

Stepping up

How governments can contribute to women's economic empowerment

Women's economic empowerment is moving up the political agenda – but its achievement remains elusive. In this briefing we argue that it's time for governments to step up to the challenge, that their priority should be to tackle the underlying barriers to empowerment - particularly those faced by marginalised women, and that it is in the area of economic policy that change is most needed.

We start by exploring recent changes in the context of women's work. The following sections then consider the need for government action to: create an enabling macroeconomic environment for women's economic empowerment; promote decent work for women; recognise, reduce and redistribute women's unpaid care work; hold corporates to account for their impact on women's rights; and ensure that the collective voices of women are heard. Government economic policy could, we argue, be a force for gender equality, yet too often this potential is not realised. We conclude with recommendations for government action - at international fora and in national capitals - to promote the economic empowerment of all women.

1. Introduction

Women's economic empowerment has yet to be fully achieved in any country in the world.¹ Recognition of the need for action is increasingly apparent, whether at the Commission on the Status of Women in March 2017, in calls by the High-Level Panel on Women's Economic Empowerment for a global campaign to achieve gender equality and women's empowerment, or in Angela Merkel's priorities for the G20 Summit in Germany.¹ While there are many causes of inequality – political, social, legal and economic – and many stakeholders in the debate, we argue that it is government economic policy which provides the most fertile ground for transformative action.

¹ There is no single definition of women's economic empowerment. Most definitions include equal access to and control over resources and equal participation and influence in economic decision-making. Others add that it should include women's capacity to benefit from economic activities on terms that recognise the value of their contribution, respect their dignity and make it possible for them to negotiate a fairer distribution of returns, within the context of efforts to achieve gender equality more broadly.

Our starting point is that governments have responsibilities to their citizens, as outlined most recently in the Sustainable Development Goals (SDGs) and in numerous legally binding international agreements, and that these include the realisation of women's rights and the promotion of gender equality.² In meeting these responsibilities, the priority for governments must be to address the *structural* barriers that affect groups of women collectively – the assumptions and policies that create and reinforce obstacles to economic empowerment. Governments must also prioritise measures that benefit the many women who face multiple, intersecting, discriminations based on class, race, age and other factors, and who experience the greatest obstacles to empowerment. Moreover, it is in governments' *economic* policy where change can be most effective, through rethinking the way policy is made, and recognising the whole spectrum of work – paid and unpaid, in and out of the home, formal and informal employment.

Economic empowerment will not, we argue, be achieved by improving women's ability to compete as individuals in existing - discriminatory - markets or by helping *some* women get into the few better-quality jobs that are available. Instead, broader and deeper action is necessary. Government decisions shape the economic environment and determine the level and allocation of public resources available. While these decisions could be a force for gender equality, they seldom are – instead, they often make gender inequality even worse.³ What's needed is a rethinking of macroeconomic policy, as well as broader areas of economic policy, that governments use to implement their national development strategies. The creation of more *decent work* for women will be part of the solution, as will government action to protect and improve the quality of existing jobs. For many women, however, economic empowerment will also require access to adequate social protection and public services, combined with a recognition, reduction and redistribution of the unpaid care work they do. Economic empowerment for most women will also mean an increase in control over their income and household finances, alongside greater influence in economic decision-making from the home to international institutions. Finally, the role of transnational corporations and the International Monetary Fund (IMF) in restricting the ability of governments to promote positive reform will also need to be addressed.

In this briefing, we share examples of ways that governments can break down structural economic barriers, concluding with specific recommendations for action in the last section. Governments have the duty, the capacity and, in some cases, the will to act. Now is the time.

2. The changing world of work

Given the CSW61 theme, *women's economic empowerment in the changing world of work*, we first explore current trends affecting women's employment.⁴ We begin by observing that more has in fact stayed the same than has changed in the world of work. Women continue to work longer hours for less pay and with less control over resources and assets.⁵ They continue to be over-represented in the informal economy,

with 85 million women working globally as own-account workers and contributing family workers in 2015.⁶ The gendered division of labour also remains stubbornly static, segregating women into less valued forms of work, and seemingly legitimising continued inequality. Considering changing conditions is of course valuable, but this should not obscure the frustratingly overdue need to implement many of the proposals for gender equality in the Beijing Platform for Action (BPfA) that are as valid and vital today as they were when agreed twenty years ago.⁷

Below we identify five changes in the world of work, all of which threaten to exacerbate existing inequalities and further underline the need for government action.

