's access to finance.[65] However, of the literature reviewed no publication provided details of specific studies indicating the impact of such infrastructure on women' access to credit suggesting more research is required.[66]

Lines of Credit for Women and Credit Guarantee Schemes
Evidence suggests that policies that create special lines of credit for women can increase their access to finance. For example, the Pronaf-Mulher credit line targeting women in rural areas in Brazil contributed to an increase in women's credit share in rural development financing programs by 15 percent between 2001 and 2006.[67]

Special financing schemes have been established in a variety of African countries, which can address the financing obstacles faced by women including guarantee funds targeting women,[68] efforts of banks to specially target the financing of women entrepreneurs,[69] the creation of government-funded financing and micro-credit programmes for women,[70] and other support funds and credit and savings systems for women delivered by non-governmental organizations (NGOs). It is advocated that creating and/or expanding credit guarantee schemes and microfinance funds can improve women entrepreneurs' access to finance.[71]

Even if these lines of credit or schemes exist for women, the way that they are administered and publicized may mean that women are unaware they exist, resulting in their lack of usage. For example, a study in Tanzania found only a third (33.1%) of respondents knew of financial institutions that offered special credit lines for women and less than half of respondents (40.8%) indicated that they were aware of credit programmes offered to female entrepreneurs by the Tanzanian government.[72]

Public-Private Dialogue
Gender-neutral policies and a male-dominated policy making process were noted as business environment factors that were impacting on women entrepreneurs' access to finance. It is argued that there is a need to strengthen women's voices and involve them in the reform process to promote their access to finance to draw attention to gender-differentiated constraints. Engaging with women's networks and associations may facilitate this, as well as increasing women's access to networks such as the Chamber of Commerce and business and industry associations which often have low female representation.[73]

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[63] IFC and GPFI, 2011; GBA, 2015.
[64] AFI & WWB, 2016; IFC and GPFI, 2011; IFC, 2014.
[65] AFI & WWB, 2016.
[66] Hampel-Milagros, 2011.
[67] IMF, 2013.
[68] in Cameroon, Rwanda, Senegal
[69] in Nigeria and Rwanda
[70] in Mali, Nigeria, Rwanda, Senegal
[71] ILO, 2011.
[72] Equality for Growth, 2009.
[73] IFC and GPFI, 2011.

2.5 Labour Laws and Administration

There is clear evidence that gender differentiated labour laws exist that directly impact on women-owned and managed enterprises and the employment of women. These can influence their productivity and formal workforce participation. Furthermore, there is evidence of legal reforms and labour related policies driving women's workforce participation. But too often, policies are not implemented in practice and do not take into account the large numbers of women operating in the informal sector. This omission may be in part due to the lack of consultation with women during policy consultation processes.

Table 5: Gender and Labour Laws and Administration

Factor	Challenges and Opportunities	Impacts of Challenges/ Opportunities on Women	Solutions (cited in the literature)
Legal and Policy Framework			
Legal gender differences	Levels of legal gender equality	Women's labour force participation, agricultural employment, entrepreneurship and earnings	Enshrining equal rights for women in the law
Gender based work restrictions	Gender based job restrictions on working hours and night working, sectors and occupations	Occupational segregation, productivity and earnings of women and women-owned enterprises, the gender wage gap	
Gender discriminatory laws	Gender discriminatory law exists which prevent women from working	Growth and success of female entrepreneurs	
Maternity, paternity and parental leave	Maternity and paternity leave policies	Women's workforce participation, employment choices and underlying norms about care	Legislate to provide leave for informal sector workers
Child care	Public or subsidized child care	Women labour force participation, and types and quality of jobs women do, how productive they are and how much they earn	
Elderly care	Policies supporting elderly care	Women's labour force participation	
Regulatory and Administrative Framework			
Maternity, paternity and parental leave	Lack of policy implementation, with parents denied their leave entitlement	No maternity, paternity or parental leave	Gender-neutral parental leave

Legal Gender Differences

Where there are more legal gender differences (lower legal gender equality), women are less likely to be employed or run a business, and are likely to earn less than men.[74] This premise is backed up by other research linking legal protections and labour force participation of women.[75]

Women face gender-based job restrictions in 100 economies.

Source: World Bank, 2015.

155 of 173 economies have at least one law impeding women's economic opportunities with the total number of legal gender differences across 173 economies standing at 943.

Source: World Bank, 2015.

For instance, a study to test the impact of legal reforms on employment found that reforms which removed gender gaps in rights and strengthened women's economic rights are associated with greater participation of women in the labour force, greater movement out of agricultural employment, and higher rates of women in wage employment. Further, there are differences between countries in terms of the effect of legal reforms in raising labour force participation. These are based on the income level of countries. Greater equality of rights appears to have a stronger association with women's labour force participation where the rule of law is otherwise weak. As such there is evidence that enshrining equal rights for women in the law has instrumental value enabling women to pursue greater opportunities and raising incomes and productivity. While the current evidence is mainly country-specific, the "50 Years of Women's Legal Rights Database" is noted to offer an opportunity for a comparison across 100 countries. [76]

There is evidence of the link between equality in legal provisions and the increased labour-force participation rate of women. Evidence suggests that legal provisions outlining and guaranteeing the rights of women as full members of society show a moderate correlation with four out of five work equality indicators and several indicators of gender equality in society.[77]

Gender Based Job Restrictions

Gender based job restrictions on working hours and night working, sectors and occupations can lead to occupational segregation and impact on the productivity and earnings of women and women-owned enterprises, contributing to the gender wage gap. Moreover, many jobs prohibited for women are in highly paid industries, such as mining and manufacturing with implications for their earning potential. [78] Other evidence suggests that occupational segregation, along with the size of their businesses (and farms) can contribute to the disparity between the sexes in productivity and earnings. The value added per worker between is 6 percent and 35 percent lower in female-owned than in male-owned firms, and

[74] World Bank, 2015.
[75] Mckinsey, 2015b.
[76] Hallward-Driemeier et al 2013.
[77] McKinsey, 2015.
[78] World Bank, 2015.

female-managed farms are 20 percent to 80 percent less productive than male-managed farms.[79]

Occupational segregation and reduced working hours, in combination with differentials in work experience, can explain on average around 30 percent of the gender wage gap.[80] For example, in the Russian Federation high levels of gender-based job restrictions exist due to Soviet-era labour regulations. [81] A study on the gender earnings differential in Russia based on a nationally representative household survey found that, job segregation by gender accounted for about three quarters of gender earnings differentials.[82]

Gender Discriminatory Labour Law

Gender discriminatory law exists which prevent women from working.[83] [84] Survey-based research conducted in the Middle East and North Africa showed that the region's business and investment laws are largely gender neutral or gender blind but discriminatory laws and regulations outside business law, related to social norms, limit the growth of female entrepreneurship and the success of female entrepreneurs. These laws may also impact women's businesses, as the research indicated that some of these restrictions were applied to women employers as well, with implications for the sectors where they can invest or the hours when they can operate their businesses. The result of this is uncertainty faced by women entrepreneurs.[85]

Husbands can legally prevent their wives from working in 18 countries.
Source: World Bank, 2015.

Maternity, Paternity and Parental Leave

Data exists on regulations related to maternity and paternity leave and suggests they can positively impact women's workforce participation. Evidence indicates that while 167 of 173 economies mandate maternity leave, paid or unpaid parental leave is still a rarity. The World Bank's Doing Business also now gathers data including whether the law in each country mandates paid or unpaid maternity leave and the minimum length of paid maternity leave (in calendar days).[86]

Only 63 countries comply with the minimum standards set out in ILO Maternity Protection Convention (No. 183).

Source: UN Women, 2015.

No country in Sub-Saharan Africa has any form of parental leave and paternity leave is still only offered in half of the economies.

[79] Buvnic, 2014.
[80] IMF, 2013.
[81] World Bank, 2015.
[82] Oglobin, 2005.
[83] Chamlou, 2008.
[84] World Bank, 2015.
[85] Chamlou, 2008.
[86] World Bank, 2016.

Maternity, paternity and parental leave can impact women's employment choices and support women to remain in paid employment. Yet, often these policies are not enforced.[87] Moreover, if they are not publicly financed they can contribute to discrimination against women of childbearing age. It is suggested that lack of implementation of maternity laws impact women and only 28 per cent of employed women worldwide enjoy any paid maternity leave in practice. Evidence from developed countries suggests that policies that provide both paternity and maternity leave and make paternity leave mandatory can shift the underlying norms about care. But it is noted that the provision of gender-neutral parental leave does not automatically lead to gender equality in take-up.[88]

These policies may have more limited impact on the 129 million women worldwide working in the informal sector. For example, in India less than 1% of women receive paid maternity leave.[89] As such it is argued that policies and attention should be directed towards extending maternity benefits to women in the informal labour market, as it is likely that the informal sector will provide the bulk of women's paid employment for some time more.[90]

On average women spend 45 minutes more than men daily on paid and unpaid work – and over 2 hours more in the most unequal countries, equating to up to 5.7 weeks more work per year.

Source: ODI, 2016.

Child Care

Multiple sources of evidence suggest that public or subsidized child care can provide an incentive for women's workforce participation rather than to stay at home with their children, compensating them for the costs they incur from engaging with work.[91] Data clearly indicates that women carry a larger burden of childcare and other unpaid work. It is these care responsibilities that inhibit female labour force participation, and affect the types of jobs women do, how productive they are and how much they earn. [92]

Research from the World Bank suggests that in economies that provide public childcare women are more than twice as likely to receive wages that in economies that do not provide public childcare.[93] There is evidence that access to comprehensive, affordable, and high-quality child care frees up women's time for formal employment. A study analyzing data for 10 different countries, on the elasticity of female labour supply with respect to the price of child care, found that if the price of childcare is reduced by 50 percent, the labour supply of young mothers will rise between 6.5 to 10 percent.[94]

[87] ODI, 2016.
[88] UN Women, 2015.
[89] World Bank, 2012; ODI, 2016.
[90] ODI, 2016.
[91] World Bank, 2016; World Bank, 2012; Buvinic, 2014.
[92] ODI, 2016.
[93] World Bank, 2015.
[94] IMF, 2013.

There is a large number of studies cited in the literature that have shown that the availability of childcare is associated with stronger women's labour force integration.[95] Publicly provided or subsidized day care such as Estancias Infantiles in Mexico, Hogares Comunitarios in Colombia, and similar programs in Argentina and Brazil increased the number of hours worked by women as well as led them to work more in formal employment. Moreover, these policies were found to impact on the productivity and earnings of women.[96]

There is evidence that policy interventions affecting the availability and pricing of childcare and social programs can impact women's labour market participation and number of hours worked, and in some cases, also increase quality of work. For example, evaluations of childcare programs in Guatemala, Colombia, Argentina and Brazil have found strong effects of childcare availability on mother's rates of working and on the number of hours worked. A publicly provided day care program for low-income mothers in Rio de Janeiro, Brazil found that the program increased mothers' employment, but that the increase in income was less than the cost of child care. Additionally, providing free preschool for Arab mothers in Israel led to a substantial increase in their labour supply.

Notably evidence suggests that where childcare has gone from being free and widely available to expensive in former Communist countries such as Romania and Russia, it has been a major determinant of whether women work. Moreover, in these instances child care subsidies were more effective than wage subsidies or family income subsidies in increasing maternal employment, both in terms of number of women working and hours spent at work. However, the literature stresses that the effectiveness of childcare programs will depend on the country context as will its model for provision. For example, in Accra, Ghana, the nature of women's work meant that childcare provision was found not to be a significant determinant of a mother's decision to work. [97]

While the provision of child care is associated with increased labour force participation, the unavailability of care is associated with lower levels of working by women. A study in Sri Lanka found that mothers of children under five years old were 11% less likely to engage in the job market than other women. Furthermore, formal sector child care policies don't help women who work in the informal sector and the lack of childcare can lead women to take lower quality jobs, often in the informal sector. For instance, the lack of childcare was a key reason stated by 40% of mothers working informally in Guatemala City for not taking formal economy jobs as their children would not be able to accompany them to work.[98]

There is evidence that women's child care activities and the lack of available child care affect their market time allocation, duration and, consequently, the sector and choice of activity, and growth of their enterprises. Data from Mexico indicates that child care obligations are the main restriction on the growth of female-owned firms and the differences in size and profits between female- and male-owned firms are larger for women who live in households where children under the age of 12 are present. Moreover, the presence of children accounts for about 30 to 40 percent of the size and profit difference between female- and male-owned firms.[99]

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[95] ODI,2016.
[96] World Bank, 2012.
[97] UN Foundation and Exxon Mobil, 2013.
[98] Gunatilaka, 2013 in ODI, 2016.
[99] IFC and GPFI, 2011.

Elderly Care

Multiple sources highlight the potential connection between the impact of elderly care on female labour participation rates. Policies to support elderly care can also promote women's labour force, by reducing the burden of unpaid care work .[100] There is mixed and context specific evidence on whether elderly care prevents women's labour force participation. More research is needed to understand how these factors impact women's participation in the workforce. For example, a study from Mexico finds that elderly care reduces the probability of women working, while one from Chile finds no effect, and a study from China finds that co-residence with elderly persons facilitates women's work.[101] Data is available on the number of economies that provide paid or unpaid leave to care for a sick relative and this can be used to support further analysis.[102]

2.6 Quality of Regulatory Governance

There is limited evidence on the regulatory governance factors in any component of the business environment that may impact on women's employment and women owned and managed business. This implies further research is required to establish those that exist in general and for specific sectors. This may require an exploration of the gender impacts of certain value chains for priority sector.

Table 6: Gender and Quality of Regulatory Governance

Factor	Challenge/ Opportunity	Impacts of Challenges/ Opportunities on Women	Solutions (cited in the literature)
Regulatory and Administrative Framework			
National sector guidelines and quality standards	Difference between de jure and de facto rules related to controls, inspections and audits	Discrimination in application of rules	

The literature reviewed did not explore the differential impacts on men and women of sector specific policy and quality regulation including related to standardization, certification and accreditation for different sectors. There is some discussion with respect to the financial sector and also with respect to national ICT policies and strategies and e-governance, which highlight the need for sex-disaggregated data to inform policy making.[103] For example, the International Telecommunications Union gender taskforce has produced guidelines for gender-sensitive policy-making which can be used as a checklist of issues to consider when making decisions; and to provide ideas on how to mainstream gender in regulatory and licensing agencies.[104]

Sector-specific guidelines that define the quality standards of works, goods and services in different sectors can take on a gender perspective to ensure that women's and men's needs and concerns are sufficiently considered, e.g. factoring in women's safety when designing roads, walkways or public bus stations, or ensuring the provision of sex-segregated toilets.[105] However, there is evidence to support examples of where this is the case.

From a regulatory and administrative perspective, evidence from a survey in the Kyrgyz

[100] UN Foundation and Exxon Mobil, 2013; IMF, 2013; World Bank, 2016.
[101] UN Foundation and Exxon Mobil, 2013.
[102] World Bank, 2015.
[103] Bridge Development Gender, 2004.
[104] ITU, 2001.
[105] GIZ, 2015.

