



Women's Economic Empowerment and Standards and Regulatory Reform

Confidential

A review of the key issues, evidence of what works and measurement tools

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Key Query Questions:

- 1) What are the key gender and inclusion (G&I) / women's economic empowerment (WEE) issues in regulatory and standards reform?
- 2) What evidence is there on what works to achieve more transformative G&I / WEE outcomes through regulatory and standards reform interventions, both directly and indirectly?
- 3) How can progress on GI/WEE outcomes within bilateral technical assistance programmes on regulatory and standards reform be proportionately measured and what are the pathways to impact?

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Acronyms

DFID	Department for International Development
G&I	Gender and Inclusion
GSMA	Global Systems for Mobile Communications
ISO	International Organisation for Standards
MSME	Micro, small and medium enterprises
OPSS	Office for Product Safety and Standards
PF	Prosperity Fund
SPS	Sanitary and Phytosanitary
ToC	Theory of Change
UNCTAD	United Nations Conference on Trade and Development
UNECE	United Nations Economic Commission for Europe
WEE	Women's Economic Empowerment
WOW	Work Opportunities for Women

Executive Summary

This report aims to assist HMG's Office for Product Safety and Standards (OPSS) to design interventions for current and future Prosperity Fund programmes. The query questions have been answered through a review and analysis of available literature in consultation with colleagues OPSS and the British Standards Institute (BSI).

Question 1 What are the key gender and inclusion (G&I) / women's economic empowerment (WEE) issues in regulatory and standards reform?

This section identifies three key gender and inclusion issues in regulatory and standards reform:

1. Discriminatory laws and social norms shape the business enabling environment for women:

- Discriminatory laws in relation to property and land rights, registering a business and opening a bank account, can have a significant impact on women's economic outcomes and therefore on economic growth as a whole. Globally there is still much to be achieved, as only 8 out of 190 countries currently have full gender parity across laws identified as important for women's economic empowerment.
- Women can be *directly* discriminated against by laws which treat women differently to men (eg. if it is illegal for them to sign a contract, open a bank account, own property, or register a business) and *indirectly* discriminated against, when regulation discriminates against traits which are more common to women (due to social norms) or in groups where women are over-represented, e.g. micro-enterprises or entrepreneurs with lower education levels.
- Discriminatory laws and social norms can combine to disadvantage women business owners who tend to be more constrained by limited access to knowledge, finance and time. Women are more hindered in their participation in the sharing economy because of issues around security and financial and digital exclusion.

2. Standards and technical regulations often have less positive impact on women's work and enterprise:

- Women are less likely to benefit from health and safety protections offered by statutory and voluntary regulations and standards because they are more likely to be working in the informal economy in low-income countries (92.1% female v 87.5% of the male work force are working in the informal sector in low-income countries).
- Women's concentration in smaller businesses means they are more likely to experience financial costs and access to information as barriers to international markets. Compliance with national and international standards and regulations has disproportional cost implications for MSMEs

3. Mainstreaming gender in the design and implementation of policies, laws, regulations and standards is essential:

- In a rapidly evolving global economy, women can be negatively affected through their exclusion from policy making and implementation on standards and regulations. Evidence highlights the physical dangers of standards designed without consideration of women.
- Inclusive policy design and implementation cannot be achieved without the participation of women. UNCTAD and UNECE have both led work on gender mainstreaming in regulations and standards.

Question 2 What evidence is there on what works to achieve more transformative G&I/WEE outcomes through regulatory and standards reform interventions, both directly and indirectly?

From a rapid review of the available literature, it became apparent that currently there is a paucity of evidence on what has worked in regulatory delivery and reform to improve women's economic empowerment outcomes. In lieu of this, Annex 1 provides a summary of best practice guidance in this area, and where available, evidence from standards interventions is presented. In summary, the section presents lessons in three areas of change.

1. Reforming legal and regulatory frameworks and processes can improve the business enabling environment for women-owned MSMEs:

- The removal of laws and regulations that limit women's rights to land and property and access to finance report can have positive WEE outcomes.
- Simplifying business registration can support women-owned enterprises.
- Improving safety and security regulation can support women's participation in the sharing economy

2. Supporting compliance with regulations and standards can help women entrepreneurs' participation in industry and trade:

- There are some lessons on what works to help women owned enterprises to meet standards and regulations in order to trade. Early findings from the Commonwealth Standards Network suggest that communication targeted at small producers, who are predominantly women, can improve their compliance.

3. Gender representation and inclusive processes to support better WEE outcomes

- Evidence of greater participation of women in the design process leading to better WEE outcomes.
- Tools such as needs assessments and gender budgeting support better representation of women.

Question 3 How can progress on GI/WEE outcomes within bilateral technical assistance programmes on regulatory and standards reform be proportionately measured and what are the pathways to impact?

This section looks at the pathways to change for progress on G&I/WEE outcomes within bilateral technical assistance programmes on regulatory and standards reform and measures of progress. The report takes an impact-orientated approach to identifying pathways to change, involving the following three steps:

- 1. Identifying the gender-related barriers arising from standards and technical regulations** which relate to personal and occupation health and safety, economic opportunities and voice and agency.
- 2. Conducting activities to address these barriers:** a gender needs assessment of procedural and regulatory barriers, off-setting of compliance costs, increasing women's participation in the standards and regulatory processes and providing opportunities for economic and social upgrading.
- 3. Measuring progress** for which we provide some indicators related to examples of potential outcomes to pursue.

Lastly, we provide some evidence of barriers in case study countries (Indonesia, India, Philippines, Vietnam) which provide some insight into what could be prioritised to achieve greater gender and inclusion in regulatory and standards setting process and improved economic outcomes for women.

Introduction

This report has been commissioned by the Office for Product Safety and Standards (OPSS) within the Department for Business, Energy and Industrial Strategy and has been written by the Work Opportunities for Women (WOW) Helpdesk, managed by Social Development Direct.

To date, gender and inclusion (G&I) and women's economic empowerment (WEE) issues have not been a key focus of OPSS's work under the overseas bilateral technical assistance programmes funded by the Prosperity Fund. With the will and support to progress and lead in this area now established, OPSS seeks greater insight into these issues.

The primary aim of this report is to assist three overseas programmes¹ with the design of interventions in the case of India, and to increase the sensitivity to G&I and WEE in the Indonesia and South East Asia programmes. The secondary aim is to inform business cases for future programmes.

Initial consultations with OPSS guided the definition of our scope with a focus on women in developing countries who are running micro, small and medium enterprises (MSMEs) and on how reform to regulations and standards within the business environment can support better G&I and WEE outcomes for those women.

The report is based on a rapid review of available literature in order to provide key insights.

Question 1: What are the key G&I/WEE issues in regulatory and standards reform?

Standards and technical regulations, “play a fundamental role in all aspects of everyday life”. Their purposes range from “ensuring inter-operability of technical devices, regulating business behaviour and the quality of products/services, protecting consumer interests, ensuring adherence to health, safety, social and environmental criteria, to facilitating the harmonization of international systems, minimising environmental and health hazards, and ensuring public safety” ([UNECE 2016](#)).

For the purpose of this brief, we apply the **definition** of standards as, required or agreed levels of quality or attainment with voluntary compliance ([UNECE 2016](#)) and technical regulations as statutory rules or directives made, maintained, and enforced by a statutory body such as a national or sub-national government.” ([Quak 20019](#)).