2.1 Increasing power of transnational corporations

Of the largest 175 economic entities in the world, nearly two-thirds are transnational corporations, not countries.⁸ These corporations continue to reap substantial profits and increasingly dominate global decision-making.⁹ IMF loan conditions promoting the privatisation of basic services and financial liberalisation have also opened the door for foreign investment while increasing its mobility.¹⁰ If the cost of labour rises, transnational corporations can relocate, reducing the power of workers to bargain for better conditions.¹¹ International trade and investment agreements, typically give even more licence to transnational corporations to make profits.¹² Meanwhile women in the Global South working within transnational corporations' supply chains continue to face low wages and insecure conditions. As we discuss in section 6, transnational corporations' impact on women's lives is not always positive.

2.2 Growth of the flexible labour force

A recent report from the International Labour Organisation (ILO) describes an increase in non-standard employment globally, and outlines the ways worker insecurities are increased in these new forms of work. These include less security of employment, lower wages, less control over hours worked, reduced provision of occupational health and safety, less access to social protection, little training and limited representation and access to labour rights.¹³ The suspension of regulations to attract foreign investment in special economic zones and export-processing zones (EPZs) is part of the problem. Flexible labour policies have also been promoted by the IMF as a means of reducing unemployment, but they produce far-reaching consequences for women workers.¹⁴ As a report by the Solidarity Centre, an international workers rights organisation, notes "structural changes in the global economy geared to enhancing corporate profit and limiting employer responsibilities have led to the growth of precarious work arrangements" – part of a push towards more flexible working arrangements that have shifted risk from employers to employees.¹⁵

Women are more likely to work in hard-hit sectors such as low skilled manufacturing, and are exposed to greater risk, as they are less often unionised and more likely to work part-time.¹⁶ The *global supply chains* of transnational corporations are an

important source of work for women in emerging economies, the ILO estimates that the number of jobs linked to them increased by 53 per cent between 1995 and 2013, and represents 453 million jobs.¹⁷ But this work tends to be concentrated in low-skilled and low-paid jobs in EPZs, or as outsourced homeworkers in the informal economy very low pay and few rights.¹⁸ This leaves them with no access to basic social security provisions such as maternity leave or paid sick leave. In Bangladesh millions of women were able to access waged employment through the garment industry, but in return earned low wages and worked in hazardous conditions. In South Africa, rampant sexual harassment against women has been observed in EPZs. As workers are frequently denied the right to freedom of association and collective bargaining in EPZs, these women are unable to demand better wages, improved working conditions and redress for violence and sexual harassment.¹⁹ Achieving protection for migrant workers in global supply chains and outsourced homeworkers is particularly difficult, leading to widespread violations and abuse.²⁰

This growing trend towards insecure, informal and home-based work makes measures promoting decent work (see section 4) all the more urgent. Part of the solution is getting women into formal work: the ILO recommends that employment policies should be used to create more formal employment in order to support women's transition from the informal economy.²¹ For workers still in the informal sector, the ILO supports the progressive extension in law and practice of social security, maternity protection, decent working conditions and a minimum wage to all informal workers.²² The international network WIEGO agrees that priorities should include creating more jobs in the formal economy but also regulating informal jobs to benefit employees, extending social protection and legal protection.²³

2.3 Technology and the gig economy

Technological advances have given rise to the *gig economy*, which has led to a re-conceptualisation of the traditional employer-employee relationship as a technology-enabled commercial exchange between service purchasers (clients) and service providers (workers).²⁴ Possibly the best-known example globally is taxi provider Uber, yet the gig economy has also taken hold across sectors where women are traditionally overrepresented, including care and domestic work.²⁵ This rapidly growing global trend may provide new, and flexible, work opportunities for those with access to the digital and financial tools needed to access gig economy platforms. There may even be opportunities to improve women's working conditions, for example by allowing them to track hours worked and wages earned and build in safety tools that may help women at risk of violence at work.²⁶ Many women, however, resort to the gig economy not by choice but because it is the only employment flexible enough to accommodate the unpaid care work they do, leaving them particularly exposed to the risks attached to this new way of working.²⁷