Republic noted that there can be a difference between de jure and de facto regulatory framework related to controls, inspections and audits. For instance, 86% of women entrepreneurs participating in a survey stated that government officials inspected their enterprises.[106] It is unclear whether these inspectors were male or female and also how this compares to the burden of inspections for men business owners. However based on this it can be assumed that many constraints referred in the literature to the administrative process of business licensing and registration may hold true for quality regulation.

2.7 Land titles, Registers and Administration

Strong evidence exists to indicate that equal property rights and joint land titling can positively impact on women's labour force participation, agricultural production and earnings, and the ability for women-owned and managed enterprises to access credit to grow their businesses. There is also evidence that gender bias exists in the administration of land titles with implications for women in terms of realizing their rights, which affect their access to credit.

Table 7: Gender and Land Titles, Registers and Administration

Factor	Challenges/ Opportunities	Impacts of Challenges/ Opportunities on Women	Solutions (cited in the literature)
Legal and Policy Framework			
Equal land and property rights	Equal property rights Women's land rights	Women's labour force participation Employment of women outside of agriculture and into wage work Access to contract farming Agricultural production Access to finance	
Regulatory and Administrative Framework			
Administering land titles	Ability to have joint land titling, length of registration processes Customary law	Control over land, Women's labour supply Agricultural productivity.	
Institutional Arrangements			
Women's participation in land reform and titling programmes	Women's representation in decision-making bodies that administer land rights or hold public bodies to account	Access to land	

Equal Land and Property Rights

Evidence suggests an association between equal property rights, particularly with regard to inheritance and joint titling, and increased labour force participation, greater employment of women outside of agriculture and into wage work.[107] Land rights and gender equality in land ownership are linked to not only women's workforce participation but also to greater women's agricultural productivity and earnings for women. Research indicates that when women have more formal control over land, their productivity as farmers increases and once access to inputs (land, fertilizer, credit) are controlled for, women are as productive and efficient as men.[108] A review of more than 15 empirical studies from different regions found that granting women land rights is strongly associated with increases in the productivity of

[106] ILO, 2009.
[107] Hallward-Driemeier et al, 2013.
[108] UN Foundation and Exxon Mobil, 2013.

women farmers and their economic security and autonomy. For instance, in Ethiopia and Rwanda large-scale land registration programs have had large positive effects on land investments and farm yields among female-headed farm households.[109]

Conversely, evidence suggests that a lack of control over land results in the exclusion of women from contract farming. The scale of this impact is that women comprise fewer than 10 percent of the farmers involved in smallholder contract-farming schemes in the Kenyan fresh fruit and vegetable export sector and only 1 of 59 farmers contracted in Senegal to produce French beans for the export sector.[110]

Other evidence exists including a survey of women's land rights in Southern Africa, which found that lack of access to land among other factors constrained their agricultural production.[111] Furthermore, research has indicated that a lack of tenure security in Ghana led women farmers to invest less in soil fertility, resulting in substantially lower profits per hectare for women's plots, when compared to men's.[112]

Multiple sources of literature refer to how the lack of land rights indirectly impacts women's businesses access to and control of financial resources.[113] The lack of secure land rights undermines the land owner's ability to use it as collateral, leading to credit constraints and research is cited which demonstrates that individuals in Ghana vary their investment across plots depending on the security of their rights.[114] Although it is noted that women may be more risk averse than men in offering their land as collateral.[115]

Administering Land Titles

Evidence suggests that legislating how property rights are implemented through mandating joint land titling can impact women's control over land. [116] In Peru joint land titling was found to have a strong impact on labour supply, especially for women.[117] Moreover, in Ethiopia, India and Vietnam joint land titling has had a positive impact on women's productivity.[118] Ethiopia has reportedly mandated joint titling of land and increasing women's control over land.[119] A study from Tanzania concludes that reform of the land registration system can allow entrepreneurs to gain better access to business premises.[120]

There are wide-ranging differences in current evidence on the effectiveness of land registration interventions. Available evidence suggests that the positive effects of land registration on land productivity are largest when there is a significant risk of expropriation, where there are attractive opportunities for land-related investments, and where land and financial markets are relatively well-developed.[121]

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[109] Deininger et al., 2011; Ali et al., 2011 cited in UN Foundation and Exxon Mobil, 2013.
[110] FAO, 2015.
[111] Action Aid, 2009 in BMZ, GIZ & UK AID, 2013.
[112] Goldstein & Udry, 2008 in UN Foundation and Exxon Mobil, 2013; World Bank, 2015.
[113] World Bank, 2010; IFC and GPFI, 2011; IFC, 2011; AFI and WWB, 2016.
[114] Besley, 1995 in Hallward-Driemeier, et al. 2013.
[115] UN Foundation and Exxon Mobil, 2013.
[116] Hallward-Driemeier et al, 2013.
[117] Field, 2007 in Hallward-Driemeier et al, 2013.
[118] Deininger et al., 2011; Deininger et al., 2008 cited in UN Foundation and Exxon Mobil, 2013.
[119] Deininger et al. 2008 in Hallward-Driemeier et al, 2013. World Bank, 2012.
[120] Equality for Growth, 2009.
[121] UN Foundation and Exxon Mobil, 2013.

Research on individual-level asset ownership found that women fare much better in marital systems with joint or common property (such as in Ecuador) than under those with 'separation of property' (as in Ghana and the state of Karnataka, in India). A study in Rwanda found that formally married women were 17 percentage points more likely to be regarded as joint landowners after the reforms in land ownership allowing women equal ownership rights.[122] A separate publication reports that in Rwanda titling policies were systematically overlooking women in informal unions (i.e. unmarried) and so land registration forms were revised to be more inclusive of them.[123]

A study in Tanzania noted that only 28.3% of the women respondents' land has registered title and concluded that the difficult and lengthy land registration process is a likely reason as to why few respondents have been able or willing to develop their land and why so few possess registered title.[124]

Women's Participation in Land Reform and Titling Programmes

Land reform and titling programmes can help women gain access to land through joint titling and bolster women's agency, voice and participation, both through representation in decision-making bodies that administer land rights and via autonomous women's organizations that monitor the process.[125]

2.8 Access to Commercial Courts and to Alternative Dispute Resolution Mechanisms

There is very little evidence in the literature on how access to justice as a factor in the business environment impacts women's employment and women-owned and managed enterprises, related to all three components of the business environment. Where anecdotal evidence exists it acknowledges the presence of gender bias in the judiciary with implications for women's businesses such as contract enforcement and the overall legal risk of doing business.

Table 8: Gender and Access to Commercial Courts and to Alternative Dispute Resolution Mechanisms

Factor	Challenges/ Opportunities	Impacts of Challenges/ Opportunities on Women	Solutions (cited in the literature)
Regulatory and Administrative Framework			
Gender discrimination by the judiciary	Gender discrimination by members of the judiciary	Access to justice Conflict resolution Contract enforcement	
Legal literacy	A lack of legal literacy in terms of handling commercial disputes e.g. non-payment by customers, breaches of contract		

A study in the Middle East and North Africa found that the implementation of business and economic laws can be influenced by interpretations of gender roles, especially by conservative judiciaries. Further, judges may rule in favour of male on the basis that men are responsible for the family. This is said to negatively impact on women owned and managed businesses in terms of their risk, access to justice, conflict resolution and contract

[122] UN Women, 2015.
[123] World Bank, 2016.
[124] Equality for Growth, 2009.
[125] UN Women, 2015.

enforcement. The study cites anecdotal evidence that judiciaries in the region remain conservative and influenced by traditional views of gender roles.[126]

The lack of legal literacy among women owned businesses, including in terms of handling commercial disputes such as non-payment by customers and other breaches of contracts, are noted to have implications for their businesses.[127]

2.9 Broadening Public Private Dialogue

Evidence focuses on women's participation in different types of entities and their collective voice to influence policy related to their employment and businesses. Evidence is provided on concrete examples of where enhanced participation of women in associations or groups has resulted in positive impacts for their businesses in terms of income and access to markets.

Table 9: Gender and Broadening Public Private Dialogue

Factor	Challenges/ Opportunities	Impacts of Challenges/ Opportunities on Women	Solutions (cited in the literature)
Legal and Policy Framework			
Legal rights for women	Legal rights for women	Representation in parliament Participation at senior levels in the private sector	
Quotas for women in Parliament/ Public Sector	Legal quotas	Participation in parliament and government administration	
Regulatory and Administrative Framework			
Gender Diversity in the Private Sector	Increased women's workforce participation	Economic growth Enterprise profitability	
Gender Diversity in Government and Administration	Women's increased representation in parliament	Reforms that give women greater property rights and legal capacity	The creation of a quota system and/ or preferential hiring of women
Women's Trade Union Participation	Low level of women's unionization compared to men	Women's views are not represented by unions	Proactive policies to encourage more women to join unions
Institutional Arrangements			
Women's Engagement in Business Associations and Networks	Women's increased membership of associations or group membership	Incomes Access to credit, Revenue generation Facilitate participation in mixed business associations Policy change beneficial for women	

Legal Rights For Women

There is evidence of an association between various legal rights for women and higher rates of women in parliament and women's participation as senior officials and managers. It

[126] Chamoun, 2008

[127] ADB, 2014.

Uncovered by Women, Women and the Law have quotas for publicly listed companies.

Source: World Bank, 2015.

suggests that the increased presence of women in parliament may be associated with reforms that give women greater property rights and legal capacity.[128]

Gender Diversity in the Private Sector

Both at the macro and micro level, there is evidence on the benefits of enhancing women's workforce participation for the economy, and women's participation in senior levels of organizations on the profitability of enterprises. At the macro level, evidences links gender equality in work with gender equality in society, as well as women's participation in the workforce with economic growth. It is argued that narrowing the global gender gap in work could double the contribution of women to global GDP growth between 2014 and 2025. A "full-potential" scenario, in which women participate in the economy identically to men, is estimated to add up to US$28 trillion, or 26 percent, to annual global GDP in 2025 compared with a business-as-usual scenario. In this scenario, India's would gain the most of any of ten regions analyzed with US$2.9 trillion added to annual GDP in 2025, or 60 percent of GDP. Even at a "best-in-region" scenario, where all countries match the rate of improvement of the best-performing country in their region, it is suggested as much as US$12 trillion in annual 2025 GDP would be added. [129]

Research has found a strong link between gender equality in society, attitudes and beliefs about the role of women, and gender equality in work. Moreover, that virtually no countries with high gender equality in society have low gender equality in work. In addition, a comparison of Indian States suggests there is a strong link between gender equality in work and in society. Substituting non-market work with market- based work can increase GDP. Further, a more equitable sharing of unpaid work among men and women, as well as productivity-enhancing measures for unpaid work can result in higher GDP. [130] Furthermore, separate macro level evidence on India demonstrates how promoting women's participation in the labour force and in management can lower economic growth and the former reduces per capita GDP. [131]

At the micro level, there is global evidence on the link between a company's financial performance and the proportion of women serving in its governing body. Research to examine the link between a company's financial performance and the proportion of women serving on executive committees in the BRIC countries (Brazil, Russia, India, China) found that companies with the highest share of women outperform companies with no women. The research indicates that companies with a higher proportion of women in their executive committees have the best performance. The two main barriers to gender diversity in top management identified were the "double burden" syndrome – the combination of work and domestic responsibilities, and the "anytime, anywhere" performance model. It was found that despite a majority of leaders recognizing the impact of gender diversity on business performance, this belief does not translate into actions resulting in the limited implementation of dedicated programs to address current levels of inequality.[132]

A growing number of companies have collectively invested more than US$300 million in programs to support women's economic empowerment. But while there is significant investment, there is little available data about what's working and what's not and therefore

[128] Hallward-Driemeier, Hasan and Rusu, 2013.
[129] McKinsey, 2015; McKinsey, 2015b.
[130] McKinsey, 2015b.
[131] Esteve-Volart, 2004.
[132] Mckinsey, 2010.

more data could help improve program outcomes and increase return on investment.[133]

There is no mention in the literature reviewed explicitly referring to legal quotas for women's participation in the private sector at the board or management level – although this may exist on a deeper examination on the topic as there is literature acknowledging where these exist, for example in Norway. In addition, there is no reference in the literature as to how the private sector engages with the public sector in terms of policy making on an individual basis.

Over 40% of economies covered by Women Business and the Law have quotas for women members of parliament and local government.

Source: World Bank, 2015.

Gender Diversity in Government and Administration

Women's participation in parliament and in government administration is not discussed at length in the literature. From a policy and legal perspective, a study notes the impact of legal quotas on women's participation in parliament and government administration. For example, the 2003 Constitution of Rwanda set a 30 per cent target for women in all decision- making bodies, which has resulted in women becoming well represented in District Councils and in parliament. [134] To address the poor representation of women in government in Ghana, one study called for the enforcement of the non-discriminatory and preferential hiring of women and the creation of a quota system to increase the number of women in local and central government posts.[135]

Data for developing and transition countries indicates wide variation in women's share of employment in public administration, ranging from 19 per cent in Guinea to 70 per cent in Slovenia.

Source: UN Women, 2015.

Women employed in the public sector tend to be clustered in junior and lower-paying positions, as well as in typically feminized sectors. Women are also underrepresented in the senior decision-making positions in the public sector. To address this low participation a number of countries, including Colombia, Mongolia, the Philippines and South Sudan, are reported to have applied quotas or targets for women's employment in the public sector. Evidence of the impact of quotas is cited from Colombia, where reportedly a quota set at 30 per cent has been exceeded, with women holding 40 per cent of decision-making positions in public administration in 2011. [136]

[133] Oak Foundation, ICRW, Dalberg and Witter Ventures, 2014.
[134] ILO, 2011.
[135] Hampel-Milagros, 2011.
[136] UN Women, 2015.

Women's Trade Union Participation
The low level of women's unionization compared to men is noted a couple of times in the literature. [137] Research in the Middle East and North Africa suggests governments adopt proactive policies to include more women in unions and associations so that they better reflect the views of women in business environment reform processes.[138]

Women's Engagement in Business Associations and Networks
There is some evidence to show that association or group membership can increase the income of women's businesses and enhance access to credit. A study found that group membership grew the revenues of women farmers in Ethiopia, Mali and Tanzania, as well as lowered barriers to marketing, provided access to markets, and enabled women to access credit. Additionally, the research found participation in women-only groups facilitated participation in mixed female and male groups. [139]

In another example, the Tanzania Women Miners' association is reported to have used its advocacy skills to acquire legal titles to their land and attract foreign investors.[140] Evidence from a project in the dairy value chain in Nicaragua indicates that when cooperatives changed their bylaws to make it easier for women to join as full members; women's membership increased from 8% to 43%. [141]

A further example of the impact of women's associations in affecting policy changes cited is the case of the Association of Women Entrepreneurs in Rwanda (AFER). AFER was noted to be instrumental in its lobby to gain Rwandan women the right to have their own bank account, to register their businesses, and to carry out business without the consent of their husband.[142] Additionally, in Mali women have created their own cooperatives in the shea butter industry, which has resulted in improved quality of the product and increased annual earnings for members. [143]

Other literature talks more generically about the benefits of women being in associations without stating evidence to back up these statements. These benefits include: economies of scale, access to information including legal support, access to markets, trade fairs and procurement opportunities and skills development.[144] Moreover, these groups can help women to defend and promote their interests through lobbying and advocacy activities with the benefit of legal reforms and future policies better reflect their needs and eliminate of gender barriers. [145]

Despite these benefits, there is limited participation of women in business associations in general, as well as a lack of data on the percentage of women among members in mixed-membership (men and women) associations and professional organizations.[146] For instance, a survey in Kyrgyz Republic found that approximately 40% of the women entrepreneurs surveyed were members of professional organisations; 15% of them were members of

[137] ADB, 2014; GIZ, 2015; Chamlou, 2008.
[138] Chamlou, 2008.
[139] UN Foundation and Exxon Mobil, 2013.
[140] Equality for Growth, 2009.
[141] GIZ, 2015.
[142] ILO, 2011.
[143] UN Women, 2015.
[144] AfDB and ILO, 2007; UN Foundation and Exxon Mobil, 2013; GIZ, 2015; ADB, 2014.
[145] GIZ, 2015; ADB, 2014.
[146] ILO, 2011.

sectoral associations; 13% were members of the Union of Entrepreneurs; 6% were members of the Chamber of Commerce and Industry; and only 2% were members of associations supporting women entrepreneurs. [147] Although it is not known how these figures compare to men's membership figures.