This section of the report structures key G&I/WEE issues under the following headlines:

- 1) Discriminatory laws and social norms shape the business enabling environment for women
- 2) Standards and technical regulations often have less positive impact on women's work and enterprise:
- 3) Mainstreaming gender in the design and implementation of policies, laws, regulations and standards is essential

¹ Indonesia, India and South East Asia region (which currently includes the Philippines and Vietnam and could later include Malaysia and other countries).

1.1 Discriminatory laws and social norms shape the business enabling environment for women

The World Bank’s 2020 Women, Business and Law (WBL) Report² provides a comparative framework for assessing the impact of laws and regulations on women’s economic activity. Key findings include:

- **Gender disparity in the law has a significant impact on women’s economic outcomes.** The evidence shows this effect extends to women’s health and to economic growth as a whole.
- **Only eight out of 190 countries currently have full gender parity across laws identified as important for women’s economic empowerment.** “In the Middle East and North Africa, women have only half the legal rights of men; worldwide, it is just 75 percent.” (World Bank 2020 pg. 1).
- **Low-income and lower-middle countries have the least gender equality in laws.** The ranking in the Women, Business and Law index shows the lowest average scores for countries in these categories, being 68.8 and 67.2 respectively (out of a possible 100).

For the countries of primary focus in this brief (Indonesia, India, Philippines, and Vietnam), Indonesia scores the lowest overall and Philippines the highest, in the WBL report (see Table 1).

	Mobility	WorkplacePay	Marriage	Parenthood	Entrepreneurship	Assets	Pension	WBL 2020 Score	
Indonesia	100	100	25	100	40	75	80	75	64.4
India	100	50	75	40	40	75	60	75	74.4
Philippines	75	100	100	60	80	100	60	75	81.3
Vietnam	100	100	50	100	80	100	100	0	78.8

Table 1: Indicators of legal differences between men and women in the selected countries

For the entrepreneurship category, the Philippines and Vietnam score 100, which means that in theory women can access credit, sign a contract, register a business and open a bank account in the same way as a man. In India and Indonesia which both score 75, the reason is the same - the law does not prohibit discrimination in access to credit based on gender. Section 3.2 provides more details on the barriers faced by women entrepreneurs in these countries

Regulation affects women directly and indirectly. Women can be *directly* discriminated against in running a business if the law makes it illegal for them to conduct activities, such as signing a contract, owning a property, registering a business, opening a bank account and accessing credit. In 115 of 190 economies, a woman is not allowed to run a business in the same way as a man (World Bank 2020b). Women are *indirectly* affected when regulation discriminates against traits which are more common amongst women or against groups where women are over-represented, for example discrimination against illiteracy or those in the informal economy.

Social norms can result in certain commonalities³ amongst women, which make them more likely to be indirectly discriminated against by the law. These include:

- **Illiteracy and innumeracy:** In many countries where a family can’t afford school fees for all its children, boys are more likely to be sent to school than girls. Girls also often don’t complete as many years of schooling as boys due to early marriage and pregnancy and violence in and around schools (Wetheridge 2016).

² The World Bank’s *Women Business and Law* report scores 35 data points across 8 indicators of 4 or 5 binary questions, with each indicator representing a different phase of a woman’s career.

³ See Annex 5 for data on the case study countries

- **Contributing family workers⁴:** Women are three times more likely than men to be contributing family workers globally and across all country income groups. (ILO 2019).
- **Unpaid domestic and care workers:** Globally, women’s share of unpaid care work is three times greater than that of men (Young 2018⁵).
- **Limited access to the internet and mobile phones:** Women are 10% less likely than men to own a mobile and 23% less likely to use mobile internet (Rowntree et al. 2019⁶).
- **Limited or no control over household income:** In many countries, women hand over control of part or all of their income to someone else in their home or community with more decision-making power (Young 2018).
- **Limited or no mobility:** A woman’s mobility can be affected by a number of factors. Violence and the threat of violence remains a major barrier to women’s agency and ability to travel. In some countries there are also prohibitions on free public movement of women and women need permission to leave their house (Silva de Alwis 2014).

Discriminatory laws and social norms can combine to disadvantage women business owners who tend to be more constrained by limited access to knowledge, finance and time. Policy and law makers need to consider specific gendered impacts on women-owned businesses in order to ensure that policies and laws provide a more level playing field and can address inequalities.

- **Women business owners are disproportionately running micro or small business:** With less access to finance to fund investment and the growth of a business, less appropriate knowledge and less time to invest, the share of women-run businesses decreases as the size of business increases (IFC 2011).
- **More women business owners are working in the informal sector:** Informality is more common among ‘own-account workers’ in low- and lower-middle-income countries (ILO 2019).
 - Laws discriminating against women registering a business and opening a bank account, for example, can force women into the informal sector, this perpetuates their lack of access to finance, and increases exposure to corruption, such as having to resort to making an informal payment to obtain an operating license (Islam et al 2017⁷).
 - Travel time and cost to access urban centres disincentivises women to register a business.
 - A lack of business-relevant knowledge on processes and regulations and/or the capital to fund investments to meet compliance criteria, can prevent women from entering the formal economy (Kaplinsky and Morris, 2017).
- **More women business owners are working part-time:** With less time outside domestic and family work commitments, women have less time to run a business and are more likely to be doing it part-time (ActionAid 2019).

Participation in the sharing and digitised economies can offer opportunities to those – such as women – who have fewer labour market options. Online platforms offer flexibility in working hours, part-time hours and a chance to transition into work (Coyle 2016). However, women may resort to

⁴ Defined by the ILO as, “Those workers who hold ‘self-employment jobs’ as own-account workers in a market-oriented establishment operated by a related person living in the same household”.

⁵ Young (2018) refers to the Human Development Report 2015

⁶ Data collected through more than 20,000 in-person surveys across 18 low- and middle-income countries by GSMA.

⁷ Authors used the World Bank’s Women, Business and Law indicator on total number of discriminatory laws combined with the WB’s Enterprise Surveys which spans over 60,000 firms across 104 mostly developing countries.

this sector not through choice but because it is the only employment which can accommodate the unpaid care work they do (GADN 2017). Flexibility was the key benefit stated by women drivers using the Uber app (IFC and Accenture 2018⁸). Women's rate of participation in sharing economies in low-income countries is unclear⁹. Although 55% of Airbnb hosts are apparently women, this statistic mainly comes from more developed countries (Airbnb 2017¹⁰). Uber has more male than female driver users of the app (IFC and Accenture 2018).

Women are more hindered in their participation in the sharing economy than men by the following factors:

- **Social norms:** 11% of women Uber drivers say their family or friends disapproved and 14% believe some riders have cancelled due to their gender. More than half of male drivers in Egypt and Indonesia would be unhappy if a female relative wanted to sign up, but in India, Mexico and the UK more than half of male drivers would be happy (IFC and Accenture 2018).
- **Security:** In the IFC and Accenture study on Uber, 64% of women drivers surveyed cited security as a reason more women don't sign up and 26% cite security as a reason they do not drive more. There have been reports of sexual assault by and against Uber drivers; and of Airbnb guests being drugged, sexually assaulted and held hostage by their hosts (Schoenbaum 2016).
- **Financial exclusion:** As noted above, more women than men face financial limitations, meaning women are less likely to have the prerequisites of a bank account and an asset to rent. Women Uber drivers identified getting the money to buy or access a car as the biggest sign up barrier.
- **Digital exclusion** is more prevalent amongst women and can limit participation in the sharing and digitised economies which heavily rely on online platforms and internet access.