The classification of workers as independent contractors in the gig economy has challenged established labour rights, protections leaving them excluded for example

from minimum wage regulations or social protection entitlements.²⁸ For women, this means that important gains like maternity leave and workplace discrimination rules will be lost. If this new type of work is here to stay, urgent government responses are needed to protect and clarify the legal status of workers vis-à-vis gig economy companies, and to uphold existing labour rights and maintain decent working conditions. Universal social protection measures will also be needed. In a context where many countries' legal regulation of workplaces, social security systems and tax regimes have not yet caught up with the new needs of gig economy workers, ambiguity remains as to who is responsible for working conditions and protections.²⁹

2.4 Responses to the global economic crisis

In response to the 2008 economic crisis, governments briefly scaled up public expenditure to reboot the economy. These measures proved initially effective but ultimately short-lived; since 2010, policy responses to the global economic crisis have increasingly included drastic public spending cuts – or austerity measures – with an overwhelmingly disproportionate effect on women and girls.³⁰ These political choices were partly the result of pressure from the IMF to prematurely impose expenditure cuts – a fact acknowledged by the Fund's own Independent Evaluation Office.³¹

The effects have been three-fold. Most strikingly, cuts in public spending have reduced state provision of care services, leaving women to make up the shortfall through their unpaid care work. This reduces women's time for paid employment, political activity or leisure and puts further pressure on women's health. Secondly, this time poverty is compounded by women's roles as household and community managers, having to make ends meet as prices rise and household incomes fall. Finally, women have been hard-hit by cuts to public employment, a sector where women work disproportionately and one of their few sources of relatively good-quality jobs.³² As we show in section 3.1, there are alternatives to these austerity measures that can have a positive impact on gender equality, for example by investing in social infrastructure.

The impact of public spending cuts are exacerbated by aging populations, which further increase the need for care work at a time when governments' care budgets are already strained. Two-thirds of the world's elders currently live in developing countries, and projections suggest that 1.7 billion people aged 60 years or over, or nearly 80 per cent of the world's older population, will live in today's developing world in 2050.³³ Failure to recognise the centrality of the care economy, and unpaid women's role within it, is continuing to store up problems for future generations globally.

2.5 Migration

More and more women are migrating to find paid work, particularly as unemployment rises in emerging economies. Lack of decent work opportunities across all regions mean that over 32 per cent of sub-Saharan Africans and 30 per cent of Latin Americans want to migrate permanently, with most heading to high-income countries in

North America and Europe.³⁴ Many low-skilled migrant women workers find employment in the service and care sectors in high-income countries, where employment is insecure and poorly paid. Migrant status also makes women workers more vulnerable to abusive labour practices, low wages and violence, and their lack of secure employment and living wage limit the funds that they can then send back to their families, increasing the care deficit in the Global South.³⁵

3. An enabling macroeconomic environment

In the following sections we look at areas where government policy could promote women's economic empowerment, starting with macroeconomic policy. In executing their human rights responsibilities and meeting the SDGs, governments' economic policy is a valuable and necessary tool. This is as true for women's rights and gender equality as it is for every other area of policy. An enabling macroeconomic environment is an essential component of achieving women's economic empowerment. Governments have at their disposal what economist Stephanie Seguino has called the "macroeconomist's tool kit" (see box 1).³⁶ Most governments are formulating national development strategies that set out a country's medium- to long-term goals, including how they will meet the SDGs and improve people's living conditions, and their macroeconomic policies can steer private and public investments in pursuit of these aims.³⁷ They can be used alongside industrial strategies that identify barriers to equality and create more decent work opportunities.³⁸

Box 1: Macroeconomic tools

Fiscal policy

Fiscal policy directly affects women's economic empowerment by determining the resources available for schemes to promote gender equality (such as targeted employment creation) and indirectly by determining the level of social protection, public services and investment – and hence the amount of care work that is left to be fulfilled by women's unpaid care work. Fiscal space is the room that governments have to spend while remaining financially sustainable; it depends on levels of taxation and debt management. This is discussed in more detail in the section 3.1.