In a separate study in Tanzania, the majority of respondents surveyed were not part of, or aware of any business related networks applicable to them. Only 4.6% of respondents were aware of any such networks but none of the respondents took part in any such networks. Only 1 out of 130 respondents had participated in policy formulation and none of the respondents has assisted non-governmental organisations with any policy related work.[148]

2.10 Access to Market Information

Several key dimensions of market information are noted as business environment factors with the potential to impact on women's enterprises, however evidence is not provided on how these factors actually impact. Moreover, binding constraints are stressed in the literature as relevant to women's access to market information.

Table 10: Gender and Access to Market Information

Factor	Challenges/ Opportunities	Impacts of Challenges/ Opportunities on Women	Solutions (cited in the literature)
Legal and Policy Framework			
Public procurement	Women's lack of access to market information related to public tenders and procurement processes	Business revenues Enterprise growth	Requirements for public procurement to target women
Regulatory and Administrative Framework			
Legal and business licensing information	Lack access to market information	Enterprise growth Compliance with standards Business formalization Contracting Access to credit	
Business support and extension services	The gender of extension service workers and the timings and format of the way these services are delivered	Access to support services and market information through public extension services	Using ICT for delivering extension services provision of one-stop shops, information desks and business support centres for women

Legal and Business Licensing Information

There is acknowledgement in the literature that women entrepreneurs lack access to market information which can restrict the development of their business, reduce their compliance with standards including the formalization of their business, and have implications for contracting and accessing credit. A study from Tanzania found that an overwhelming number of women surveyed were not aware of many laws and regulations which are applicable to them, in part because they lacked access to legal advice and very few had received any legal training.[149] As such, there is a recognized need to improve women's access to information about government business regulations and formalization procedures. [150]

[147] ILO, 2009.
[148] Equality for Growth, 2009.
[149] Equality for Growth, 2009.
[150] ILO, 2011.

Public Procurement
Women lack access to market information related to public tenders and procurement processes, which can limit their potential business revenues and growth. Requirements for public procurement can be set out in law and can include specific gender requirements. For example, GIZ notes in the literature that South Africa enacted and implemented a Preferential Procurement Policy Framework and Preferential Procurement Regulations that allow for positive discrimination (affirmative action) in favour of 'historically disadvantaged individuals'. It also refers to similar legislation related to procurement in Kenya. GIZ argues there is a need to encourage female entrepreneurs to bid for public tenders and to establish a gender responsive monitoring system to track who is benefiting from the tenders.[151]

Support and Extension Services
Research by the FAO suggests there are gender differences in access to information on new technologies and techniques through public extension services. These public services remain the key source of information on new technologies for farmers in most developing countries to improve productivity. However, it suggests that women tend to make less use than men of extension services. FAO cites a 1988–89 survey of extension organizations covering 97 countries with sex-disaggregated data, which found only 5 percent of all extension resources were directed at women. Moreover, only 15 percent of the extension personnel were female. It suggests that extension service agents tend to approach male farmers more often than female farmers.[152] More recent data suggests that in Ghana, for example, on average only 12 percent of male-headed households and less than 2 percent of female-headed households reported receive agricultural extension advice. They highlight that in some cases, a lack of female extension workers means that it is not socially acceptable for women to receive these services.[153] This is also acknowledged by other sources which note that the way extension services are delivered can constrain women farmers in receiving information. Moreover, constraints and cultural reservations may hinder women from participating in extension activities, such as field days, outside their village or within mixed groups. It argues that ICTs offer opportunities for accessing and sharing information faster, networking, the mobilization of resources and educational purposes and may be beneficial for rural women whose ability to travel to distant markets is restricted.[154]

Absence of support programs for women entrepreneurship has implications for access to training and information and advocacy for women entrepreneurs. Based on the different realities that men and women face, there is a need for a gendered approach to entrepreneurship promotion including through the support of Women Business Membership Organizations that can serve as one-stop-shops for advocacy, training and information.[155] Others recommend the development of women-focused support structures, one-stop shops, information desks and business support centres. Evidence from a number of other countries demonstrates the effectiveness and impact of establishing networks of women's enterprise centres on the development of women's enterprises. Moreover, it is argued that the take-up of generic SME programmes by women should be monitored to identify service gaps and designing remedial actions.[156]

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[151] GIZ, 2015.
[152] FAO, 2015.
[153] UN Women, 2015.
[154] FAO. 2015.
[155] AfDB, 2013.
[156] ILO, 2011.

2.11 Others Binding Factors

There is evidence of the indirect impact of socio-cultural factors influencing other areas of policy and law, with implications for women's labour force participation and women-owned and managed businesses.

Women's lower levels of basic education in some jurisdictions can negatively influence their financial literacy and can impact women's access to finance.[157] Women's literacy levels can also negatively impact their access to market information to grow their business.[158]

Family law can have implications for women's private sector participation as employees or business owners' and for the interpretation and implementation of gender neutral business laws.[159] There is internationally accepted evidence that inheritance law impacts land rights and therefore in turn women's employment, asset ownership, earning and business growth.[160] Specifically, closing the gender gap in inheritance rights is associated with an increase in the share of women working outside of agriculture.[161] Experience from India and Mexico shows that equalizing provisions of inheritance laws between women and men increases asset ownership by women.[162] Further evidence from Tanzania has found that strengthening property and inheritance rights for women had a positive effect on employment outside the home, self-employment, and earnings.[163]
Religious law can negatively influence labour force participation and where it has been limited in constitutions it has been associated with higher labour force participation, non-agricultural employment and being an employer.

Customary law can prevail over statutory law preventing women from gaining access to land titles they are entitled to. This can impact women's access to property and affect their workforce participation and access to credit.[164] There is also evidence from Kenya that dual legal systems, where exemptions are made for specific communities to practice customary law, can serve to undermine these rights.[165] However, there is no evidence on how this specifically impacts women's employment and business activity, other than to say that this creates insecurity for both women entrepreneurs and financial institutions.[166]

A study covering Cameroon, Mali, Nigeria, Rwanda and Senegal concluded that despite laws guaranteeing the rights of women to own property, prevailing customary practices and traditional laws do not recognize these rights. For example, in Cameroon they note that matrimonial property is most often held in the husband's name. While a husband can pledge these assets as collateral for loans, the wife cannot do this without her husband's authorization. In Mali, priority is given to men in the allocation of land and women are left to

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[157] AFI & WWB, 2016; AfDB, 2013; BMZ, GIZ & UK AID, 2013.
[158] Hampel-Milagros, 2011.
[159] Chamlou, 2008; World Bank, 2010.
[160] ILO, 2011.
[161] Hallward-Driemeier, et al. 2013; World Bank, 2015.
[162] World Bank, 2012.
[163] UN Foundation and Exxon Mobil, 2013.
[164] Equality for Growth, 2009.
[165] AfDB, 2013.
[166] AfDB, 2013.

work on small plots of borrowed land that they cannot use as collateral. The same study notes that customary inheritance practices often prevail over equal inheritance rights for women and these rights are not enforced. As such, women are often unaware of their legal rights or do not have access to recourse mechanisms. The implication for women entrepreneurs is a lack of control over assets of the business and the inability to offer secure collateral for loans. Addressing these property ownership issues is imperative for the development of women's enterprises.[167]

Research from Tanzania provides similar evidence of customary law impacting women. They note that legal reforms have improved the legal position of women with regard to land rights and invalidating customary laws which discriminate against women. However, customary views often still prevent women realizing these rights.[168]

In terms of regulation and administration, it is suggested that the use of 'traditional' or customary institutions to administer land tenure reform have been problematic for women.[169] It is argued that greater attention must be paid to customary laws especially in Africa, where both customary land redistribution schemes and official land law reforms have led to reallocations that have frequently been biased against women as they typically distributed land to household heads. Even when female-headed households have the right to receive land, they may not receive it due to the bias of officials involved in land administration. The UN Foundation and Exxon Mobil argue that if customary laws in Sub-Saharan countries have placed restrictions on women's access to land or prevented women from pursuing titles, then these customary laws need to be revised and the laws need to be enforced to recognise these rights.[170]

Even in instances where joint registration of property has taken place, cultural constraints may impact their recognition. For instance, a study in Bangladesh found that men claimed sole rights to sell property that was jointly registered in both the names of husband and wife.[171] Moreover, a study from Tanzania found that less than a fifth (16.2%) of respondents had the legal documents related to their land titles in their custody indicating that prevailing patriarchal views prevent women from holding formal ownership documentation.

In 35 of 173 countries women spouses do not have the same inheritance rights as their male counterparts.

Source: World Bank, 2015.

Evidence from Ethiopia indicates that changes in the family law related to managing marital property, a rise in the minimum age for marriage and no longer needing permission from a spouse to work, are associated with a substantial shift in women's economic activities.

Source: Hallward-Driemeier, et al. 2013.

[167] ILO, 2011.
[168] Equality for Growth, 2009.
[169] UN Women, 2015.
[170] UN Foundation and Exxon Mobil, 2013.
[171] UN Foundation and Exxon Mobil, 2013.

2.12 Conclusions

Factor	Evidence Type	Sources

Table 11: Type of Evidence and Sources by Business Environment Factor
By business environment function, this figure summarizes the factors where evidence exists and in turn which business environment component the evidence relates to, as well as the type of evidence and relates sources.

	Country	Regional	Global	Unsubstantiated	
Business Registration and Licensing	✓	✓			
Business registration procedures	✓				World Bank, 2010; Chamlou, 2008; ADB, 2014; DFID, 2013. ADB, 2014; ILO 2011; AfDB and ILO, 2007; ILO 2009; Equality for Growth, 2009. AfDB and ILO, 2007. IFC and GPFI, 2011.
Corruption, harassment and sextortion by officials	✓	✓		✓	World Bank, 2010; Chamlou, 2008; ADB, 2014; DFID, 2013; ADB, 2014; ILO 2011; AfDB and ILO, 2007; ILO, 2009; Equality for Growth, 2009.
Tax Policies and Administration	✓	✓			
Direct taxes		✓			UNDP, 2010; World Bank, 2015; IMF, 2013; Grown and Valodia, 2009; Mckinsey, 2015b.
Indirect taxes	✓				UNDP, 2010; Grown and Valodia, 2009; Akram-Lodhi and van Staverevn, 2003 in Christian Aid, 2014.
Awareness of tax requirements and procedures	✓				ADB, 2014; Hampel-Milagros, 2011.
Unequal treatment, corruption and harassment during tax collection	✓	✓			Christian Aid, 2014.; ILO, 2009.
Benefits from tax payments	✓				Christian Aid, 2014.
Access to Finance	✓	✓	✓		
Overall legal capacity			✓		Hallward-Driemeier et al 2013.
Land titles and property rights	✓				World Bank 2015; AfDB, 2013; BMZ, GIZ and UK AID, 2013, IFC and GPFI, 2011; IFC, 2014; AFI and WWB, 2016; ADB, 2014; Hallward-Driemeier et al 2013.
Discriminatory banking laws		✓	✓	✓	AFI & WWB, 2016; Chamlou, 2008; World Bank, 2015; AfDB, 2013; IFC & GPFI, 2011; Hallward-Driemeier et al, 2013.
Know your customer (KYC) requirements				✓	AFI & WWB, 2016; BMZ, GIZ and UK AID, 2013; Centre for Global Development, 2015; IFC, 2014; World Bank, 2015.
Supply side banking data	✓			✓	The Commonwealth, 2015; AFI & WWB, 2016; GBA, 2015; IFC and GPFI, 2011
Financial infrastructure – credit bureaus, collateral registries, digital distribution channels				✓	AFI & WWB, 2016; IFC & GPFI, 2011; IFC, 2014; Hampel- Milagros, 2011.
Lines of credit for women and credit guarantee schemes	✓			✓	IMF, 2013; ILO 2011; Equality for Growth 2009.
De facto land titles and property rights law	✓			✓	
De facto discriminatory banking laws				✓	
Male dominated public policy making				✓	IFC and GPFI, 2009.
Labour Administration	✓	✓	✓		
Legal gender differences			✓		World Bank, 2015; Mckinsey, 2015b; Hallward-Driemeier et al 2013; McKinsey, 2015.
Gender based work restrictions	✓		✓		World Bank, 2015; Buvnic, 2014; IMF, 2013; Oglobin, 2005.
Gender discriminatory laws		✓	✓		Chamlou, 2008; World Bank 2015.
Maternity, paternity and parental leave	✓		✓	✓	World Bank, 2015; World Bank, 2016; UN Women, 2015; ODI, 2016; World Bank, 2012;
Child care	✓	✓		✓	World Bank, 2015; World Bank, 2012; Buvinic, 2014; ODI,2016; IMF, 2013; UN Foundation and Exxon Mobil, 2013; IFC and GPFI, 2011.
Elderly care	✓			✓	UN Foundation and Exxon Mobil, 2013; IMF, 2013; World Bank, 2016.
Quality of Regulatory Governance					
National sector guidelines and quality standards				✓	GIZ, 2015; Bridge Development Gender, 2004; ILO, 2009.
Land titles, Registers and Administration	✓	✓	✓		

Equal land and property rights	✓	✓	✓	✓	Hallward-Driemeier et al, 2013; UN Foundation and Exxon Mobil, 2013; FAO, 2015; BMZ, GIZ & UK AID, 2013; World Bank, 2015; World Bank, 2010; IFC and GPFI, 2011; IFC 2011; AFI and WWB, 2016.
Administering land titles	✓				Hallward-Driemeier et al, 2013; UN Foundation and Exxon Mobil, 2013; World Bank, 2012; Equality for Growth. 2009; UN Women, 2015; World Bank 2016.
Women's participation in land reform and titling programmes				✓	UN Women, 2015.
Access to Commercial Courts and to Alternative Dispute Resolution Mechanisms					
Gender discrimination by the judiciary				✓	Chamlou, 2008.
Legal literacy				✓	ADB, 2014.
Broadening Public Private Dialogue	✓		✓		
Legal rights for women			✓		Hallward-Driemeier, Hasan and Rusu, 2013.
Quotas for women in parliament/ public sector	✓				ILO, 2011.
Gender diversity in the private sector	✓		✓		Mckinsey, 2015; Mckinsey, 2015b; Mckinsey, 2010; Esteve-Volart, 2004; Oak Foundation, ICRW, Dalberg and Witter Ventures, 2014.
Gender diversity in government and administration	✓			✓	Hallward-Driemeier, Hasan and Rusu, 2013; ILO, 2011. Hampel-Milagros, 2011; UN Women, 2015.
Women's trade union participation				✓	ADB, 2014; GIZ, 2015; Chamlou, 2008.
Women's engagement in business associations and networks	✓			✓	UN Foundation and Exxon Mobil, 2013; Equality for Growth, 2009; GIZ, 2015; ILO, 2011; UN Women, 2015; AfDB and ILO, 2007; ADB, 2014. ILO, 2009.
Access to market information	✓		✓		
Public procurement				✓	GIZ, 2015.
Legal and business licensing information				✓	Equality for Growth, 2009; ILO, 2011.
Business support and extension services	✓		✓		FAO, 2015; UN Women, 2015.