1.2 Standards and technical regulations often have less positive impact on women's work and enterprise

Shifts in regulations and standards, in the context of a rapidly evolving global economy often have a disproportionate impact on women. Rapid changes propelled by technology and digitisation, increased competitiveness and international trade mean the importance of regulations and standards that govern the sourcing, quality and delivery of goods and services, and the occupational, health and safety of workers, is increasing. These shifts often have a disproportionate impact on women as consumers, workers, and entrepreneurs, particularly if they are not systemically included in policy design and implementation. The key issues relate to:

In many instances the regulatory authorities and machineries lack the information, capacity, resources and evidence to support the development and enforcement of gender-informed technical regulations. This can increase the risk of violence and harassment to women as they attempt to comply with official requirements. There is documented evidence of physical and sexual abuses of women traders at border crossings (UNCTAD, 2018). Women often rely on intermediaries to navigate the regulatory process (World Bank, 2014) which translates into an additional tax on women's enterprises.

Evidence suggests that even where a woman can open bank accounts and access financial products, "a formal institution is less likely to provide financing to female entrepreneurs or more likely to charge them a higher interest rate relative to male entrepreneurs" (Demirguc-Kunt 2013 p. 7). Women often

⁸ This study only surveyed Egypt, India, Indonesia, Mexico, South Africa and the UK.

⁹ Participation rates of over 10% were found to exist in Republic of Korea, Israel, Chile, Ireland and the US but no low-income countries were included in the survey (Bosma and Kelley 2018).

¹⁰ This study surveyed 44,000 hosts from 14 countries, only two – Kenya and India – are lower-middle-income countries.

receive smaller loans than men, which can be why they tend to rely more on internal¹¹ and informal sources of funding such as their own savings, loans from family members or the church or microfinance institutions (IFC 2011¹²).

Full regulatory compliance is costly and can reduce firm competitiveness (Hallward-Driemeier and Pritchett 2015) across both developed and developing economies. MSMEs face a disproportionate burden of costs. These direct and indirect costs are even higher in developing economies that lack the infrastructure and expertise for standards. Quak (2019) notes that the cost of compliance with standards can exclude many women-owned MSMEs from global value chains as the proliferating voluntary industry standards grow in scope and require higher levels of performance.

1.3 Mainstreaming gender in the design and implementation of policies, laws, regulations and standards is essential

The exclusion of women from the policy process translates into direct and indirect economic costs. The powerful example of the design of seatbelts demonstrates the social and economic cost in terms of higher mortality rates for pregnant women (UNECE 2019). Research¹³ has shown that biological differences related to height, weight, metabolism, total body water and pulmonary and other body functions can influence the impact of exposure to workplace toxicants (UNECE 2016)

UNECE (2019) has published guidelines for mainstreaming gender into standards and regulatory policies at national and international levels. UNCTAD advocates for a more inclusive approach on trade policy and took concrete steps to enhance the usefulness of its tools for inclusive development by, “supporting the inclusion of gender considerations and pro-women interventions in related analysis and action plans”.

The next section looks at the evidence for positive WEE and G&I outcomes through regulatory and standards reform and the actions necessary to support gender mainstreaming in policies, regulations and standards.

¹¹ Evidence suggests this is not the case in Latin America (Bruhn 2009 in Demirguc-Kunt 2013).

¹² Using data from IFC-McKinsey MSME database and Enterprise Survey

¹³ Silvaggio, T. and Mattison, D.R. 1994. Setting occupational health standards: toxicokinetic differences among and between men and women. Journal of Occupational Medicine, 36(8): 849-54

Question 2: What evidence is there on what works to achieve more transformative G&I/WEE outcomes through regulatory and standards reform interventions, both directly and indirectly?

This section reviews the evidence available on regulation and standards reforms and their impact on the business enabling environment, particularly for women-owned MSMEs. This section presents lessons from three areas of change.

1. Reforming legal and regulatory frameworks and processes can improve the business enabling environment for women-owned MSMEs.
2. Supporting compliance with regulations and standards can help women entrepreneurs' participation in industry and trade.
3. Gender representation and inclusive processes to support better WEE outcomes

Less evidence is available from low-income country contexts than high-income country contexts. Moreover, there is an unequal distribution of available evidence across different women's economic empowerment issues. For example, more evidence exists on the impact of discriminatory laws in the context of employment and managing assets compared to business operations, regulations and standards ([Roy 2019](#)). Most donor assistance has focused on addressing the resource constraints faced during the compliance process, often through support to public standards institutions or by targeting obstacles in global supply chains.¹⁴ The literature includes a lot of guidance, these don't always refer to evidence of what works. These are summarised in **Annex 1**.

2.1 Reforming legal and regulatory frameworks and processes can improve the business enabling environment for women-owned MSMEs.

2.1.1 Gendered laws and regulations in the business enabling environment can support women-owned MSMEs

Evidence shows that removing legal barriers to economic opportunities faced by women is associated with increased control of assets which affects access to finance ([Klugman and Tyson 2016](#)).

Mandatory joint titling has increased land ownership by married women in Ethiopia, Rwanda and Vietnam ([Klugman et al 2014](#)). In Vietnam, both men and women agreed that being given either sole or joint title to land (representing around 38% of existing land certificates) had allowed women to increase their business activity ([Kabeer 2012](#)).

In Ethiopia, reforms to family law promoted women's economic empowerment. The Revised Family Code gives women property rights, the ability to work outside the home without her husband's permission, increases the age of marriage and promotes the use of courts over traditional arbiters in such family matters as divorce. As a result there was an increase in women's share of paid work, in

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See also, (Redden 2017). Redden, Jim. 2017. The Role of Aid for Trade in Building the Capacity of Developing Country Firms to Meet Sustainability Standards. Geneva: International Centre for Trade and Sustainable Development.

access to occupations outside the home and in year-round employment that had higher educational requirements ([Kabeer 2012](#)).

Financial inclusion can be improved through the removal of discriminatory laws. India's 1994 reform under the Hindu Succession Act increased the likelihood of women having a bank account, increasing their access to capital. Rwanda's reforms to marital and succession legislation which granted women property rights, meant that women are more likely to own property and can therefore provide loan collateral more easily than women in neighbouring countries ([Klugman and Tyson 2016](#)).

Abolishing customary law can support the potential impact of anti-discrimination legislation. In many countries, customary law takes precedence over statutory law and can be discriminatory against women. In Peru and Malawi, where customary law was invalidated by law in 1993 and 1994 respectively, substantial increases were subsequently seen in female labour force participation ([Gonzales 2015](#)).

2.1.2 Increasing participation in the formal economy

There is some evidence to suggest that simplifying the business registration process increases registration:

- **In Uganda**, a pilot project¹⁵ to simplify business start-up procedures led to a rapid increase in business registrations and an increase in first time business owners 33% higher for women than men. ([Kabeer 2012](#))
- **In Vietnam**, the Enterprise Law 2000, simplified registration procedures so that new enterprises could be registered in an average of 7 days as opposed to 90, this led to a considerable expansion in the share of female-owned enterprises from around 20% in the 1990s to around 33% in 2009 ([Kabeer 2012](#)).

Upholding constitutional rights can support informal workers. In India public interest litigation was used to argue that the constitutional "right to carry on a trade or business" includes a "right to vend". In Colombia it was argued that the constitutional "right to pursue business or trade" gives cooperatives of waste pickers, not just corporations, the right to compete in waste recycling markets. ([Klugman and Tyson 2016](#)).