Monetary policy

Monetary policy controls interest rates, exchange rates and credit availability, all of which have subsequent impacts on gender equality. Monetary policy is rarely if ever scrutinised for its impact on economic and social rights, and policy-making in this area by central banks usually remains opaque, with success almost always judged against the rate of inflation. Instead the focus of monetary policy should be broadened to include increasing employment and incomes, as well as channelling credit in ways that promote gender equality.³⁹ Measurement of the distributive impact of such policies should also be required.⁴⁰

Economic stability

In times of economic instability, women pay a disproportionate price as they are more likely to lose their jobs even as their unpaid care work increases with cuts in services, declining household incomes and price increases. Economist James Heintz proposes that “capital controls and macro-prudential policies need to be prioritized, to promote economic stability and prevent financial crises, which tend to hit women particularly hard.”⁴¹ He cites Brazil, China, Colombia, Chile, India and Malaysia as countries that have pursued this route.

Trade policy

Trade policy uses export and import taxes (tariffs), import quotas (restrictions on the quantity of goods that can be imported) and export subsidies. The aim may be to reduce the cost of goods sold abroad and increase sales, or to put restrictions on trade and protect domestic industries from competition, particularly while they are in their infancy. Current trade agreements aim to “liberalise” trade by reducing tariffs and subsidies, but this produces winners and losers, reducing options for trade policy to promote equality.⁴²

3.1 Raising resources

It is both necessary and possible for governments to increase the resources at their disposal. In fact, governments have a duty under international human rights law to mobilise the maximum possible resources to realize women’s economic empowerment and reduce gender inequality.⁴³ Under Article 2 of the International Convention on Economic, Social and Cultural Rights, each government has a responsibility to progress towards realising rights “to the maximum of its available resources.”⁴⁴ This point has subsequently been clarified by the Committee on Economic, Social and Cultural Rights as referring to the resources available both within a state, and from the international community.⁴⁵

Increasing revenue through taxation is a viable option in most countries. However in recent years most governments have opted for policies that reduce the level of available resources through tax cuts and trade liberalisation *choosing* not to increase the fiscal space that is available to them through perfectly viable decisions on debt management, deficit spending and taxation.⁴⁶ For many governments, these choices are constrained by international trade agreements, IMF policy advice on cutting public expenditure, or strict conditions on IMF loans.⁴⁷ Failure to curb tax dodging has created further constraints on national budgets. Social spending is frequently the first area to experience public expenditure cuts under austerity measures, relying on women’s unpaid care work to fill the gaps.⁴⁸

Deficit spending – or borrowing to invest – raises resources and is an alternative to austerity measures at times of economic crisis, this *Keynesian* approach can soften the impact of economic shocks, create jobs and fuel economic growth. This kind of counter-cyclical economic policy, or *fiscal stimulus*, was relatively widely accepted until

the 1980s, and it can be an important means of reducing the impact of economic shocks on marginalised people. In Thailand, for example, the government introduced a fiscal stimulus package that included the creation of a people's bank, village funds and a moratorium on farmers' debts, which injected more resources into the economy, creating jobs and spurring economic growth.⁴⁹ Traditionally, investment from borrowing has been reserved for physical infrastructure like the construction industry, dominated by male workers. However as we show in box 2, feminist economists argue that spending on social infrastructure has a similarly positive impact on future revenues and can be prudently funded by government borrowing.⁵⁰ The ILO argues that this type of investment from borrowing is possible for a number of countries, particularly those with low levels of external debt such as Bangladesh, Egypt, Swaziland and Algeria, that can afford to borrow to invest in social infrastructure, reaping both economic and social returns.⁵¹

Governments can also increase the resources available for gender equality by reducing spending in other areas. In the Thai case above, for example, the government increased health spending while reducing the defence budget. In the United Kingdom, the Women's Budget Group has been calling for a similar reallocation of resources.⁵²

Progressive taxation

The way that resources are raised, in addition to the amount, also has an impact on women's empowerment. Current tax regimes tend to disadvantage women by increasing consumption taxes while reducing rates for corporations and higher-income individuals.⁵³ Some tax systems, as World Bank research has shown, even overtly privilege male heads of household at the expense of women.⁵⁴

Some countries have found ways to make their tax systems more redistributive and efficient. Uruguay embarked on a progressive tax reform in 2006, increasing personal income tax for higher-income households and reducing consumption taxes. The additional revenue financed more spending on social protection, health and education.⁵⁵ In Zambia, as part of reforms to the mining sector in 2008, the corporate tax rate for mining companies was increased from 25 to 30 per cent. Government revenues rose considerably from less than ZMK 1 billion (\$192,500 USD) per year before 2008 to ZMK 6.619 billion (\$1.27 million USD) in 2012, enabling the government to substantially increase spending on social protection.⁵⁶

3.2 Government spending

Women's economic empowerment requires public spending. This may mean investment in infrastructure like safe public transportation allowing women to get to work free from violence, or better roads to market allowing them to sell their produce. It may also mean spending on communications infrastructure and access including mobile phones and internet access. Investment can also create decent work, as discussed in section 4. As we show in section 5, it will certainly need to include the public provision of a range of care services and social protection.