There is clear evidence that various factors in the business environment have a direct and specific impact on women-owned and managed enterprises and the employment of women. The greatest quantity of evidence relates to the business environment reform functions of access to finance, land titles and labour laws. By comparison the least amount of evidence concerns the two functions of quality regulatory governance, and access to courts and alternative dispute resolution mechanisms. Overall there is a shortage of international and / or regional level evidence of the business environment factors and sub-factors for many of the BE functions.

Cross cutting all business environment factors, firstly there is seemingly a **greater quantity of evidence on the regulatory and administrative nexus** i.e. the ways in which policies, laws and regulations are enforced and managed. This related to factors within all the business environment reform functions (see figure 2). Yet, much of this is **unsubstantiated** and perhaps naturally is based on country specific studies. Although it should be noted from a programming perspective, country specific studies may be most valuable for donors in terms designing interventions.

Secondly, **evidence related to the policy and legal component** of the business environment is **available for six of the BER functions** but was **not found related to business registration, quality of regulatory governance and access to commercial courts**. While there are gaps in the literature, the evidence that does exist is stronger and bolstered by the valuable data collated by Women, Business and the Law data. This widely cited source undoubtedly plays a valuable role and provides credible data on the current state of reform efforts at the policy

and legal level of the business environment related to multiple functions. **Gender neutral laws may explain gaps related to business registration and licensing factors and access to commercial courts**. But as the administrative evidence has indicated, there is further scope for policies to be gender-sensitized in these domains, for example SME policies.

Thirdly, there is a lack of evidence related to all but three functions in terms of **institutional arrangements** (access to finance, land titles and broadening public private dialogue) – which focused on ways in which government and business represent themselves and communicate with each other. **Beyond the scope of this literature review, it may be possible to identify more specific evidence related to institutional component of the function of broadening public private dialogue.** It is anticipated that this can be identified through further research on more granular topics e.g. quotas on women's participation in government agencies and board diversity regulations. Where evidence in the literature exists related to institutional arrangements, it is limited and unsubstantiated with exception to country specific **evidence** related to the **positive impact of women's associations participating in policymaking processes.**

The greatest **quantity of evidence** is on **policies that support child care provision positively impacting on women's employment.** The **beneficial impact on women of BER related to the administration of joint land titles is clear in the literature, as are reforms that promote women's engagement in business associations, equal land and property rights and gender diversity in the private sector.** However, this literature review is indicative and does not present a comprehensive overview of all the evidence related to these factors. Separate literature reviews for each BE factor may get to a greater level of depth in these areas. Moreover, within some functions, **there is a lack of evidence of the impact of a specific BE factor identified**. In these instances, it may be valuable to conduct a more detailed thematic review of evidence include for example: direct taxation, know your customer requirements, financial infrastructure, trade union participation, public procurement and access to legal and business licensing information for women. Furthermore, there is **a lack of evidence related to quality regulatory governance, and access to commercial courts and alternative dispute mechanisms**. Therefore, this indicates scope for further primary research in particular in these areas.

To conclude, a consideration of direct business environment factors alone does not take into consideration the **influence of socio-cultural factors**, which **present binding constraints for women**. **These factors indirectly influence the BE and impact on women-owned and managed enterprises and the employment of women**. For example, women's level of education, inheritance laws or customary law in general. **If these remain unaddressed** and their influence on the business environment unrecognized, **it will have serious implications for the employment of women and their enterprises**, **as well as sustainable economic growth.**

3. Overview of Previous and Existing Business Environment Reform Programmes Targeting Women or Mainstreaming Gender

3.1 Background and Methodology

This chapter provides an analysis and series of case studies of previous and existing donor programmes that have specifically endeavoured to improve women's economic empowerment through BER or made a significant effort to mainstream gender into broader BER programmes.

The donor programmes were identified through three sources: feedback from members of BEWG; a list of Women's economic empowerment programmes identified by the DCED Women Entrepreneurship Development Working Group; and desk research. The identified programmes were reviewed based on publicly available information including the log frame (where available) to establish their level of focus on gender. At this stage, any of the programmes that did not mention gender in their project information or lacked gender or sex-disaggregated indicators in the log frames were excluded from further examination. The remaining programmes were then analysed on the basis of their programme activities to establish whether they focused on business environment reform and gender either at the programme level or in specific activities within a broader programme. In total a sample of 15 programmes were identified.

Table 11 sets out the programmes identified, which have been categorized in line with the DCED framework in terms of BE component, level and function based on the type of BE focus of the relevant programme activities. Moreover, each of the programmes identified has been categorized into a "Women's Empowerment Programme Category" based on the programme information available and log frames. The criteria used to identify whether a programme fits a specific category:

- **Women targeted:** women economic empowerment through business environment reform is the main objective or one of the intended impacts/ outcomes of the programme and/ or there are gender / sex-disaggregated impact/ outcome indicators for one or more components of the programme.
- **Gender mainstreamed**: mainstreaming gender is one of the main objective or intended impacts/ outcomes of the programme and/ or there are gender / sex-disaggregated impact/ outcome indicators for one or more components of the programme.
- **Gender aware:** gender or women are not included at the outcome/ impact levels within the results frame but output level indicators may be sex-disaggregated or gender indicators. There may even be programme components that focus on women/ gender but no corresponding gender or sex-disaggregated indicators.

Relevant recently established programmes were identified but were not included in the sample due to their lack of results to date or absence of log frames. Nevertheless, these should be tracked and examined as further information becomes available include:

- Phase 2 of the GIZ Framework and Finance for Private Sector Development (FFPSD) (Tajikistan) referred to as "TRIGGER";
- Supporting Women's Economic Empowerment in the Philippines (GREAT 2) (Philippines)[172];
- World Bank Gender and Investment Climate Programme within the Trade and Competiveness Global Practice; and
- SECO Entrepreneurship Development Programme in Albania, Bosnia and Herzegovina, Macedonia, Peru, Serbia and Vietnam.

[172] On the completion of the first GREAT programme, a new phase was launched in 2015 called Supporting Women's Economic Empowerment in the Philippines (GREAT 2) which will run until 2020 December. The new project seeks to assist women micro-entrepreneurs in the food, textile/woven cloth, and home-style sectors to successfully and sustainably grow their businesses. It aims to help women entrepreneurs enhance their products and improve their productivity, marketing, and compliance with safety and business regulations and standards. It also aims to help them connect to domestic and global markets.

Table 12: Donor Stock Take Summary

PROJECT TITLE		PROGRAMME PROFILE																					
			DONORS	COUNTRY	WE CAT.	FOCUS		BER LEVEL				BER COMPONENT			BER FUNCTION								
						WOMEN OWNED ENT	WOMEN EMPLOY'T	REGIONAL	NATIONAL	SUBNAT	SECTORAL	POLICY & LEGAL FRAMEWORK	REGULATORY & ADMIN FRAMEWORK	INSTITUTIONAL ARRANGEMENTS	BIZ REGISTRATION / LICENSING	TAX & ADMIN	ACCESS TO FINANCE	LABOUR LAW	QUALITY REG GOV	LAND TITLES	ACCES S TO COURT	PP DIALOGUE	ACCESS MARKET INFO
1	Alliances Lesser Caucasus Project (ALCP)	B	SDC	Georgia	GM	✓	✓			✓				✓								✓	
2	APEC PPWE	M	US ATAARI	APEC	WT	✓	✓	✓	✓			✓	✓	✓			✓	✓		✓	✓	✓	
3	EconoWin	B	BMZ/GIZ	Regional - Egypt, Jordan, Morocco, Tunisia	WT	✓	✓	✓	✓			✓		✓								✓	
4	FIAS	M	World Bank/Multi	Global	GA	✓	✓		✓			✓	✓		✓	✓	✓			✓	✓		
5	FLOW	B	MinBuza	Global	WT	✓	✓	✓	✓		✓	✓		✓				✓				✓	
6	GEMS 3	B	DFID	Nigeria	GM	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓				✓		✓	
7	GREAT Women	B	GAC	Philippines	WT	✓	✓		✓	✓		✓	✓	✓	✓	✓	✓	✓				✓	✓
8	ILO WED assessments /WED-EE	M	ILO/ Irish Aid	Multi	WT	✓			✓			✓		✓	✓	✓	✓	✓		✓	✓	✓	✓
9	LIFT	B	DFID	Ethiopia	GM	✓	✓		✓			✓	✓							✓			
10	LTRP	B	DFID	Rwanda	GM	✓	✓		✓				✓							✓			
11	LTSP	B	DFID	Tanzania	GA	✓	✓		✓				✓							✓			
12	PSP/SMEDSEP	B	GIZ	Philippines	GA	✓			✓			✓	✓	✓	✓	✓	✓	✓				✓	✓
13	The Eco-Emploi	B	GIZ	Rwanda	GA	✓	✓		✓			✓	✓	✓				✓				✓	✓
14	TMEA Phase 2	B	Multi	East Africa	GM	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓						✓	
15	WBL	M	World Bank/ Multi	Global	WT		✓	✓	✓			✓				✓	✓	✓		✓			

Key: *GM = Gender Mainstreamed, GA = Gender Aware, WT = Women Targeted, B= Bilateral, M = Multilateral*

3.2 Case Studies

Box 1: The Alliances Lesser Caucasus Programme (ALCP)

ABOUT

ALCP is a Swiss Agency for Development and Cooperation market development project implemented by Mercy Corps Georgia. The goal of the programme is to contribute to poverty alleviation and the transition to a durable market economy for the livestock sector in the selected Southern Georgian regions of Kvemo Kartli (KK), Samtskhe Javakheti (SJ) and Ajara (AJ).

GENDER CHALLENGES

- Lack of women's participation in annual municipal spring village meetings, influence in local self-governance and access to public goods.
- Lack of women in local government and positions of decision making in the regions of operation restricted by socio-cultural attitudes restricting women's participation, despite a law in the country on gender equality by local self-government bodies.

RESULTS

- Facilitated media promotion of the importance of women's participation in municipal spring village meetings including through a national news slot.
- Encouraged the participation of local officials to speak about women's involvement and importance of community meetings on TV.
- Supported the development of Guidelines for the Application and Implementation of the Law on Gender Equality by local Self Government Bodies in 2012. The resulting guidelines were based on the Law on Gender equality (March 26, 2010), the Local Self-Government Code (February 5, 2014) and Article 14 (Rural Women) of the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). The Ministry of Rural Development and Infrastructure has since endorsed the guidelines and placed them on their website. Moreover, the local mayor's administration established the position of a gender advisor. The guidelines have recently been updated in March 2016 due to changes in the national law reflecting greater devolution of power to a local level.
- Trained village representatives on including women in the meetings and applying these guidelines in all 3 regions of operation.
- Conducted a Gender Workshop for the Ministry's 9 Regional Coordinators who will instruct all relevant local self-governance staff to ensure women's participation in village meetings, based on the Guidelines produced by the programme.
- Established "women's rooms" as resource and information centres in local communities where the programme operates. One of these has been established with a local women's organization, the Ajara Businesswomen's Association which now uses the space to offer women training and advice on taxation and business registration. This engagement has sought to increase the association's membership.
- Contributed to boosting women's participation in annual community meetings. As a result and community led budgetary decisions are increasingly reflecting the women's priorities such as infrastructure and childcare.

Box 2: The APEC Policy Partnership for Women and the Economy (PPWE)

ABOUT
The APEC Policy Partnership for Women's and the Economy (PPWE) aims to advance the economic integration of women in the APEC region and to coordinate gender activities across other APEC working groups. The partnership was endorsed in May 2011 and is set to run until 2018. The PPWE objectives include to strengthen the integration of gender responsive policies and programs across APEC fora and advance women's economic participation through the five priority pillars.

GENDER CHALLENGES
- Lack of data on women's inclusion and participation in the economy within APEC.

RESULTS
- Developed the APEC Women and the Economy Dashboard in 2014 with the support of the U.S.-APEC Technical Assistance to Advance Regional Integration (US-ATAARI). The dashboard provides a snapshot of the status of women in APEC allowing for the measurement of the progress towards women's participation in economic-related activities and women's inclusion. Specifically, it comprises of 75 indicators and captures each PPWE priority through five or six contributing factors, each measured by one or more indicators drawn from a range of international data sources.

Box 3: Economic integration of Women in the MENA region (EconoWin)

ABOUT
The Economic integration of Women in the MENA region (EconoWin) is a regional technical cooperation programme commissioned by the Federal Ministry for Economic Cooperation and Development (BMZ) implemented by GIZ from 2010-2016. The main programme objective is to improve the conditions for the integration of women in business and employment in Egypt, Jordan, Morocco and Tunisia. The initiative seeks to achieve its objectives through four components: (1) changing attitudes and perceptions of women in employment through an awareness-raising media campaign; (2) advisory services and implementation of gender-sensitive economic and employment policies; (3) economic empowerment of women through gender sensitive value chain development; and (4) the professional orientation for women in higher and lower-qualified segments.

GENDER CHALLENGES
- Women's labour force participation.
- The valuation of women's contribution to the economy.

RESULTS
- Collaborated with business and professional associations in the region through a Gender Diversity Competition to advocate gender-sensitive corporate economic and employment policies. In 2015 companies from the private sector were invited to apply with an idea for a corporate gender diversity project and the eight winner companies were then technically and financially supported through its implementation by professionally trained local consultants.
- Supported business association members to implement a 'Gender Diversity Management Approach' using a tool to improve recruitment, retention and career advancement of female talent within private companies.
- Promoted regional collaboration between four business associations to discuss possible ways to raise awareness on the issue of gender diversity at the work place and to develop a regional action plan for that purpose.
- Established the ANA HUNNA initiative in order to raise awareness and encourage a public discussion on the importance and value of women's work. During the initial stages of the programme, film screenings of ten short existing films on the subject of "Women and Work" by various filmmakers from the targeted countries. In turn, 9 new films by filmmakers from the region were produced for ANA HUNNA and have been screened widely throughout the region to raise awareness.