Governments can support women to enter the formal economy by supporting women-owned SMEs to bid for public procurement contracts. This can be done through targeted assistance programmes, establishing subcontracting goals so that businesses that win government contracts over a certain size should meet targets for participation by women-owned businesses in their supply chains.

Allowing collectives of women informal producers to bid can be effective. India's Self-Employed Women's Association (SEWA) has supported more than 100 cooperatives of women informal workers, who provide services (childcare, health care and waste recycling) and produce goods. In India, the Kagad Kach Patra Kashtakari Panchayat union in Pune; and in Colombia the Asociación Cooperativa de Recicladores de Bogotá (ARB), two cooperatives of waste pickers, have bid for and secured municipal contracts to collect, sort, transport and dispose of waste ([Klugman and Tyson 2016](#)).

2.1.3 Increasing access to finance to support women's entrepreneurship

There is some evidence to suggest that government targets can incentivise the financial sector to support the financial inclusion of women. In India, the government set a target of 5% of lending by

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public sector banks to women, which increased total credit to women from 2.36% in 2000 to 6.3% by 2009 ([IFC 2011](#)).

There is also evidence¹⁶ to suggest that digitised financial services can support women's access to finance. Mobile phones protect the privacy of an individual's financial choices and make transactions cheaper. In a context where women are under more pressure than men to share financial resources with family members, the privacy and lower cost enables women to make larger business investments ([Buvinic 2013](#)).

Although digital finance could be seen to increase access to finance by reducing the need to travel to a financial institution and interact with an employee there, caution should be exercised. Less women have access to mobile internet, and in some countries regulatory frameworks have not caught up with digital finance, harming customers. For example, in Kenya, some digital lenders are operating outside of the regulation of any financial sector authority, making it difficult to hold them to account for misuse of customer data ([Ombija, S. and Chege, P. 2016](#))

2.1.4. Making the sharing and digitised economy safer and more attractive to women-owned MSMEs

Regulatory frameworks can support more positive WEE outcomes. The sharing economy offers potential for new economic participation if there is sufficient regulation to protect users' privacy and safety whilst supporting increased mobile and internet access.

Given that women have less access to a mobile phone and the internet, reforms to redress this balance will be important. In Ecuador, the abolition of a mobile excise tax in 2008 increased penetration by 40%, lowered the cost of calls and increased use ([GSMA 2014](#)).

Governments can promote free or low-cost public Internet access in public libraries, schools and community centres, or through municipal Wi-Fi schemes. The National Telecommunications Fund in Costa Rica connects communities through schools and community centres, connects public sector organizations and establishes local Wi-Fi networks. Thailand's National Broadcasting Telecommunications Commission allocated US\$550 million to extend connectivity to 70,000 villages and connect 2,300 community-based ICT centres to broadband services ([Klugman and Tyson 2016](#)).

To promote engagement in the digital and sharing economies, **robust national data protection laws that ensure digital privacy and safety** are critical. Training for police, lawyers and judges so they understand and deal with harassment using information and communications technology, including harassment targeted at women will be required ([Klugman and Tyson 2016](#)). Similarly the regulatory framework needs to be adapted to permit the appropriate application of regulations in the sharing economy. These include regulations on health and safety, food and agriculture, licensing of childcare centres, taxi services and the hotel industry.

2.2 Supporting compliance with regulations and standards can help women entrepreneurs' participation in industry and trade.

There is limited evidence¹⁷ on regulations and standards impacting women's economic participation in trade and industry ([Shaw and Jobes 2019](#)). Though there are some lessons on what works to help women owned enterprises meet standards and regulations in order to trade. Much of the current research is concentrated on non-tariff barriers impacting agricultural products from developing

¹⁶ Buvinic draws on an experiment in 26 rural communities in Western Kenya ([Jakiela & Ozier 2012](#)) and a randomised evaluation of a cash transfer in Niger ([Aker et al. 2011](#)).

¹⁷ Some of the key evidence gaps identified by Shaw and Jobes are summarised in **Annex 2**.

economies with a focus on sanitary and phytosanitary (SPS) measures, technical barriers to trade (TBTs) and related areas where donors have targeted capacity building and institutional development resources. Their overall findings lead to the conclusion that, “the evidence on gender and trade highlights that there are many channels of change, multiple dimensions of gender inequality and complexity of outcomes. Because of persistent discrimination which affects multiple dimensions of women’s and marginalised people’s lives, changes in the broader enabling environment including social norm changes, are also needed.”

A disproportionate share of the costs of compliance is borne by MSMEs, limiting their ability to compete in international value chains and to extend their market reach. In the context of trade in goods and services, Quak (2019) noted that the cost of compliance with standards can effectively exclude many women-owned MSMEs from global value chains as the proliferating voluntary industry standards grow in scope and require higher levels of performance. The challenge for governmental policy and industry leaders is to mobilise tools and resources for investments in standards and metrology, particularly food safety and sanitary and phytosanitary measures (SPS) management systems to enhance competitiveness in international and regional markets. In order for women to benefit from compliance with standards and to support them to not operate outside the law, the cost and ease of compliance should be taken into consideration during the design process.

Lack of access to information on regulations and standards can hinder women’s ability to comply and therefore participate in a global economy. The **Commonwealth Standards Network (CSN)** has anecdotal evidence of success with efforts to better communicate international standards. The British Standards Institute (BSI) as part of CSN simplified regulations relating to trade and export into a short format and translated it into the language local to the area where small producers in priority value chains work. Most of these small producers are women and early results indicate an improvement in understanding¹⁸.

2.3. Gender representation and inclusive processes to support better WEE outcomes

Increasing women’s representation in legislative bodies and regulatory decision-making processes can strengthen policies, laws, regulations and standards. We can infer from the evidence that increased participation by women can help reduce gender bias and help to open pathways to gender-sensitive policies, regulations and standards

- Increased female participation and a more inclusive standard setting process led to successful outcomes in the design and implementation of ISO 26000 (UNECE 2016). The process featured broad global representation (80 developed and developing countries) and a 42% representation rate for women in the drafting of the standard.
- In **India**, the government increased the participation of women in local government from 5% in 1993 to 40% in 2005 through the Panchayati Raj Act, exceeding the mandated quota of 33%. The likelihood that a woman spoke up in a village meeting then increased by 25% by having a female village leader. Seeing women leaders changed perceptions, making men more accepting of women as leaders and providing women with more confidence that they could run for public office and compete in male-dominated domains (Beaman et al. 2009).

¹⁸

Based on a conversation with BSI. Qualitative data will be available around March 2020.

- With the steadily increasing gender representation in Mexico’s legislative bodies¹⁹, Mexico introduced **gender budgeting** in 2000:
 - At the national level gender-oriented fiscal initiatives began in the health sector. The Ministry of Health collaborated with NGOs to diagnose the health needs of women, assessed whether existing programmes adequately met those needs, allocated budget accordingly, and introduced impact measurement indicators. Evidence suggests that these efforts led to a decrease in maternal mortality and a rise in women’s life expectancy thereby impacting women’s economic participation.
 - In the case of Mexico City, gender budgeting facilitated the implementation of public safety measures with dedicated buses to transport women and programmes providing legal advice, shelters and psychological support to victims of violence (Fragoso and Enríquez 2016), strengthening the environment for women’s economic participation.