Box 2: Investment in social infrastructure

An area with great potential for women's economic empowerment is investment in *social infrastructure*, which comprises social services such as education, health and care for young children, the elderly and people living with illness or disabilities, all of which are vital to society and the economy (see section 5).⁵⁷ Such investment will ensure that the essential function of care is maintained, while women's unpaid care work burden is reduced. Investing in care also has the potential to create more decent work for women. Research by the International Trade Union Confederation (ITUC) across a number of member countries of the Organisation for Economic Cooperation and Development (OECD) found that investment in both physical and social infrastructure creates jobs, but that the latter will create considerably more jobs for women than the former, and that many of these jobs come with relatively good working conditions.⁵⁸ ITUC research also shows that investing 2 per cent of GDP in health and care can generate employment increases of 1.2 to 3.2 per cent across five emerging economies.⁵⁹

Traditionally, governments have been willing to incur debt to make investments in physical infrastructure like roads because these are thought to produce long-term benefits to the productivity of the economy. Spending in social sectors, however, has been seen as consumption, or spending with no long-term benefit, rather than sound investment – an approach reinforced by the IMF. In fact, as we discuss in section 5, the provision of care, education and health have a central role in creating and maintaining a productive workforce, which leads to future economic growth. Both UN Women and the ITUC have produced research suggesting that spending in social sectors should be recognised as *social investment*, and that this kind of investment is self-sustaining. By increasing the productivity of the workforce, tax revenue is increased and further investment in the future is made possible, an effective form of fiscal expansion.⁶⁰ UN Women calls this as the “triple dividend” – investing in child care creates decent work, improves education and health outcomes that increase productivity in the long run, and frees up women's time.⁶¹

Social investment is a win-win scenario. Under the right conditions, it can increase women's access to decent work, reduce women's disproportionate burden of unpaid care work, improve the provision of care and hence the wellbeing and productivity of the whole of society, and increase tax revenues in the long term.

Provision of universal social protection

For many women, paid work alone will not be sufficient for economic empowerment. Social protection measures are meant to prevent and mitigate situations that harm people's living standards and promote the fulfilment of their human rights. They include parental rights and protection, unemployment benefits, childcare provision, employment guarantees schemes and pensions. According to the UN Social Protection Floor initiative basic social protection floors are essential to provide accessible social

services for all, and to ensure basic income security for children, for the elderly and for working-age people, particularly in cases of sickness, unemployment, maternity and disability.⁶²

Women's lower access to income makes them more dependant than men on publically funded initiatives. In particular, women are likely to be excluded from social protection that is reliant on employment-based contributions because they are more likely to do unpaid or informal work and so don't contribute to work-based social insurance schemes.⁶³ This is a particular problem for entitlement to old-age pensions globally.⁶⁴ Migrant women workers face an additional challenge, as social security contributions made in one country are not usually transferrable to other countries.⁶⁵

In the context of gender inequality, universal non-contributory benefits – sometimes known as social assistance programmes – are necessary. In Bolivia, Botswana, Mauritius and Namibia pensions are available as a universal right, while in other countries such as South Africa pensions are publically funded but means tested.⁶⁶ Pension reform in Chile in 2008 extended non-contributory pensions, recognising women's gaps in contributions around childbirth, and enabled sharing of pensions on divorce.⁶⁷ Social protection schemes must also take care not to reinforce gendered divisions of labour and discriminatory norms, conditional cash transfers have caused particular problems in the past by reinforcing and increasing mothers' unpaid care work.⁶⁸

Social protection measures are not a substitute for better macroeconomic and employment policies, but alongside the creation of decent work, they are an important component to achieving gender equality by raising incomes, reducing vulnerability to economic shocks and dismantling barriers to paid work.⁶⁹

3.3 Gender responsive budgeting (GRB)

GRB describes a set of tools including gender audits of ministries and departments and gender-impact assessments of specific government policies. By making fiscal decisions transparent and subjecting them to scrutiny, GRB can ensure that government budgets are spent in ways that promote equality, and that government decisions do not have unintended adverse consequences on gender equality. It can also facilitate the involvement women in decision-making and enabling citizens to hold governments to account for their spending decisions.