Box 4: Facility for Investment Climate Advisory Services (FIAS)

ABOUT

FIAS is a funding vehicle administered by IFC which aims to facilitate reforms in developing countries to foster open, productive, and competitive markets and unlock sustainable private investments in sectors that contribute to growth and poverty reduction. FIAS' three strategic priorities are: fostering enterprise creation and growth; facilitating international trade and investment; and unlocking sustainable investments in key industries, particularly agribusiness and tourism. Gender and in particular inclusion are cross-cutting themes along with economic governance and transparency, competition, and green growth. FIAS funding is used to support governments interested in implementing investment climate reforms empowering women related to for example, business registration, licensing, and taxation.

GENDER CHALLENGES

- Legal restrictions on women's right to inherit property;
- Legal restrictions on women's employment, signing a contract, travel, open a bank account and take out a loan without male authorisation;
- Women's business registration; and
- High import duties and value added tax.

RESULTS

A mid-term evaluation report in 2014 suggested that from the 125 FIAS project portfolio reviewed 15 had gender focus as overarching focus of the project. Relevant results include:

- Stimulated legal reforms enacted by Côte d'Ivoire in 2013 removing the requirement of a husband's authorization for his wife's employment and for travel documents and gave women the right to inherit property and to benefit from income tax provisions. Subsequently supported a review of the implementation gaps and awareness raising and information dissemination to women and government officials related to women's new rights, and supported government officials to ensure that enforcement and administration activities are based on the newly amended laws.
- Drafted legal reforms in the Democratic Republic of Congo to allow married women to take out loans, bank accounts and work outside the home without their husband's permission.
- Established a business registration automation system in Nepal that supports gender tracking to help address implementation gaps experienced by women, even when at face-value, laws appear to require equitable treatment of women; and
- Identified the constraints for women entrepreneurs and advocate reduction of import duties and suspension of the value-added tax for 20,000 female silk weavers in Cambodia.

Box 5: Funding Leadership and Opportunities for Women (FLOW)

ABOUT

FLOW is a grant programme established by the Ministry of Foreign Affairs of the Netherlands. It aims to improve opportunities for women and girls and create a climate in which women's rights are better protected. The first phase of the programme launched in 2011 and a second phase of the programme runs from 2016-2020 with a budget of €93 million. Specifically, it seeks to strengthen women's economic participation. Grants are provided to projects that focus on at least one of the following categories of activities: The promotion of security by combating violence against women and actively involving women in processes of peace, security and reconstruction; The promotion of economic self-reliance, by fighting for food security, employment and property rights, and access to safe drinking water for women; and/ or the promotion of participation and representation of women in politics and public administration.

GENDER CHALLENGES

- Women's labour rights including the lack of breastfeeding time for women and facilities in the workplace, harassment and bulling, unequal pay, non-application of maternity protection laws and lack of social security.
- Women's representation in politics, the media and trade unions.

RESULTS

- Supported grantee Central American Women's Fund (CAWF) to mobilise resources for women's organisations in Central America fighting for gender inequality issues and the strengthening of women's labour rights. CAWF have held three regional campaigns and succeeded in getting the ILO convention on Decent Work for Domestic Workers ratified in five target countries including Uruguay, Paraguay, Bolivia and Nicaragua. Within the context of institutional aspects of the business environment, to support women to advocate for gender equality on the political agenda, grantees provide media- and leadership training to high-profile women.
- Supported the International Trade Union Confederation to empower women to demand their labour rights. They have done this through using mobile support units which visit women in their workplaces in countries including India, Indonesia Tanzania and Uganda. The engagement has resulted in approximately a quarter of women supported joining a labour union.
- Financed a consortium in Latin America called LACGE to train women candidates for elections in Brazil, Uruguay and Paraguay.

Box 6: Growth and Employment in States (GEMS) Programme

ABOUT

The Growth and Employment in States (GEMS) is a seven-year programme, jointly funded by the World Bank (£105 million) and DFID Nigeria (£91 million). The programme, running from 2010-2017, aims to increase growth and employment across six sectors of the Nigerian economy, as well as through business environment reform. The relevant programme component is designed to address key issues in the business enabling environment, particularly in relation to increased employment and incomes for the poor and women. The programme mainstreams gender as it addresses business environment reform in the areas of land, investment and tax and in doing so enhances women's public participation.

GENDER CHALLENGES

- Socio-cultural factors preventing women registering their land despite Sharia law providing women with the right to inherit property. These include:
  - Women's social isolation
  - Prohibitions on women engaging with unrelated men conducting the land measurement in the fields.
  - Male relatives registering women's land in their name when submitting a women's paperwork in person due to constraints on women engaging with the unrelated male officials processing the paper work in the land ministry.
- Greater harassment of women than men during the process of tax collection, according to baseline data.
- Consultation of women in public decision making.
- Participation of women in contract farming.

RESULTS

- Implemented land titling in collaboration with the Ministry of Land, both registering the land and allowing land owners to receive certificate of ownership.
- Trained women to work in the ministries, allowing women to submit their paperwork in person.
- Promoted women's participation in the land measurement process, which allows the women conducting the process of land titling to access and communicate with to the local women who may otherwise be deprived of land rightfully theirs.
- Harmonized taxes and reduce the number, and decrease harassment and "leakage" within the system.
- Supported the establishment of state level task committee of both officials and business representatives including a public private engagement mechanism (PPE) and a complaints mechanism for cases of harassment to be reported.
- Established a framework for the discussion within the taskforces to require a focus on women specific constraints during each meeting.
- Addressed women's participation in PPE through the establishment of women-only consultations where they can table their constraints e.g. the lack of toilets or crèches in the marketplaces where they operate, directly to the head of the local public PPE.
- Trained women on the tax they are required to pay, as well as a complaints mechanism if they experience any harassment.
- Supported one state to mandate in local law the participation of 43% of market/business women on the Local Government Council committee on tax-for-service and the Revenue committee.
- Collaborated with the Corporate Affairs Commission, business membership organizations and women's groups to provide training to women working in special crop processing zones, in order to encourage them to formalize and register their businesses and form cooperatives. The intention is that these steps can support their participation as "out-growers" in contract farming activities.

Box 7: Gender-Responsive Economic Actions for the Transformation of Women Project (GREAT Women)

ABOUT

GREAT Women took place in the Philippines from 2007-14. The aim of the programme was to create an enabling environment for women's economic empowerment by building the capacity of government agencies to develop, implement, monitor gender-responsive legislation, policies, programs, and services. It was anticipated that this would ultimately improve the economic well-being of women, particularly women micro entrepreneurs (WMEs). The programme was funded by Global Affairs Canada (GAC) and run in partnership with the Philippine Commission on Women (PCW) as Local Executing Agency, key national government agencies with mandates for economic development and selected local government units. The programme budget was Cdn$6 million. There were three components to the programme: PCW Capacity Development for Women's Economic Empowerment; the National Enabling Environment for Women's Economic Empowerment; and the Local Enabling Environment for Women's Economic Empowerment. The GREAT Women project focused on North Cotabato and Metro Naga for the initial two years of the programme, and thereafter it was extended to six other provinces: Ifugao, Quezon, Iloilo, Bohol, Leyte, and Davao del Sur.

GENDER CHALLENGES

- Lack of gender considerations integrated into national policies related to the business environment.
- Women operating in the informal sector with lack of access to social protection
- Access to credit for women
- Women's representation local policy making e.g. in ecotourism planning
- Complex business registration procedures and tax codes

RESULTS

The programme worked to increased effectiveness of PCW to influence project partners to plan and implement gender-responsive policies, programs and services.

- Influenced national level policy change to integrate a gender perspective in national MSME development, social protection, environment management and sustainability, and technical education and skills policies. A total of 19 policies were adopted by national government agencies contributing to women's economic empowerment objectives as a result of its interventions.
- Established Guidelines on Ecotourism Planning and Management in Protected Areas, which ensure the participation of women and men in ecotourism planning and management
- Achieved PCFC's approval of the "Credit Risk Rating System" which include risk factors related to social performance, client protection, and gender indicators. The gender indicators measure the responsiveness of microfinance products/ programs to women's needs, and track the impact on women's access to capital, membership and leadership of credit organizations.
- Supported the PCW and partner government agencies with a focus on microenterprise development in the country to apply gender tools to analyze and revise policies and programs to make them more gender-responsive and supportive of women's economic empowerment. For instance, 14 national government agencies have since integrated indicators on women's economic empowerment in their agency M&E system, and included sex-based information.
- Built the capacity of local government units (LGUs) to apply gender analysis to local procedures and practices, and create a gender-responsive enabling environment for sustainable microenterprise development. The project strengthened LGU partnerships with civil society organizations and private sector groups, and promoted the gender-responsive implementation of local programs and services for microenterprises.
- Facilitated engagement between women operating in the informal sector and local government on the women's lack of access to social protection. In the past the National Health Insurance Program for All Filipinos "Philhealth" only issued cards to male heads of the family. The programme supported an innovation to meet women's needs for social protection and allowed them to be enrolled as primary members. The resulting model has since been expanded to the poor throughout the country and has contributed to developing to the national system of social protection whereby there is a partial subsidy for women micro entrepreneurs under the national program of PhilHealth.
- Supported the creation of women's organizations and in turn enabled their engagement with local government to discuss local policies to enhance the delivery of services to them, for example, simplifying how to register and obtain the first license to operate from a local government office, as well as reforming the local tax code. As a result, some of the local policies and procedures that were constraining them were addressed and additional services were provided to women including basic business training, support their business registration and access to credit. For instance, these consultations influenced Local Government Units (LGU) to issue certificates certifying the woman as a business owner to support their access to finance through the informal banking system.

Box 8: ILO WED Assessment Tool / Women's Entrepreneurship Development and Economic Empowerment Programme (WED-EE)

ABOUT

The ILO WED Assessment Tool supports the situational assessment of the environment for growth-oriented women entrepreneurs in a given country for the purpose of identifying critical forms of support that can enable women to grow and expand their enterprises, and in the process to create jobs and income for themselves and others. The tool is applied in broader ILO country level assistance funded by both ILO core funds, supplemented by bilateral donor support, as well as an integrated activity within the ILO's Women's Entrepreneurship Development Programme (WED). In scope of this programme is the ILO Women's Entrepreneurship Development and Economic Empowerment (WEDEE) Project, funded by Irish Aid, implemented in East Africa in Tanzania, Kenya and Uganda. The current programme builds on the previous Women's Entrepreneurship Development and Gender Equality (WEDGE) programme funded by donors including Irish Aid and NORAD. WEDGE-III was a EUR 3.1 million project that supported seven countries in the two regions of Asia and Africa from 2008-2011.

GENDER CHALLENGES

- Lack of consideration of gender constraints to women's entrepreneurship in MSME policy
- Access to credit for women entrepreneurs

RESULTS

- Produced an assessment of the environment for women entrepreneurship in Montenegro in 2013 as a result of the application of the WED tool in collaboration with the Montenegrin Employers Federation (MEF). This in turn informed the 2015 the national strategy for development for women's entrepreneurship in Montenegro.
- Since 2010 the ILO has worked in El Salvador. As part of its technical assistance to the county, it applied the WED assessment tool to understand the constraints facing women entrepreneurs in the country.
- Supported the Ministry of Economy in El Salvador, through the National Commission for Micro and Small Enterprises (CONAMYPE) in 2013 to conduct an ILO WED assessment. The report and process influenced the development of the subsequent MSMEs law in the country which addressed gender specific constraints to doing business.
- Conducted a WED Assessment in Uganda which contributed to establishing the case to create a Uganda Women Entrepreneurship Programme launched in 2016. The five-year government programme will provide interest free group loans to vulnerable women in the country. The report also informed the development of a National Action Plan for WED led by the Ministry of Gender, Labour and Social Development in coordination with other stakeholders where recommendations from the report were transformed into priority actions for the various stakeholders.
- Supported a WED Assessment in Kenya which influenced the development of a draft Women Economic Empowerment Strategy. The Strategy framework is in line with its Vision 2030 and Second Medium Term Plan (2013-2017), and has received a high level of support from the Ministry of Public Service, Youth, and Gender Affairs.

Box 9: Land Investment for Transformation (LIfT)

ABOUT

DFID's Land Investment for Transformation (LIfT) in Ethiopia aims to support the Government of Ethiopia in the provision of map based land certificates to farmers in four regions and assist them to fully benefit from increased investment and productivity through the development of the rural land market and its supporting operations. The project will be a driver to increasing income by 20% for over 500,000 households. It will also secure land ownership for 6.1 million households, of whom around 70% will be women.

Note results framework not available.

Box 10: The Land Tenure Regularisation Programme (LTRP)

ABOUT
The Land Tenure Regularisation Programme (LTR) is supported by DFID, the Netherlands, Sweden, and the EU in partnership with the Government of Rwanda. The programme started in 2009 has been extended until the end of 2016. The two specific programme objectives are to register all land through a land titling process and; to set up a sustainable Land Administration System (LAS). The programme is expected to have resulted in the Rwandan Government being enabled to issue registered title to every landholder and to establish systems for maintenance of those titles to facilitate investment and secure women's rights. It builds on a preceding programme which ran from 2005-2009 and developed an approach to LTR in Rwanda, which led to the development of the Strategic Roadmap (SRM). The SRM set out the government's plans for land management and administration.

Note results framework not available.

Box 11: The Land Tenure Support Programme (LTSP)

ABOUT
A multi donor Land Tenure Support Programme for Tanzania was launched in February 2016. The programme will support the Government of Tanzania, through the Ministry of Land Housing and Human Settlements Development (MLHHSD), to make information on land records and processes of land allocation publicly available, and clarify and address current constraints to protecting legitimate land claims. It represents a collaboration between the UK's Department for International Development (DFID), together with co-partners SIDA (Sweden) and DANIDA (Denmark). The programme builds on earlier collaboration since 2014 to implement the G8-Tanzania Land Transparency Partnership initiative to deliver a detailed road map for land reforms in Tanzania.

Note results framework not available.

Box 12: The Philippine - German Private Sector Promotion (PSP) (SMEDSEP) Program

ABOUT
The PSP SMEDSEP was implemented by GIZ from 2003-2011 in partnership with the Department of Trade and Industry in the Philippines and focused on small and medium-sized enterprises (SMEs) in the Visayas a group of islands. It aimed to facilitate the development and replication of sustainable models for improving the local business climate (especially for SMEs) in the area. While the programme focused on the Visayas — experiences were shared at the national level to promote and replicate good practices in other regions of the country.

GENDER CHALLENGES
- Lack of consideration of gender constraints to women's entrepreneurship in MSME policy

RESULTS
- Conducted a policy analysis was on the Status and role of men and women in micro, small and medium enterprises in the Philippines in 2010. This analysis formed the base for providing policy advice to the Department of Trade and Industry and the Philippine Women's Commission.
- Influenced gender mainstreaming in the new national Micro, Small and Medium Enterprise Development Plan for 2011 to 2016 and in the Philippine Development Plan 2011 to 2016 and the Women's Empowerment, Development and Gender Equality Plan, 2013- 2016 (Women's EDGE Plan).

Box 13: The Promotion of Economy and Employment (Eco-Emploi) Programme

ABOUT

The Promotion of Economy and Employment (Eco-Emploi) Programme is a BMZ commissioned, GIZ implemented programme in Rwanda to support the development of the capacity of both public and private institutions to increase sustainable employment. The programme was established in 2013 and runs until 2016 (although a second phase is starting imminently. The three main components to the programme include: fostering a demand-driven Technical Vocational Education Training (TVET) system – essentially skills development, working with sector skills councils and strengthening the TVET institutions; promoting a favourable business environment including delivering demand-oriented training and counseling services for SMEs and enhancing the service delivery of the private sector federation and its chambers and association; and supporting labour market development and information, for example through advising on the development and implementation of the National Employment Programme and Rwanda's first employment service centre, Kigali Employment Service Centre (KESC).