A more inclusive approach to policy-making can lead to better tools and policy recommendations. In advocating for a more inclusive approach to policy-making on trade, UNCTAD adapted its analytical tools and its policy recommendations. Its study of the fisheries sector in the Gambia made women the focus, resulting in the identification of a risk of magnifying existing gender disparities in the export-oriented fish processing industry through its expansion. It therefore suggested corrective measures including ensuring equal access for men and women to new and refurbished infrastructure (UNCTAD 2013)

Better gender data can support a gender-inclusive design process. Evidence from Colombia provides an example of the importance of recognising the value and contribution of unpaid domestic and care work in national statistics. In 2010 Colombia passed a new law that regulated the inclusion of care work in the system of national accounting in order to better measure women’s contribution to society and the economy. The data showed that 35 billion hours were spent on unpaid work and that women did 80% of that work and laid the foundation for subsequent gender-responsive policy development²⁰ (Young 2018).

¹⁹ Gender representation reached the highest level in 2018. In 2019, Mexico was ranked fourth in the IPU gender representation standings following the 2018 parliamentary elections in which women won 49% of the seats in the lower house and 51% in the senate.

²⁰ To go one step further, social investment in childcare, disability, and elderly care programmes can reduce unpaid care work and increase paid care work opportunities, which ultimately supports economic growth, minimises transgenerational transfer of poverty, and improves social inclusion (Young 2018).

Question 3: How can progress on G&I/WEE outcomes within bilateral technical assistance programmes on regulatory and standards reform be proportionately measured and what are the pathways to impact?

This section outlines pathways to impact for improving G&I/WEE outcomes within regulatory and standards reform programmes; and ways to measure this impact. It builds on the evidence base outlined in the previous section and existing guidance. It also highlights knowledge gaps where the collection of further data would be useful.

As outlined in a recent WOW query on gender and trade ([Shaw and Jobes, 2019](#)), most donor assistance has focused on addressing the resource constraints faced during the compliance process, usually channelled through assistance to public standards institutions or by targeting key obstacles in global supply chains, especially in the area of agricultural value chains and SPS regulations.²¹ This section proposes a broader approach to identifying pathways to impact and measuring the outcomes of gender-responsive technical regulations and standards.

3.1. An impact-oriented approach to identifying pathways to change

One way of determining a pathway to impact involves identifying a desired impact and then specifying the exact gender-related effects of, or barriers arising from, standards and technical regulations. Following this identification process, the appropriate actions can be decided upon; the outcomes of which can then be measured. The following section is organised as follows:

1. Barriers to certain impacts for women-owned MSMEs
2. Activities to address these barriers
3. Methods of measurement and indicators to measure progress

3.1.1. Barriers to impacts

- **Health and safety:** Products used by women in the course of running their business may affect their health and safety because women were not considered in the standard and regulation design process (e.g. cookstoves or ineffective protective equipment not designed according to biological differences between men and women).
- **Economic opportunities and income:** Women can be limited in this sphere where standards or regulations may be unknown or difficult to comply with due to lack of information, training and/or cost.
- **Ability to exercise voice and agency in standards and regulations processes:** There can be direct barriers to participation such as laws or social norms which prohibit women's mobility or taking on of a certain role; and/or indirect barriers to participation such as caring responsibilities interfering with the schedule of opportunities to participate.

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See also, (Redden 2017). Redden, Jim. 2017. The Role of Aid for Trade in Building the Capacity of Developing Country Firms to Meet Sustainability Standards. Geneva: International Centre for Trade and Sustainable Development.

Grouping change pathways in relation to these impacts or barriers enables a holistic approach to achieving WEE/G&I goals which can then be pursued at different levels of ambition as per the Prosperity Fund's (PF) Gender equality and Social Inclusion Framework (2018) (e.g. ensuring no harm, empowering women, transforming gender relations) with an ambition to moving beyond the minimum standard of the PF G&I framework, towards Empowerment and Transformational Change.

3.1.2 Activities to address barriers

Working with relevant national, regional and international standards and regulatory bodies, the following represent key activities for achieving WEE/G&I outcomes in standards and regulatory reforms:

1. **Assessment of barriers** faced by women-owned MSMEs. There is as yet no international standard for gender needs assessments in relation to standards but a number of broad tools are available that can be used to undertake a **gender-sensitive needs assessment** to identify women's greatest needs and the standards and regulations which are most problematic for women (see **Annex 3: Sample Gender Needs Assessment Questionnaire for Standards**). It could also assess some of the broader 'macro-level' constraints to gender equality. Such assessments involve stakeholder consultation, including reaching out to stakeholders who may currently be marginalised by existing National Standards Bodies (NSBs) and National Quality Infrastructure (NQI) organisations.
2. **A social accounting matrix (SAM)²² or method** provides insights into the different roles women and men play in a given value chain. They are utilised to analyse the work taking place within value chains and to identify and take gender issues into account. A social accounting or audit can analyse areas such as the inclusion of disadvantaged groups in the economic activity, working conditions and the impact of the value chain on surrounding communities, developing criteria for what gender-sensitive or empowering values can look like.²³
3. **Offsetting compliance costs and providing standards and compliance training in women-intensive sectors** (ensuring location, design and timing of trainings take women's and marginalised groups' time and mobility constraints into account.²⁴) Such activities could involve in-depth training and mentorship for women producer entrepreneurs and should also include outreach to ensure that changes to regulations are communicated adequately and appropriately.
4. **Providing opportunities for economic and social upgrading** - in other words, for the movement towards higher economic value activities but also toward activities that enhance women's positions, voice and roles. Research²⁵ has shown that these forms of 'upgrading' or improvement do not happen automatically but must be pursued in tandem. The extent of these changes can be measured through gender and social accounting methodologies (see Section 3.1.3 below).

²² FAO for example has recently discussed the different social criteria that can be considered in relation to gender: <http://www.fao.org/3/i9212en/i9212EN.pdf>

²³ See page 15 "Guiding questions to assess the value chain potential to advance women's empowerment" <http://www.fao.org/3/i9212en/i9212EN.pdf>. And Pyburn, R. 2015. *A guidance for ISEAL member standard systems on gender integration*. Royal Tropical Institute

²⁴ For example, gender norms may restrict women's mobility and participation.

²⁵ See for example Barrientos, S., 2014. Gender and global value chains: Challenges of economic and social upgrading in agri-food. *Robert Schuman Centre for Advanced Studies Research Paper No. RSCAS, 96* and Barrientos, S., Gereffi, G. and Rossi, A., 2011. Economic and social upgrading in global production networks: A new paradigm for a changing world. *International Labour Review*, 150(3-4), pp.319-340.

Gender/social *and* economic upgrading should target different value chains, not only agricultural ones, where the evidence base is concentrated.

5. **Addressing the gap in women’s participation in standards setting and regulatory processes.** This includes understanding the constraints women and women’s organisations have in participating in the national and international standard-setting process (feeding in information and experiences to help set standards). This can include an audit of personnel and organisational culture within the standard body, including practices which make it difficult for women or marginalised groups to participate (location, language, timing of meetings etc.) and women’s experiences of participation. The gap can be addressed by integrating gender equality goals within international standards organisations’ mandates and by promoting the employment of women and socially-marginalised groups within national regulations and standards-setting bodies and providing mentoring for women (Empowerment – Transformation). The UNECE’s 2019 Declaration for Gender-Responsive Standards and Standard Development provides a blueprint for this, which 65 countries including India have signed.²⁶
6. **Consideration of social norms affecting gender equality in regulatory reform to create an enabling environment**²⁷. For example, financial exclusion from the banking system (a macro-level constraint) may affect a woman’s ability to operate a business and access the financing needed to comply with new regulations. Such a constraint may be underwritten by social norms about women’s roles or appropriate behaviour which preclude their access to forms of collateral, for example. Thus both legal and social changes can help to support broader gender equality goals (financial inclusion, land rights) as well as support G&I/WEE outcomes in standards and regulatory reforms.²⁸
7. **Improving the evidence base:** Promote the collection of new data, disaggregated by gender and increase government officials’ capacity to use it (Fontana 2016). This can support the design of more gender-sensitive regulations and standards.

3.1.3 Methods of measurement and indicators

Annex 5 contains a table of metrics for measuring aspects of women’s economic empowerment and inclusion as they relate to regulations and standards, collected from various sources.

The remainder of this section looks at how progress towards the impacts listed in 3.1.1, addressed through the activities in section 3.1.2 can be measured.

- **Improved health and safety**
 - Number and quality of barriers identified (e.g. safety requirements of cookstoves).

²⁶ As of February 2020 (conversation with Stephanie Eynon).

²⁷ For more information, see DFID work on gender equality and the enabling environment https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/67859/wp10.pdf

And <https://static1.squarespace.com/static/536c4ee8e4b0b60bc6ca7c74/t/5981fbc1f9a61e498ba1c3d0/1501690836600/DFID+Strategic+Vision+review+GADN+response+June+2017.pdf>

²⁸ One excellent example of this kind of programming came from the DFID Nigeria “Voices for Change” Programme which addressed gender norms: “Many donor programmes work on specific areas such as health care, education, employment and livelihoods. However, discriminatory social norms inhibit women’s ability to take advantage of such programmes. For example, if husbands do not allow their wives to go out on their own, then they may not be able to use health facilities. Or if fathers remove their daughters from secondary school in order to marry them off, then the girls cannot complete their education. Thus, in order to create a better enabling environment for women and girls social norms need to change.”

<http://www.v4c-nigeria.com/v4cs-approach/challenging-negative-social-norms/>

- Baseline information on key barriers and effects (e.g. how many women effected based on a survey and/or public health estimates)
- Signs of impact such as the number of women affected by the reforms and stories of change. This requires an appropriate timeline and method of assessment to be established (e.g. how many women in a given sample are using improved cookstoves two and five years after reforms were made.)
- **Economic opportunities and income**
 - Baseline information on income, gender relations and empowerment
 - Measurement of any improvements in income, job creation, personal empowerment as well as potential unintended consequences such as backlash.
 - Indicators related to compliance (such as the number of standards adopted, certifications obtained, training numbers, products developed, market access obtained etc.)
- **Improved voice and agency**
 - Follow-up study of women’s experiences in standards-setting bodies, barriers identified
 - Number of women entering and advancing within standards/technical bodies

3.2 Examples of barriers identified in Indonesia, India, the Philippines and Vietnam

Section 3.1 relates to broad areas where changes to standards and regulatory processes may be pursued. In this section we outline several specific barriers that women running small businesses face in the target countries. These barriers provide some insight into the sectors and areas that could be prioritised, but are not exhaustive.

3.2.1. Indonesia

- **The law does not protect women in Indonesia from discrimination in accessing credit** (World Bank 2020). Improving the law and regulation in this sphere would greatly increase women’s financial inclusion and enable them to invest in their business.
- **Reducing interest rates and streamlining procedures could further support inclusion** as although nearly all SMEs have a bank account, few are actually using them and even fewer take out loans. Survey respondents claimed these were the biggest two deterrents to more banking. In 2014, only 13% of adults had borrowed from a financial institution, compared to 49% of adults who had borrowed from family, friend or informal money lenders (IFC 2016).
- **It has been suggested that SME-driven economic growth could be improved by strengthening coordination between the policies of different ministries.** As Indonesia recognises SMEs as key drivers of economic growth and social inclusion and as a result has developed a number of policies and programmes to support them, but these are not well coordinated (OECD 2018).
- **There is a high degree of informality amongst SMEs.** Largely, it is reported, because the registration process is too complicated and the advantages are not apparent (IFC 2016).
- **Related to this, only a small proportion of SMEs are involved in export markets²⁹.** It has been suggested that this is associated with a weaker knowledge of regulations related to export activities and regulations related to import activities in the countries of destination. Lack of access to knowledge on market conditions and changes in trade policies and regulations is the largest constraint to SMEs exporting (Tambunan 2014)

²⁹

time

Only 11.9% of SMEs compared to 21.7% of large enterprises are serving only foreign markets, at the

- **Harmonising standards with regional neighbours could improve the compliance ability of MSMEs.** Harmonisation would force standards authorities to improve their efficiency and make the process easier to navigate for businesses. Only 12% of the women surveyed found certification bodies to be good or excellent ([ITC 2017](#)).
- **Patents are understood but not widely pursued suggesting better communication of the benefits may be effective.** Only 27% of the women-owned MSMEs hold a domestic patent for their main product and less than 2% hold an internationally recognised patent. Many firms had a good knowledge of intellectual property systems and procedures but felt that they were only relevant for larger companies ([ITC 2017](#)).
- **Regulation to encourage better internet infrastructure could benefit businesses.** Indonesia has one of the highest rates of mobile penetration in the developing world ([GSMA 2013](#)³⁰) and women are taking advantage of it. Women-owned MSMEs generate 35% of e-commerce revenue compared with only 15% of offline MSME revenue ([McKinsey 2018](#)). Digital access has supported the growth of businesses in the sharing economy such as Ojesy which is an app-based motorbike taxi service for women, with women drivers ([Harvey 2018](#)). This is a key sector where regulation could seek to support women's participation in the economy. Although mobile usage is high, women reported³¹ inadequate access to a highly quality connection, which had impeded their ability to improve their business by setting up a website or using a computer for back-office operations ([ITC 2017](#)).

3.2.2. India

- **Only 10% of the 58 million small businesses in India are owned by women and access to finance is a key limitation.** Although women can legally open a bank account, their access to credit is limited by lack of collateral since assets (e.g., land) are usually controlled by husbands or male relatives. Changes to laws and regulations with regards to property and land ownership would increase women's access to finance. Furthermore, women report³² coming up against negative perceptions of their ability to run a business causing financial institutions to rate them as riskier borrowers ([Baez and Pereira 2016](#)). This could be addressed through gender and inclusion training in financial institutions and through better communication and enforcement of regulation designed to protect women.
- **Adequacy of infrastructure has been found to be a key determinant of gender equality in business ownership in India.** [Ghani et al \(2013\)](#) found that whilst established firms are more able to provide their own electricity, new businesses and those operating in the informal sector can be more dependent on local infrastructure. There can be a further compounding effect on women of inadequate infrastructure because they tend to be responsible for a larger share of household activities which can be more burdensome without an adequate, convenient supply of electricity or water.
- **It has been found that women's decision on type of business to set-up is influenced by the number of women already operating in that industry.** Therefore to achieve gender equality across sectors and industries, incentives could be provided to encourage women-owned businesses to set-up in male-dominated industries. It has been suggested that promoting women's networks could stimulate female entrepreneurship ([Ghani et al 2013](#)).
- **Women in India have a low rate of participation in public life.** As of 2017, women accounted for 19% of ministerial positions and 12% of members of parliament. This can be due to lack of

³⁰ Qualitative research was carried out in rural and urban areas.