GENDER CHALLENGES

- Women's labour force participation.
- Women operating in the informal sector.

RESULTS

- Supported women's participation in public private dialogues to identify and understand gender specific business constraints.
- Engaged with women through the Kigali Employment Service Centre to support their employment.
- Collaborated with district administrations to support women street vendors to organize and formalize themselves, in order to use local markets and improve cross border trade.
- Supported the women's chamber to develop and pilot specialized entrepreneurship (CEFE) training for women provided by the Kigali Employment Service Centre.
- Established a women's mentorship programme in cooperation with the chamber of women entrepreneurs.

Box 14: Trade Mark East Africa (TMEA)

ABOUT

TMEA is funded by a range of development agencies with the aim of growing prosperity in East Africa through trade. The programme works with the East African Community (EAC) and other stakeholders to with three main programme objectives: increasing physical access to markets; enhancing the trade environment; and increasing business competitiveness. The programme works in 6 countries – all EAC member states and South Sudan. The programme aims to ensure that men, women, boys and girls equally benefit from the TMEA initiatives designed to promote regional trade and regional integration in East Africa. As such, gender is mainstreamed into the scope of TMEA activities on increasing physical access to markets, enhancing the trade environment and improving business competitiveness.

GENDER CHALLENGES

- Lack of women's representation in public authorities' border committees responsible for the coordination of immigration, health, customs and other matters;
- Gender-based violence including harassment of women at the borders;
- Lack of application of official procedures at borders;
- Occupational segregation of women in traditional jobs; and
- Informal business activity and trade by women.

RESULTS

- Established a TMEA programme for 'women in trade' across the region to ensure that the border posts are increasingly pro-poor for women engaged in informal cross border trade.
- Secured women's representation in two public authorities' border committees between Uganda and Rwanda and at one of the Tanzanian borders. Women's inclusion in these committees has been credited with transforming these borders. The aim is to repeat this inclusion of women in the border committees across 12 borders;
- Incorporated gender considerations in the design (e.g. well-lit spaces, open plan offices) and facilities (e.g. toilet facilities; police holding cells) at the borders;
- Conducted gender sensitization training of One Stop Border Post staff;
- Promoted the employment of women in non-traditional roles such as construction, in One Stop Border Post e.g. across the Taveta-Holili borders Kenya–Tanzania border;
- Conducted a study to ensure that the priorities of women cross- border traders are effectively incorporated in relevant policies, programmes, budgets, and processes at TMEA;
- Supported women traders to transition from informal to formal trade through the border post. For example, in collaboration with ProFemmes/TweseHamwe (PFTH) in Rwanda, it has supported the creation of women's cooperatives among women involved in cross-border trade across the EAC and the DRC borders.
- Conducted capacity building of associations and institutions and sensitised women on their rights, trade procedures and standards.

Box 15: Women Business and the Law

ABOUT
Women, Business and the Law, a World Bank Programme, measures legal restrictions on women's employment and entrepreneurship by identifying gender-based legal differences. The initiative started in 2009 in order to inform policy discussions and promote research on the linkages between the law and women's economic opportunities. The basic goal of the programme is to encourage reform of these legal restrictions.

GENDER CHALLENGES
- Gender based legal differences on women's employment and entrepreneurship.

RESULTS
- The creation of a publication summarizing the findings of the data collection exercise comparing men and women that have the same marital status in 21 areas across seven indicators: accessing institutions, using property, getting a job, providing incentives to work, building credit, going to court and protecting women from violence. The latest edition of Women, Business and the Law covers 173 economies.
- The dissemination of the results locally and regionally to encourage reform. Over the past two years, 65 economies carried out 94 reforms increasing women's economic opportunities and so while these reforms cannot be directly attributed to WBL, the programme has contributed to drawing attention to the need for reform in these countries.

3.3 Main Findings – Programme Content

Drawing on the conceptual framework regarding the business environment components and functions set out in the introduction, this section sets out trends identified from the sample programmes.

Approximately three quarters of the sample incorporate activities targeting the policy and legal framework component of the business environment. This may indicate that **a focus on the legal and policy environment are a natural entry point for donor BER programmes.**

There was a relatively balanced focus on the different components with two thirds of the sample respectively incorporating activities focused on targeting the regulatory and administrative and institutional arrangements components of the business environment. This suggests the perception that **each business environment component is perceived as being of equal importance to address gender constraints**. Indeed, a third of the sample focus on three components of the business environment, and just under three quarters of the sample focus on more than one component of the business environment. It may be inferred that **it is of value to incorporate a focus on multiple components of the business environment in any business environment and gender programme.**

Increasing the representation of women in institutional arrangements was a common feature in all programmes that focused on two components of the business environment. This may be based on the evidence in the literature that it is essential to ensure women are represented and participate in any BER.

Approximately a quarter of programmes only focused on one component of the BE**. Those programmes that focused on only one component of the BE, activities focused on interventions where clear evidence exists on the need for gender-related business environment reform.** For example, on the administration of land titles and women's participation in local governance. It can be inferred that **there may be a role for more targeted programmatic interventions focused on one component of the business environment where legal and policy barriers have been addressed but where there are gaps in the implementation of these policies, or where clear evidence exits**.

All but one programme focused on national level BER suggesting this is the predominate level of donor intervention in gender sensitive BER. The one exception, the Alliances Lesser Caucasus Project in Georgia, nevertheless had national level positive policy impacts (see Box 1). Given that laws and policies are normally defined at the national level this is perhaps unsurprising. Even the five programmes that focused on regional or global level interventions were mainly seeking business environment and gender reform at a national level. Several of those programmes focused at a national level, several more explicitly focused on policy reform, such as FIAS (see Box 4).

Economic groupings are an entry point for regional business environment reforms suggesting that future donors programmes may find value in considering the relevance of engaging at a regional level through such bodies. Two programmes sought business environment reform at a regional level through partnerships with regional economic bodies, namely APEC (see Box 2) and the East African Community (EAC) (see Box 14).

In three out of the four programmes that focused on a sub-national level, their activities were combined with national level interventions. Notably **all the programmes with sub-national component interventions have had success that has been replicated at a national level.** These are GREAT Women Programme (see Box 7), GEMs 3 (see Box 6), and TMEA (see Box 14). Moreover, **the sub national interventions have focused on addressing barriers in the regulatory and administrative component of the BE, and have been underpinned by engagement with women addressing the institutional arrangements component**. A lesson learned from this could be that **pilot initiatives to address gender barriers in the business environment can be valuable in instances where there are evidence gaps, but also to support the regulatory and administrative implementation of policies and laws to ensure that they are translated into practice.**

Few programmes incorporated sectoral interventions as part of wider activities indicating a lack of focus on sectoral business environment reform in gender in donor programming. For example, FLOW a grant making facility (see Box 5) – one of two such facilities in the sample. Although it could be argued that the other programmes which considered the function of land reform also have a sectoral focus. Nonetheless, there still is greater scope for donor engagement on gender sensitive sector specific interventions related to BER.

The majority of programmes target multiple functions in the BE. **This suggests that there is also a role for donor programmes to support overarching gender sensitive SME policy development and implementation.** More than half of them targeting three or more functions and one third of the total sample targeting five or more functions. For example, two of the broadest programmes were the ILO WED Assessment programmes (see Box 8) and the PSP- SMEDSEP (see Box 12), both of which advised on SME and entrepreneurship policy to acknowledge the barriers facing women entrepreneurs and addressing these constraints.

Two thirds of the programmes focused on broadening public-private dialogue processes representing the most frequently addressed BE function in the sample. This may be due to the clear evidence on the benefits of engaging women in public private dialogue and the well documented lack of women in public and private sector senior level decision making roles.

Notably **the value of using the media to change perceptions of women in society** was recognized in several of the programmes, for example, EconoWin (see Box 3), and ALCP (see Box 1). The angle of using the media to broaden public private dialogue was not recognized in the literature but there is clearly scope for reflection.

Improving land titles, registers and administration was the focus of slightly more than half of the sample. This may be unsurprising **given the clear legal constraints that prevented women from owning land in some countries** as well as the well-documented socio-cultural constraints to their access to land even if they have the legal right to own and inherit it. Furthermore, there is strong evidence in the literature of what works to address these constraints. Examples of the programmes focused on land include: GEMS 3 in Nigeria (Box 6); DFID's Land Investment for Transformation (LIfT) in Ethiopia (Box 9); the Land Tenure Regularisation Programme (LTR) supported by DFID, the Netherlands, Sweden, and the EU in Rwanda (Box 10); and the Land Tenure Support Programme for Tanzania launched in February 2016 supported by DFID, SIDA and DANIDA (Box 11).

Tax and business registration are two BE functions that go hand in hand in programming, perhaps given the connection between simplifying taxes and the formalization of businesses. More than half of programmes incorporated activities focused on tax and labour law and administration, and just under half on business registration and licensing. This may merit further research from a women's economic empowerment perspective. Eco-Emploi is one example of a programme targeting the regulatory and administrative components of labour law (see Box 13). Several of the programmes focus on data related to labour law and more could potentially focus on gaps in implementation of the law.

There is a lack of attention to the BE functions of access to commercial courts and alternative dispute resolution mechanisms and the overall quality of regulatory governance in donor programming. Notably, only three programmes considered access to commercial courts and alternative dispute resolution mechanisms and no programme focused on the business environment function of improving the overall quality of regulatory governance. This may be because they are poorly documented in the literature in terms of evidence. Nevertheless, both could be areas to focus on in the future, in particular as women are disproportionately represented in specific sectors and therefore there may be gender implications related to business environment reform.

Most programmes focus simultaneously on both the business environment constraints for women-owned businesses and women's employment. This may be because many of the constraints facing women in the business environment relate to their rights as women per se, and/or the implementation of these laws or women's representation in public-private dialogues which is low due to socio-cultural constraints which face all women.

3.4 Main Findings – Programme Measurement

An overview of the programme indicators used in the sample programmes is available in the annexes. The summary of the analysis of which results level (goal/ impact, outcome and output) and function of the business environment the indicators measure is included in table 13. The goal/ impact level refers to the extent to which target beneficiaries continue to benefit after the programme ends; the outcome level is the extent to which products and/ or services supported by a programme continue to be delivered to target beneficiaries after a programme ends; and the output level refers to the people and or institutions that are

supported by activities, who/ which continue to get support from local actors and programme partners.[173]

For some programmes there were no indicators on some of the BER functions that are being addressed through programmatic activities. This represents a blind spot in the log frames of these programmes as they fail to track results related to areas where there are recognized gender constraints. It implies that **there is scope for donors to more routinely use the DCED framework to analyze and identify functions being addressed by their programmes and ensure that indicators are incorporates to track these activities at minimum at the output level.** Furthermore, there is a need for sample indicators to be recommended for the functions and results levels where no indicators were identified.

Gender or sex-disaggregated indicators were not consistently applied at each results level for each programme. They were mainly either at only one or two levels of the log frame - generally the output or the outcome level but not two or more. There was only one programme – ALCP considered gender at all levels within the log frame.

Broadening public private dialogue was the function with the most indicators identified. This could be reflective of the fact that the majority of programmes addressed this function, but it could also be due to the relative ease of measuring participation rates. The area with the second largest number of indicators was land titles, registers and administration, which again may be reflective of the fact of the large proportion of the sample focusing on this topic.

There were no indicators identified for the following functions: tax policy and administration; quality and regulatory governance; access to commercial courts and to Alternative dispute resolution mechanisms. In part this was due to a lack of programmatic activity in two of these areas in the sample (although they may exist in programmes not considered in scope of this stock-take). However, in some instances it is apparent such as with interventions that look at tax policy and administration, programmatic activities exist which do not have associated gender specific programme indicators as was identified for other areas.

Table 13: Summary of Programmes by Function Addressed through Activities and Results Level in the Log Frame

Programmes Addressing Each Business Environment Function	Impact Level	Outcome Level	Output Level
Business Registration and Licensing			
The Gender Responsive Economic Actions for the Transformation of Women Project (GREAT 1)		✓	
ILO WED Assessment Tool/ Women's Entrepreneurship Development and Economic Empowerment Programme (WED-EE/ WEDGE)		✓	
The Growth in Employment in States Programme (GEMS) 3			
Tax Policies and Administration			
The Growth in Employment in States Programme (GEMS) 3			
The Gender Responsive Economic Actions for the Transformation of Women Project (GREAT 1)			
ILO WED Assessment Tool/ Women's Entrepreneurship Development and Economic Empowerment Programme (WED-EE/ WEDGE)			
Access to Finance			
Alliances Less Caucasus Programme (ALCP)			✓

[173] DCED, 2015d

ILO WED Assessment Tool/ Women's Entrepreneurship Development and Economic Empowerment Programme (WED-EE/ WEDGE)		✓	✓
APEC Policy Partnership for Women and the Economy (PPWE)			
The Gender Responsive Economic Actions for the Transformation of Women Project (GREAT 1)			
Labour Laws and Administration			
The Promotion of Economy and Employment Programme (Eco-Emploi)		✓	
APEC Policy Partnership for Women and the Economy (PPWE)			
The Gender Responsive Economic Actions for the Transformation of Women Project (GREAT 1)			
Quality of Regulatory Governance			
None.			
Land titles, Registers and Administration			
The Growth in Employment in States Programme (GEMs) 3	✓	✓	
Land Investment for Transformation (LIfT) Ethiopia	✓	✓	✓
Land Tenure Support Programme – Tanzania (LTSP)			✓
APEC Policy Partnership for Women and the Economy (PPWE)			
ILO WED Assessment Tool/ Women's Entrepreneurship Development and Economic Empowerment Programme (WED-EE/ WEDGE)			
Access to Commercial Courts and to Alternative Dispute Resolution Mechanisms			
ILO WED Assessment Tool/ Women's Entrepreneurship Development and Economic Empowerment Programme (WED-EE/ WEDGE)			
APEC Policy Partnership for Women and the Economy (PPWE)			
Broadening Public Private Dialogue			
Alliances Less Caucasus Programme (ALCP)	✓	✓	✓
APEC Policy Partnership for Women and the Economy (PPWE)		✓	
Economic Integration of Women in MENA Region (EconoWin)		✓	
The Gender Responsive Economic Actions for the Transformation of Women Project (GREAT 1)		✓	
ILO WED Assessment Tool/ Women's Entrepreneurship Development and Economic Empowerment Programme (WED-EE/ WEDGE)		✓	✓
The Growth in Employment in States Programme (GEMS) 3			
The Promotion of the Economy and Employment (Eco-Emploi)			
Access to information			
The Promotion of the Economy and Employment (Eco-Emploi)			✓
ILO WED Assessment Tool/ Women's Entrepreneurship Development and Economic Empowerment Programme (WED-EE/ WEDGE)			

3.5 Conclusions and Recommendations

The stock-take and analysis of donor programmes has provided a snapshot of existing and previous donor interventions focused on BER and gender. There is a **balance of programmes that both specifically address women's constraints** in the business environment related to various business environment functions, **as well as mainstream gender into relevant programmes addressing these constraints**. Nevertheless, overall, it is apparent there still is greater scope for donor engagement on **gender-sensitive BER interventions** and in particular related to **sector specific reforms.**

Gender inequalities in the law are a natural **starting point** for donors conceptualizing a programme related to gender and business environment. But even if discrimination no longer exists on paper, new laws and policies may not be implemented in practice and so it is often necessary to focus on the regulatory and administrative component of the business environment.