³¹ A survey of 100 women-owned and led businesses in Indonesia's services sector

³² Results of focus group discussions with 22 graduates of the Goldman Sachs *10,000 Women* initiative

knowledge and skills to exploit opportunities to participate ([Mathew 2019](#)) but is likely heavily influenced by social norms.

- **Women in India are subject to several social norms which limit their ability to run a business** which are likely outside of the scope of the report. However it should be noted that 70% of women reported that they would feel unsafe working away from home ([Miles 2019](#)) and thus regulation related to entrepreneurship should take account of this lack of mobility and preference for working from home, and the design process should involve women in this situation.

3.2.3. The Philippines

- **The Philippines has made effective changes to regulation and policy to increase financial inclusion in the last two decades.** In 2000 the General Banking Act was amended to recognise micro-finance institutions (MFIs) as a banking activity. In reaching traditionally unbanked people such as women, the work of MFIs brought women into formal financing arrangements. The Central Bank simplified regulations to attract new customers and strengthen customer protection ([Cohen and Rubin 2019](#)).
- **Evidence does suggest that women are not directly discriminated against in accessing finance** ([Timbang 2019](#)). **However, certain characteristics of SMEs are related to difficulties faced in this sphere.** The authors suggest that SMEs face more difficulties than large businesses in accessing finance. They also suggest that younger firms face an information barrier which is less true of more established firms. In the Philippines, informal payments are apparently made on occasion to facilitate access to a bank loan. It has been suggested that this last issue could be addressed by reducing the tax and regulatory burdens of businesses and by strengthening enforcement of legal contractual relationships between FIs and borrowers.
- **A gender gap has been identified in SMEs ability to scale-up.** [Daño-Luna and Caliso \(2019\)](#) suggest that although all SMEs face similar obstacles in scaling-up, regardless of the gender of the owner, a gender gap does exist in terms of linkages with large and foreign firms. This factor is associated with a business's capability to export and so less women-owned enterprises were found³³ to have scaled up.
- **Regional integration has been suggested as a potentially effective avenue for supporting the growth of SMEs.** [Ali et al \(2017\)](#) suggest that the Philippines could join the regional body of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) to facilitate links between SMEs at the regional level. [Tambunan's \(2014\)](#) study suggests that enhancing the transparency of trade-related regulations and ensuring law-abiding operations of the regulatory authorities would be the most effective regulatory reforms to improve trade facilitation in ASEAN.
- **In the ASEAN region, the Philippines has the highest per unit costs of trade,** longer expected trading times and a large amount of documentation is required ([Tambunan 2014](#)). Changes in regulation to simplify the process and make it cheaper would have a positive effect on women running SMEs.

3.2.4. Vietnam

- **Similar shares of women and men in Vietnam are self-employed, but women are more likely to be found in the informal low value end of this category.** For example more self-employed women are in agriculture which generates the lowest earnings of all sectors ([Fontana 2016](#)). Fontana

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Data from 480 SME respondents

states that there is no evidence of any conscious effort by the government to integrate women in the agricultural value chain initiatives.

- **The women-owned SMEs in low value-added, labour-intensive and low productivity sectors face challenges** related to finance, skilled labour, technology, market information, networks and experience of domestic and international markets. A better understanding of these aspects of business could help SMEs overcome them and improve Vietnam's regional economic integration (Nguyen 2018).
- **Better communication to SMEs of laws designed to benefit them could increase their competitiveness.** Under competition law, exemptions related to price-fixing, investment restriction and mergers have been made for SMEs to allow them to grow and increase their scale. Whilst the Vietnam Competition Authority (VCA) has made efforts to improve awareness of these regulations, this has mainly been concentrated in Hanoi, Ho Chi Minh City and Da Nang, leaving many other SMEs unaware of the potential benefits available to them (Schaper and Lee 2016).
- **Evidence on discrimination faced by women in access to finance is mixed.** Pham and Talavera found no evidence of discrimination, but suggested that social capital is a more important factor in relation to formal lending, whereby, "A good relationship with officials and other business people may help firms to obtain better deals" (2017 p.14). The IFC (2017) suggests that in Vietnam, compared to other similar economies, the investment climate for women is generally supportive with fewer differences between the legal statuses of men and women. However their study found that less women-owned SMEs (37%) have accessed a bank loan than men (47%)³⁴. The study suggests this is due to perceptions within financial institutions that women have lower financial management skills than men. This would suggest that FIs should be incentivised to attract more women-owned enterprises to take-up loans, which could be facilitated by training of staff and more simple application forms.
- **Women are less likely to be land owners which impedes their access to credit.** "In 2013, the percentage of rural women named as sole owners (17%) or joint owners with their husband (14%) on the land-use certification (LUC) was lower than the percentage of rural men named as sole owners (59%)" (p.10).
- **There is a gender gap in political participation.** Men tend to be registered as the household head and in some mountainous communes, participate in meetings on behalf of women, giving women no public voice. Women's participation is further hindered by long hours of largely unpaid work undertaken by women and their lower level of education (Fontana 2016).
- **Gender mainstreaming in the Vietnamese policy making system could help address some of the social norms which currently disadvantage women.** Nguyen (2016) suggests that parliament could review the legal system to understand how legislation currently affects gender equality and female entrepreneurship. She also proposes a quota system to increase the number of women in senior and leadership positions in government.

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Annex 1: Summary of guidance on G&I and WEE through regulatory and standards reform

This Annex pulls together a summary of the recommendations and guidance from the literature on creating positive G&I and WEE outcomes through regulatory and standards reform. This is separate to the section in the report on what works which looks more directly at what evidence of impact exists.

Area	Recommendation	Source
For an inclusive approach	The United Nations Economic Commission for Europe developed the Declaration for Gender Responsive Standards and Standards Development which provides guidance on actions which will ensure more inclusive standards are developed.	UNECE 2019
	UNECE identified key entry-points for integrating gender perspectives in standards: “inclusive standards development, support to implementation and conformity assessment of gender-informed standards and enforcement of gender-informed regulations, support to the development of gender-informed technical regulations, measuring the impacts of standards-related policies on gender equality”. These entry points essentially capture the key elements for inclusive and effective gender mainstreaming of public policies, laws and regulations.	UNECE 2019, Thomas et al 2018.
Removing discriminatory laws	Ratification and implementation of international conventions, specifically the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the ILO’s Equal Remuneration Convention, 1951 (No. 100) and the ILO’s Discrimination (Employment and Occupation) Convention, 1958 (No. 111) have been shown to reduce gender wage discrimination, but no direct evidence could be found of the impact on women business owners.	Klugman and Tyson 2016
	Enforcement of the law and communication to the beneficiaries must be strong so as not to undermine the effect of anti-discrimination law and policy. For example, Smith (2007) shows that discrimination and inequality still exist in Australia despite 30 years of anti-discrimination laws.	Havinga 2002
Formalisation	Setting a relatively high tax-exempt threshold can encourage businesses to become formal and encourage a greater level of compliance.	ITC 2019
	An enabling administrative law approach, rather than a criminal law approach to regulating street vendors will be more effective. This will include licensing, rules that allow traders to contest officials’ practices, and due process rights.	Klugman and Tyson 2016
	The ILO provides guidance in this area in its Recommendation 204 concerning the transition from the informal to the formal economy recommendation.	ILO 2015

Increasing access to finance	<p>It has been suggested that regulations for interoperable financial systems could support greater financial inclusion. If users of different digital networks can interact with each other, customers can benefit from new products. For example credit bureaus sharing information with financial service providers and banks seeking to expand into mobile payments having fair use of telecommunications networks</p>	Klapper and Hess 2016
	<p>Consumer recourse can be improved through regulation setting standards for financial service provider internal dispute resolution. Plus oversight of these systems should be incorporated into regular examination procedures and reporting on complaints and resolution processes and statistics should be required</p>	CGAP 2011
	<p>In general terms it has been suggested that a more efficient financial system with sufficient infrastructure¹ can improve financial inclusion which will in turn incentivise the development of financial infrastructure</p>	Deléchat et al. 2018
	<p>Although digital finance could be seen to increase access to finance by reducing the need to travel to a financial institution and interact with an employee there, caution should be exercised. Less women have access to mobile internet, and in some countries regulatory frameworks have not caught up with digital finance, harming customers. For example, in Kenya, some digital lenders are operating outside of the regulation of any financial sector authority, making it difficult to hold them to account for misuse of customer data</p>	Ombija, S. and Chege, P. 2016
Making the sharing and digitised economy a safer place to work	<p>Robust national data protection laws and ensuring the digital privacy and safety of all users will be important. Training for police, lawyers and judges so they understand and deal with harassment using information and communications technology (ICT), including harassment targeted at women will be required</p>	Klugman and Tyson 2016
	<p>Regulating the sector can be challenging due to its diversity. Activities can include renting assets, selling services or a combination of asset rental with service provision (Fruman and Molfetas 2016). Recommendations for regulation follow two main arguments:</p> <ul style="list-style-type: none"> ▪ Firstly, many firms argue that they do not fall under existing legislation because of the type of firm they are (Schoenbaum 2016). In this instance it is recommended that policy makers focus on activities conducted in this sector, rather than on the technology used. There are many types of regulation potentially applicable to the sharing economy, including those related to health and safety, food and agriculture, licensing of childcare centres, taxi services and the hotel industry. The regulatory framework needs to be adapted to permit the appropriate application of regulations in the sharing economy. ▪ Secondly, some suggest that it is important for regulation to change with the economy to fully capture the potential benefits on offer Intervention in pursuit of a 'level playing field' may do more harm than good by reducing competition, increasing barriers to entry by new providers and an overall negative impact on consumer welfare. (Zuluaga 2016). 	Fruman and Molfetas 2016, Schoenbaum 2016, Zuluaga 2016

An opportunity for more appropriate regulation exists in the unprecedented amount of data collected by actors in this market. Owners of platforms in the sharing economy collect huge amounts of data for example on tax receipts, consumer habits, traffic patterns and driver safety. Authorities can use this to design policies, improve implementation and achieve better regulatory outcomes

Fruman and
Molfetas 2016

Annex 2: Gender and trade: standards and regulations evidence gaps

Area	Main Literature	Gaps
Gender and trade	<ul style="list-style-type: none"> - employment channels - impact of price changes at household level - sectoral and economy-wide analyses 	<ul style="list-style-type: none"> - gender impacts of changes in import prices - gender impacts of any tariff cuts on government spending - gender impact of diverse trade-related changes on women's unpaid work - micro-meso-macro studies of gender-trade at sectoral and country level - gender impact of services liberalisation
Trade (technical) Regulations	<ul style="list-style-type: none"> - agricultural products and Sanitary and Phytosanitary Measures - costs of compliance - training and upgrading support 	<ul style="list-style-type: none"> - gender impact of technical regulations relate to a safety and quality issues besides SPS - genders-sensitive methods for assessing procedural and regulatory barriers to trade
Standards	<ul style="list-style-type: none"> - disproportionate costs of compliance on small producers - need to access training and upgrading support - 'social upgrading' may not accompany 'economic upgrading' 	<ul style="list-style-type: none"> - gap in women's participation in the standard setting process - need for best practices in gender and social accounting methodologies - best practices in for gender/social and economic upgrading in non-agricultural value chains
Trade Facilitation	<ul style="list-style-type: none"> - women cross-border traders - genders-sensitive integrated border management practices - gendered impact of trade infrastructure (transport, employment in construction, displacement) 	<ul style="list-style-type: none"> - The impact of border interventions in reducing gender inequalities and gender-based violence - The impact of information technology interventions on increasing women's trade - Best practices for mainstreaming gender within National Trade Facilitation Committees
Intellectual property rights	<ul style="list-style-type: none"> - Women's underrepresentation in as IP rights holders 	<ul style="list-style-type: none"> - Gender impacts of changes to IP provisions - Best gender-responsive for inclusive IP benefit sharing

	<ul style="list-style-type: none">- Gender impact of privatisation of medicines and biological material.- Promotion of women in STEM fields	<ul style="list-style-type: none">- Policy mixes that promote both innovation and equality
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Source: Shaw, A. and Jobes, K. (2019)

Annex 3: Sample gender needs assessment questionnaire for standards

The following questions can be used to inform research and programme design:

1. How effective is the existing regulation or standard at integrating gender considerations in its standard certification criteria?
2. What are the gender outcomes from applying the regulation or standard design through specific activities and interventions by certifying bodies, producers as individuals and groups, and the organizations that work with and assist them? What are the risks and mitigation measures for these?
3. How are women/men involved in particular value chains of relevance to the project? For example, as producers, farmers, traders, workers in food business operations. What constraints do they face and how could they be addressed to take advantage of new opportunities? How are women/men expected to benefit from the project?

Annex 4: Tools for gender-sensitive needs assessment

UNECE is currently developing guidelines for the development of gendered standards and technical regulations. These include:

- UNECE WP.6 Secretariat on "Standards & Gender Equality"
- A Gender Lens to Sustainability Codes and Auditing Methodologies by BSR
- The Gendered Impact of Standards by International Centre for Trade and Sustainable Development (ICTSD)
- APEC Gender Inclusion Guidelines (GIG)
- Gender-based Voluntary Standards by International Trade Centre (ITC)
- Gender-Based Analysis Plus Tool by Status of Women Canada
- Gender Bias in Standardisation by WorkSafe New Zealand
- Promoting Entrepreneurship Among Young People and Women by Réseau Normalisation et Francophonie (RNF)

<http://www.unece.org/tradewelcome/steering-committee-on-trade-capacity-and-standards/tradewp6/thematic-areas/gender-initiative.html>

Annex 5: Metrics

<u>Indicator (2019)</u>	Indonesia		India		Vietnam		Philippines		Source
	Women	Men	Women	Men	Women	Men	Women	Men	Organisation
Literacy	94.0%	97.3%	65.8%	82.4%	93.6%	96.5%	98.2%	98.1%	World Economic Forum
tributing family workers (% of total in this category)	71.97%	28.02%	49.69%	50.31%	unavailable		57.80%	42.20%	
Unpaid work (minutes per day)	unavailable		352	52	unavailable		unavailable		OECD
Proportion of full-time workers who are female	38.80%		unavailable		34.10%		38.50%		World Bank Enterprise Survey
Wage equality for similar work	0.693		0.555		0.678		0.812		World Economic Forum
% of women with access to non-land assets	13.30%		10.60%		unavailable		9.50%		OECD Gender, Institutions and Development
Women in parliament (ranking out of 192)	114 th		148 th		63 rd		51 st		Inter-Parliamentary Union

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