There is a need to ensure women are represented and participate in the policy reform process related to any function of the business environment. As such, the institutional component of the business environment should be addressed and underpin all programmes considering either the legal and policy or the regulatory and administrative frameworks, as well as being a focus area in its own rights in some instances.

Evidence of where reforms work for women can be another starting point for many donor programmes. It is perhaps no coincidence that gaps in the evidence base of literature reflect gaps in practice by donors in their programmatic activities, for example related to regulatory governance and access to commercial courts. But there is **scope for a greater focus in donor programming on business environment functions and factors where evidence does exist** related to the **implementation of labour laws protecting women**, for instance, as well as policies that support **women's labour force participation related to child care**.

The absence of evidence of interventions that work should not and has not been a barrier to programmatic activities addressing business environment constraints for women's employment and enterprises. Programmes have the potential to **pilot initiatives**, particularly at the **sub national level**, where there are evidence gaps in reforms or policy changes that work for women. There is scope for **evidence-based research to evaluate** the success of **interventions focused on broadening public private dialogue** related to specific functions of the business environment. This was not recognized in the literature, but there was significant donor related activity on this topic.

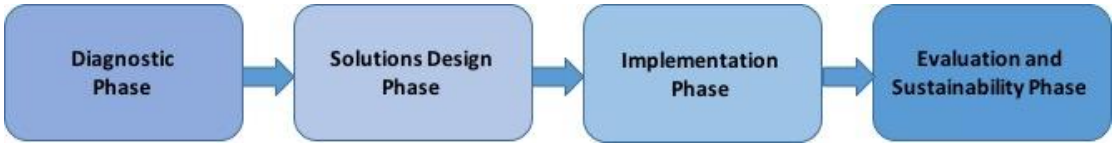
Business environment reform and gender programmes are primarily focused at national level changes. These can relate to specific functional constraints in the business environment, but there is also a role for donor programmes to support **overarching gender sensitive SME policy development and implementation**, which address multiple functions. In addition to the national level, there is scope for both sub national and regional engagement on business environment and gender programmes. **Regional engagement**, for example **through regional economic groupings**, can support comparable data collection efforts and policy coordination related to inter-country trade and how that relates to the business environment. Meanwhile, sub national engagement can support the translation of national laws and policies into practice "on the ground".

In terms of **results measurement**, it is essential firstly that **gender is integrated at each level within the log frame** –at the impact, outcome and output levels. Secondly that **gender-sensitive indicators are created** to address each function of business environment reform being addressed by any given BER programme**.** To coordinate donors' results measurement efforts in this regard, this research has highlighted the need to develop **sample gender sensitive indicators** for each function of the business environment. Thirdly, there is also a need for donors to make a concerted effort to ensure that **areas of programmatic activities related to gender and business environment reform have corresponding gender sensitive indicators** to track impact otherwise their effectiveness cannot be determined.

4. Practical Insights on Challenges and Lessons Learned from Previous and Existing Business Environment Reform and Gender Programmes

This chapter has sets out a collection of practical insights on challenges and lessons learned informing good practices related to the operationalization and results measurement of gender-sensitive BER donor programmes in developing countries. It is informed by a process of stakeholder consultation and based on the four stages of the programme cycle of business environment reform programmes, namely: diagnostic phase; solutions design phase; implementation phase; and evaluation and sustainability phase. Some of the good practices identified have been applied in practice, while others were practitioner suggestions from the stakeholder consultation but have not been tried and tested by the individuals. It is anticipated that members of the DCED can apply these learnings to better manage and measure future gender sensitive business environment reform programmes.

Figure 2: BER Programme Cycle



Source: DCED, 2008.

4.1 Diagnostic Phase

The diagnostic phase of the BER programme development process involves defining the main purpose and objectives of any potential programme, identifying the main stakeholders, establishing their commitment, collecting and analyzing gender sensitive baseline data and constraints in the business environment in the country or countries of the interventions, as well as the capacity for any potential reforms to be implemented. Furthermore, it involves mobilizing the funding to undertake the programme.[174]

Challenges

Challenges identified by stakeholders related to this phase of the programmes were mainly measurement related. In one example, it was cited that there was an **absence of context specific sex-disaggregated data** to support baselines for instance on women's participation in specific sectors. Some of the challenges referred to actions that should have been taken during this stage which stakeholders believed could have better informed the programme implementation. For instance, insufficient depth of **analysis on the constraints in the business environment** facing women at the start of the project or a **lack of gender baseline data** until the mid-implementation stage of the project with implications for their programme to demonstrate how activities contributed to the gender related results.

Good Practices

Activities

- ✓ Conducting a value chain analysis of women's constraints at the micro, meso and macro level to understand the source of gender issues.
- ✓ Engaging with Civil Society Organizations to access their knowledge of on-the-ground gender and human rights related issues.

[174] DCED, 2008.

- ✓ Using Women Business and the Law Data to identify legal and policy constraints facing women to inform areas for reform.

Measurement

- ✓ Gathering baseline data from the intended women beneficiaries.
- ✓ Using publicly available sex-disaggregated data to inform the identification of gender constraints in the business environment to inform the strategy development process.

> *"People listen to data. Decision makers are more compelled to react to data than to a story…to get the buy-in of national leaders' you need to speak in numbers."*

> *"It is very important to have specific data and assessment of the constraints facing women to have substantive arguments to prove changes are needed to ensure the economic empowerment of women."*

4.2 Solution Design Phase

This phase of the programme cycle involves defining the high level reforms to be implemented as part of the programme, developing and agreeing the design of the programme and the implementation plans, as well as engaging various stakeholders to be engaged in the programme. It comprises the development of the results chain and log frame for the programme, including any data collection tools.

Challenges

A number of challenges were noted by stakeholders during this phase of the programme related to collaborating with government partners. For instance, **making the gender case** to government counterparts as to why it is important in any business environment reform programme, and facilitating **cooperation between government agencies** with differential levels of understanding on gender issues. The latter can have implications in terms of getting **agreement on programmes indicators** between the multiple government agencies.
Some actions not undertaken at this stage in the programme cycle, had negative implications for the later stages of the programme. These included the **lack of gender strategy** development at this stage of the cycle, both in terms of programme activities, as well as **gender-sensitive log frames**; and a lack of country specific log frames in multi-country programmes to track gender impacts at the operational level.

Good Practices

Activities

- ✓ Ensuring the close collaboration between M&E specialists and gender specialists in the design and review of the programmes results chains and log frames.
- ✓ Incorporating technical assistance budget to support programme partners to adjust their electronic systems and associated processes to capture gender data.
- ✓ Establishing requirements with multilateral donors in investment agreements to provide sex-disaggregated data and report on gender indicators.

Measurement

- ✓ Establishing measures to show change at the level of reform.
- ✓ Mainstreaming the integration of gender considerations into the monitoring and measurement of a BER programmes from the inception stage to identify and address any harmful effects on women

- ✓ Using the result measurement framework established at the beginning to help facilitate the difficulty between the partnerships.
- ✓ Using a combination of indicators to capture sex-disaggregated as well as specific gender indicators to ensure the 'women's issues' are not lost.
- ✓ Defining clearly terms e.g. women's empowerment and where appropriate have multiple indicators to capture empowerment at the business, household level.
- ✓ Using both qualitative and quantitative methods to gather data on programme results.
- ✓ Gathering the impact on both women and men to compare if there are differences.
- ✓ Involving partners in indicator development and incorporate its collection into their monitoring structures.

"A key lesson learned from this programme has been the success of targeting reform at the sub national level as at the regional level as it is possible to get more traction at the local and regional governments within a country. At the national and international level legislation get stuck in the bureaucracy."

"It can be valuable to form a committee consisting of different stakeholders, including diverse government agencies, to discuss women's constraints. In particular, it helped different government agencies understand their respective roles in supporting women entrepreneurs and the necessary modification of the business environment to make it more conducive for them."

Box 16: GEMS 3's Operational Gender Approach
DFID's GEMS 3 programme in Nigeria developed a Women's Economic Empowerment policy, which sets out and guides managers and partners in the programme to develop interventions that have the potential to maximize beneficial impacts on women. They have also created an accompanying gender mainstreaming tool which provides a framework of key questions for proposing a sustainable and WEE-linked intervention activity relevant to land, tax and investment. It provides key questions and examples of what to look out for and sources of data for design and verification that cover the whole cycle of an intervention: context analysis; planning/design; appraisal/approval; implementation; and M&E /impact measurement.

4.3 Implementation Phase

This phase involves the kick-off of the programme. If the programme focuses on reforms at the level of the policy and legal framework, it may involve providing expertise in drafting of laws and policies. If it focuses on the regulatory and administrative component of the business environment, then it could require training of government officials in terms of guidance on the implementation of laws and policies in a gender sensitive manner. Given that the institutional component of the business environment underpins the other two component of the business environment, the programme will support consultations on the reforms with both women and men in appropriate ways. Gender-sensitive data collection will be collected throughout the programme in line with donor reporting requirements.

Challenges

The **lack of gender expertise** in programme teams at country level as well as a limited knowledge on international good practice related to gender and BER was acknowledged in the stakeholder consultations. As a consequence, gender components of a programme's results chain and log frame may not be translated into practice during implementation.
In terms of measurement, there were recognised **capacity constraints** to support the process of data collection. This included a lack of advice or support on how to obtain the information related to the gender indicators within the logframe, the **partner capacity** to understand the need to mainstream gender and support sex-disaggregated and gender data

collection, and the **country team willingness and capacity** to engage in data collection and analysis. This highlights the need for capacity building internally in the country project teams. Nevertheless, it was noted by stakeholders that even where a need for gender capacity building is recognized, there can be **limited budget and resource** for this.
The availability of sex-disaggregated data is a common challenge, in particular from programme partners with respect to historic data. Even where data is availability partners or women beneficiaries may be **reluctant to share the data**, for instance related to income. It was also noted that programme log frames are commonly updated mid programme to incorporate gender considerations, which has implications as the gender data is not available for the full programme.

> *"One of many lessons' learned was the importance for governments to have a strong links with the private sector, in part to understand a demand perspective and inspire thinking about how the government can deliver gender sensitive services for enterprise development."*

> *"Gender may have been factored in during the initial choice of business sectors to focus on but then gets lost after the design phase of a programme."*

Good Practice
Activities

- ✓ Hiring in-country gender experts to provide technical advice to the programme partners.
- ✓ Establishing a gender focus point in each country to support capacity building and data collection.
- ✓ Promoting mechanisms for continuous engagement between the teams such as gender network meetings to ensure people are on the same page and align expectations for results measurement.
- ✓ Conducting gender training for local staff and mainstreaming gender concepts into other trainings such as on M&E.
- ✓ Collaborating with women's business associations to boost women's participation in programmatic activities.
- ✓ Providing childcare for women during training programmes and factoring in women's socio-cultural constraints in designing consultations and trainings to be sensitive to their child care responsibilities and safety concerns.
- ✓ Conducting capacity building on gender for programme leads and local partners on how to conduct a gender analysis on programme results data.

Measurement

- ✓ Using proxy indicators to indicate changes in women's income.
- ✓ Using technology to support data collection e.g. mobile phone apps or tablets.

Box 17: Trade Mark East Africa's Gender Focus

The Trade Mark East Africa (TMEA) programme has focused on gender awareness raising activity to accompany its reform work in order to build the internal capacity to mainstream gender across the programme. Gender action plans have been formulated for all regional and country programmes that measure and report gender mainstreaming progress. A gender audit tool has been created to be applied annually, to measure gender mainstreaming progress for TMEA at institutional and programme level. To support this strategy and approach to results measurement, the programme has established a gender network, with gender focal points for the various country and regional programmes. Gender experts have conducted gender mainstreaming training for staff to support them to incorporate a gender perspective and introduce gender indicators in project design, implementation, monitoring and evaluation. A handbook has been developed to help staff understand gender issues and the steps that can be taken to mainstream gender at corporate and programme levels. To accompany this they have established a TMEA CEO Gender Award to recognize, create and build internal awareness within TMEA on gender mainstreaming by acknowledging teams and partners that have successfully mainstreamed gender in their programmes.

Examples of the gender and sex-disaggregated indicators used for the TMEA programme include:

- Percentage of border post and port users are satisfied or more than satisfied with infrastructure facilities at targeted borders. (Disaggregated by type of user e.g. border official, informal trader; gender);
- Percentage of border post and port users are satisfied or more than satisfied with application of cross-border regulations and procedures at targeted borders (disaggregated by type of user e.g. border official, informal trader; gender);
- Percentage of selected border posts that incorporate gender-specific facilities;
- Percentage of targeted borders that incorporate gender sensitive procedures as part of Integrated Border Management (IBM);
- Number of GoSS customs officers trained (milestone notes number disaggregated by sex);
- Number of freight forwarders trained (disaggregated by gender);
- Number of laboratory technicians trained in substandard goods and equipment use (disaggregated by gender);
- Number of people trained in regional integration (disaggregated by gender);
- Number of person hours of English language training delivered (disaggregated by gender); and
- Number of participants at awareness raising workshops, meetings and seminars (disaggregated by gender is noted in milestones).

4.4 Evaluation and Sustainability Phase

The programme evaluation will take the aggregated data collected throughout the implementation phase and assess the results to establish if the intended impacts were realized. Moreover, recommendations for future programmes will be generated.

Challenges

Challenges in this programme phase focused on programme measurement. Stakeholder's noted their **inexperience** and **lack of advice** on how to conduct a **gender analysis** on the data collected for programme monitoring and evaluation purposes. In one instance, a consulted stakeholder commented that the **monitoring forms** did not accommodate sex-disaggregated data to be reported despite its inclusion in the indicators. Repeatedly the challenge of quantitative data providing an insufficient picture of the results and impact was stressed. To address this one programme decided to conduct a survey of women using in-depth interviews to gain insight into the household level changes that they had experienced as a result of the programme interventions. Furthermore, multiple stakeholders stressed the need to combine **quantitative and qualitative methodologies** for monitoring the gender impacts of programmes.

Good Practices

Activities

- ✓ Gathering qualitative information through focus group discussions, or face to face interviews –with both women and men, to understanding how and why things are happening especially related to gender, informal rules, and behaviours', which will not be captured through quantitative indicators.
- ✓ Conducting women-only consultations as well as mixed consultations order for them to share information on the social pressure issues that influence their business behaviours.
- ✓ Drawing on the support of the communications team to disseminate the programme results.

Measurement

- ✓ Establishing a mechanism to capture data and information the unintended effects of the programme e.g. through social media.

Box 18: Donor Gender Resources

Multiple donors have resources to support their colleagues to integrate gender considerations into their programme design and implementation. DFID has The Gender Manual – A Practical Guide which introduces the concept of gender mainstreaming and sets out ways in which gender can be mainstreamed into the policy/ programme cycle and further sources of tools and guidance.

In 2015 GIZ published a toolkit on 'Promoting equal participation in sustainable economic development' which sets out how gender can be integrated into different types of programmes from Financial Systems Development to TVET and Labour Markets. For each it provides information on expected outcomes and impacts, possible partners, lessons learned from existing programmes incorporating gender and further information. The publication also provides guiding questions for gender analysis and data sources.

4.5 Conclusions

This research has generated valuable lessons learned from existing and previous donor programmes that integrated business environment reform and gender for future donor interventions that intend to incorporate a partial or full intentional focus on BER and gender.

Many of the lessons learned identified through this research are generally applicable to all donor programmes and not specific to BER programmes. Given that few programmes have focused on reform per se, many of the **lessons learned are at the operational level**. Even where they are focused on reform **many programmes are not yet tracking the gender impacts** of the reform activities, in part because **reform processes can take longer than the duration of the programme**. At the same time, the findings indicate that much more can be done to **seriously integrate gender considerations into donor programming**.

The benefits of engaging with women and women's associations throughout the programme process was a cross-cutting lesson learned for all gender-sensitive BER programme, as well as that gender-sensitive approaches are needed to ensure women's voices are heard.

Capacity building is needed **for programme teams on gender and business environment reform, including results measurement and gender analysis**. Tools have been successfully developed for some programmes to support practitioners in their considerations of gender in their activities .These **tried and tested tools can be mainstreamed into all relevant gender-sensitive BER programmes**. **Local level gender expertise** is also required to support

the adoption of these plans, and application of these tools to ensure that gender considerations are fully integrated at a local level in programmes to maximum impact.

Finally, **gender-sensitive measurement is a process** that should be integrated into all donor programmes along the project cycle from the inception at the diagnostic phase supported by on-going sex-disaggregated data collection to determine gender differential impacts goes beyond data collected and used by the programme but there is a need for a **wider scale culture change** of this data collection from a variety of stakeholders.

5. Conclusions and Recommendations

5.1 Concluding Remarks

Through the literature review, stock-take of previous and existing donor programmes focused on gender and business environment reform, and stakeholder consultation on challenges and lessons learned from these programmes, **this study has added to knowledge on the topic of gender sensitive business environment reform**. It has **highlighted a range of factors in the business environment that have a direct and specific impact on women-owned and managed enterprises and the employment of women.**

Yet, while numerous factors have been defined, in many instances empirical research does not exist on the implications of these factors on women. Nor is the evidence on the business environment reforms that work to overcome these constraints. Indeed, in some functions of the business environment, namely the quality regulatory governance and access to commercial courts and alternative dispute mechanisms, there is an absence of evidence on constraints that impact on women and their businesses. Therefore, this research confirms that **further research at a more granular level related to many of these factors is required.**

5.2 Literature Review Conclusions

The evidence for the other functions of the business environment, where **evidence** does exist it **differs in terms of its quantity and potentially also quality.** More detailed level of analysis is required to get to the concrete factors that are impacting women's employment and women-owned enterprises. The greatest quantity of evidence concerns actual reforms or impacts relates to **child care provision**. Other areas where there is substantial evidence is on the positive impacts of the **administration of joint land titles** and **women's engagement in business associations.** Furthermore, there is clear evidence on the benefits of **equal land and property rights** and **gender diversity in the private sector for both women's participation in the labour force and their enterprises.**

It can be concluded that **any gender sensitive business environment reforms may require addressing more than simply the direct business environment factors that impact women's employment and their enterprise.** Equally important will be addressing **socio-cultural binding constraints** on women, which impact on a women's ability to engage in employment and entrepreneurship with implications for women's economic empowerment and sustainable economic growth.

5.3 Stock-take Conclusions

Turning to the results of the stock-take on donor programmes and the related lessons learned. **Existing programmes have addressed gender and business environment reform**. Notably, some of the areas of intervention on the topic of gender and business environment reform in donor programmes **go beyond areas of existing empirical research** identified through the literature review. This suggests that donor programmes **not only act on existing evidence**, but also **contribute to the evidence base** of business environment factors and their impacts on women in areas, such as regulatory governance and access to commercial courts, and sector-specific business environment reforms. Furthermore, such **programmes can also provide evidence** of successful gender sensitive business environment reforms that could be scaled up or adapted for other geographies. Additionally, there is **scope for a greater focus** on business environment factors in donor programming **where evidence does exis**t. For example, related to the implementation of labour laws protecting women, as well as policies that support women's labour force participation related to child care.

Women Business and the Law data on the **legal and policy constraints facing women in specific countries can be a starting point for designing future donor interventions**. But **equally important will be interventions to support the implementation of laws and policies in practice.**

This stock-take research identified that the **institutional component** of the business environment underpins all gender sensitive business environment reform programmes (see figure 3). This supported the indications through the literature review that there is an overlap between this component of the business environment and the function of public private dialogue. By this what is meant that women are represented in each of the institutional stakeholder groups to participate in public private dialogue related to business environment reforms on all functions from land reform to financial inclusion whether it be from a legal or policy making perspective or in its implementation at a regulatory and administrative level.

Figure 3: Relationship between the Components of the Business Environment

Gender sensitive business environment reform can take place at multiple levels of the business environment – regional, national and sub national. But in particular, **sub national engagement is critical** to support the translation of regional and national laws and policies into practice given the problems of de facto law existing in parallel to law de jure. Furthermore, capturing data on the impact of programmes and reforms on women requires **qualitative research and consultation approaches** that are sensitive to the double burden that women face.

Most of the learnings from existing programmes are more generally applicable to all donor programmes and not specific to those focused on BER. This is maybe unsurprising given the limited focus of gender in existing business environment reforms. This means in practice that **more work is needed to understand what works and what not at the level of policy reform** itself rather than the operationalization of these programmes. Critical to this will be enhancing the results measurement of gender-sensitive reforms at the outcome and impact levels. To do this gender-sensitive measurement should be integrated into donor programmes from the inception at the diagnostic phase, drawing on gender expertise to formulate the strategies and log frames. During the implementation of programmes having local level gender experts can ensure that gender considerations are integrated at a local level in programmes. Nonetheless, there is still a role for capacity building of local programme teams. Just as gender influences and is influenced by all aspects of the business environment – it also is relevant at all stages of the programme cycle.

5.4 Recommendations

This research has generated the following **recommendations for further research** and activity by the DCED and future donor programmes on the topic of gender and business environment reform. These address both areas where there is an absence of research or documented case studies or emerging thinking on good practices, challenges and opportunities, as well as where existing research has the potential to be further enhanced through DCED support to the benefit of future donor interventions:

- Create a series of case studies highlighting examples of:
    - Where business environment reforms have worked for women through previous and existing donor programmes e.g. related to land, tax, and women's participation in business environment policy making;
    - Labour market policy reforms that have contributed to women's employment and productivity e.g. related to child care provision, gender wage gap etc…;
    - Policy interventions to support women's participation in the private sector, in government administration and business associations in developing countries;
    - Procurement policies and initiatives in the private sector to incentivize procurement from women owned / managed SMEs.
- Conduct literature reviews on:
    - Existing evidence related to the business environment reforms that have successfully supported the transition of women from operating businesses informally to formally or enhanced their participation in the workforce.
    - The gender dimensions of standards and quality agency policies and practices e.g. national food standards agencies to further explore evidence related to the business environment function of quality of regulatory governance.
    - How customary law can impact the business environment for women entrepreneurs and women employees;
- Convene expert consultations on:
    - the impact of tax policy for women's employment and their enterprises;
    - the impact financial inclusion policies that support access to credit for women's SMEs (e.g. KYC requirements, financial infrastructure, movable assets as collateral for women and the impact of collateral or credit registries on women's access to credit); and
    - sector specific business environment reforms in key sectors with significant women's labour force participation.
- Coordinate with other donors at a regional level through regional economic groupings to support sex-disaggregated data collection related to factors in the business environment that impact women.

This research has pointed to a number of **principles that could be applied to support the development and implementation of future gender sensitive BER programmes**:

- Use data on legal constraints facing women in a specific geographic and/or evidence of what policies work for women, as a starting point for identifying interventions for gender sensitive business environment programmes;
- In the absence of evidence of interventions and policy reforms that work, innovate and pilot potential solutions through donor programming to address business

environment constraints facing women's employment and their enterprises to fill these evidence gaps;

- Conduct country specific qualitative research on the perceived gender constraints in the business environment and implications for business environment reform (from both women and men's' perspectives);
- Support interventions to gender sensitize SME policy development and support its implementation at a national and sub national level;
- Engage through regional economic groupings (e.g. APEC) to support comparable sex-disaggregated data collection efforts and policy coordination related to inter-country trade and how that relates to the business environment.
- Consult with women and women's business associations in business environment reform programmes and ensure that women are represented and participate in the policy reform process related to all functions of the business environment;
- Focus not only on legal and policy reforms but the operationalisation of these laws and policies at the regulatory and administrative level as policies and laws may not be implemented in practice or maybe impacted by customary law;
- Integrate gender considerations into all stages of the BER programme cycle;
- Ensure that gender is integrated at each level within the results framework – at the impact, outcome and output levels;
- Create gender-sensitive indicators for each function of business environment reform being addressed by any given BER programme;
- Ensure that programmatic activities related to gender and business environment reform have corresponding gender-sensitive indicators to track impact; and
- Provide capacity building and develop tools to support colleagues with the implementation and measurement of gender-sensitive BER programmes at a local level.

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8. Annex

Table 14: BER and Gender Programme Indicators by BE Function and Results Level in Log Frame

Business Environment Function	Impact Level	Outcome Level	Output Level
Business Registration and Licensing			
GREAT 1		• Percentage of WMEs accessing government services from national and local agencies • Percentage and overall amount of national/local government resources allocated for gender-responsive PPAs in enterprise development • Level of satisfaction of WMEs on the quality and gender- responsiveness of services provided by the national and local partners.	
WED-EE/ WEDGE		• Barriers for women entrepreneurs to register their business lifted in at least four countries.	
Tax Policies and Administration			
Access to Finance			
Alliances Less Caucasus Programme			• Number of SME's & SSLP's using financial services in agricultural related transactions/ # of women among SMEs and SSLP's gaining access
WED-EE/ WEDGE		• Number of women -led businesses served by the project who report increase in sales of at least 10%. • Number of new businesses started by women entrepreneurs following project support.	• Percentage of women entrepreneurs served by WED-EE who submit a proposal for financial services to one of the WED-EE financial partners.
Labour Laws and Administration			
Eco-Emploi		• Increased number of TVET graduates and beneficiaries of employment services are	

		employed or self-employed (at least 30% of women) 6 months after graduation. • Participants of structured multi-actor dialogues adopt 10 measures (e.g. legislative initiatives, expansion of specific services of public institutions, sector specific improvements) to improve competitiveness of SMEs, out of 5 are focused on women support specifically.	
Quality of Regulatory Governance			
Land titles, Registers and Administration			
GEMS 3	• Number of people recording positive change in incomes. (number of poor, female, formal/ informal). • Aggregated change in cumulative income (GBP) (number of poor, female, formal/ informal). • Change in Employment (FTE Jobs) (# of poor, female, formal/ informal). • Firm growth (outreach): Number of firms with increased sales (male /female managed or owned firms).	• Number of land registration, tax or other relevant targeted certificates received by target group (male /female managed or owned firms).	
Land Investment for Transformation (LIfT) Ethiopia	• Improved economic empowerment of women (number).	• Percentage of rural households where women have equal rights over land as male members.	• Number of A- Households and B- Individuals who are named on at least one certificate through the SLLC process (disaggregated by male headed households, female headed households, male and female). • Number of land transactions (disaggregated by gender) recorded in the improved land registers. • Percentage of those registered as land owners in target areas that are women, disaggregated by female headed households and co titling with husband.
Land Tenure Support Programme			• Percentage of those registered as land

– Tanzania			owners in target areas that are women, disaggregated by female headed households and co titling with husband
Access to Commercial Courts and to Alternative Dispute Resolution Mechanisms			
Broadening Public Private Dialogue			
Alliances Less Caucasus Programme	• Number of small- scale livestock producers accessing target services & information (Women/Men). • Number & percentage of small- scale livestock producers generating tangible positive income changes due to improved services & markets (Women/Men). • Number of full time job equivalents (Women/Men).	• Number & percentage of small- scale livestock producers accessing target services & markets (Women/Men). • Number of small- scale livestock producers with improved market access and better terms of trade for small scale livestock producers (Women/Men). • Number of village representatives with increased awareness of the needs of women taking part in local decision making (Women/Men).	• Number of consultation fora between local government & agricultural market actors to address agricultural sector priorities. • Percentage of women representatives involved in consultation fora • Number & percentage of women participants in community meetings • Number of women instigated community/livelihood related initiatives. • Number of women using women's room services • Number of female beneficiaries • Entrepreneurs: Female leadership, Male / mixed leadership
APEC Policy Partnership for Women and the Economy (PPWE)		• By AELM 2018, evidence-based gender responsive policy recommendations are integrated into relevant APEC activities and statements, including across at least 10 APEC fora consistent with objective number 2. • By the WEF 2017, develop Guidelines on gender mainstreaming into APEC fora. • Percentage of the institutional partners stated that the projects increased their awareness on Gender issues.	
Economic Integration of Women in MENA Region (EconoWin)		• Percentage of the local partner organisations explicitly stated that the Gender Sensitive Value Chain projects have contributed very much or at least a bit to	

		their way of working in a more gender-sensitive manner. • At least two proposals per country aiming at the economic integration of women, stemming from program activities, are incorporated at the national level and reflected in economic and/or employment policies of the four partner countries.	
GREAT 1		• Number of WEE-related policy recommendations adopted and/or implemented by national and local partners • Percentage of national and local partners institutionalizing WEE related tools to plan, implement, monitor and evaluate policies, programs/projects and services • Level of gender responsiveness of LGU P/P/S as measured with the WEE Score Card • Level of gender responsiveness of national agency partners • Number and types of LGU partnerships with PS, CSOs, academic institutions, women organizations for sustainable gender responsive programs and services	
WED-EE/ WEDGE		• Number of position papers or recommendations developed by trained WEAs and/or constituents on key policies and programmes in favor of WED. • Number of action plans developed by WED stakeholders following a WED assessment validation workshop and based on the assessment findings and recommendations. • Enabling environment for Growth Oriented Women Entrepreneurs (GOWE) assessed and results disseminated for enhanced policy dialogue in at least three countries. • Gender Mainstreaming Action Plans developed and implemented by Ministries of Industry in at least four countries. • Gender equality issues integrated into SME development frameworks in at least three	• Number of WED-EE partners trained on advocacy training. • Level of satisfaction of WED stakeholders trained on advocacy and their strengthened capacity to advocate for WED. • Number of female trainers accredited by ILO in Get Ahead, IYES, Famos or WEA capacity building.

		countries.	
Access to information			
The Promotion of the Economy and Employment (Eco-Emploi)			• At least one improved service each in the field of innovation, green economy and one specific service on women entrepreneurship is available.

*This table includes select only select programmes and indicators from the stock-take