A number of governments are demonstrating the value of this approach. The Nepalese Ministry of Finance houses a GRB committee that monitors budget allocations and expenditures in relation to gender equality and advises other ministries.⁷⁰ A recent series of IMF working papers explores other examples, concluding that well-structured fiscal policies that made use of GRB have the potential to improve women's and girl's development, regardless of a country's stage of economic and political development. In Timor-Leste, for example, a gender perspective has been used across planning,

program analysis and target-setting, including consideration of whether the government's goals are consistent with international agreements on gender equality. In Uganda and Rwanda, governments ensured that budgeting addressed gender-oriented goals.⁷¹ An IMF review of GRB in Latin America shows that these initiatives are strongest when the ministry of finance is supportive and collaborates with women's machineries, civil society organisations and international organisations like UN Women.⁷²

4. Decent work

In discussing the role of paid work in women's economic empowerment there is often too a narrow focus on female labour force participation – getting women into jobs.⁷³ There is a growing consensus, however, that not all paid work is equally empowering. As a report from the Solidarity Centre concludes, “with the right conditions – fair wages, safe working conditions, opportunities for training and advancement, the right to organize and bargain collectively – paid employment helps women achieve economic independence and enhances their agency and social mobility.”⁷⁴ The ILO has coined the term *decent work* as a useful shorthand for work that covers these four areas.⁷⁵

Women continue to face stark decent work deficits. There remains, for example, a gender pay gap with women still earning less than men for doing equivalent jobs.⁷⁶ Gender-based violence is also rife: in Kenya's export processing centres, research found that 90 per cent of women employees had experienced or seen sexual abuses at work, and that almost all failed to report it for fear of losing their jobs.⁷⁷ Gender segregation in the labour market concentrates women workers into a few sectors characterized by low pay and insecure employment contracts with little opportunities for training and promotion. The paid domestic work sector exemplifies many of the problems faced by women workers. It is a highly segregated – 80 per cent of domestic workers are women – and most of this work is unregulated, with 50 of the estimated 67 million domestic workers employed in the informal economy.⁷⁸ In only 10 per cent of countries are domestic workers covered by the general labour laws, and the work is also under-paid, with domestic workers' minimum monthly wage as low as one-fifth that of other non-agricultural workers in the Philippine national capital region in 2013.⁷⁹

These decent work deficits persist in part because of occupational segregation, where women wind up clustered in sectors with low wages and poor conditions and often associated with care work, which is seen as “women's work”, or with talents seen as natural to women such as “nimble fingers”.⁸⁰ Women's greater unpaid care workloads also restrict their ability to take better-paid jobs, or to move location in search of better employment.

Measures to achieve economic empowerment cannot stop at improving women's access to these discriminatory labour markets, but must improve the *quality* of work

available. Nor can it be just about helping individual women get better jobs; as Abigail Hunt and Emma Samman of the Overseas Development Institute observe, “increasing women’s individual capabilities, for example through increased educational attainment, will [also] have limited impact on women’s economic outcomes if decent, well-remunerated employment is scarce.”⁸¹ Ultimately there is a need to create more empowering work for women, and to enable *all* women to access it.

4.1 Employment creation

Governments have a role to play using fiscal and monetary policy to create more decent work, particularly in occupational sectors that women can access. In a recent report the ILO points to existing obligations on employment creation under ILO Convention (122) which requires governments to actively promote “full, productive and freely chosen employment” and argues that “promoting full, productive employment requires supportive monetary and fiscal policies that reduce volatility, develop the economy and ensure productive investments that create jobs. Governments also need to use fiscal policies to invest in physical and social infrastructure that supports enterprises and workers alike.”⁸²

Interventions will need to be context-specific. Research in Egypt, Ghana and Bangladesh identified that work in the public sector was more likely to be empowering for women.⁸³ In India, one of the most successful government employment creation schemes has been the Mahatma Gandhi National Rural Employment Guarantee Act 2005 (MNREGA) in India, guaranteeing 100 days’ work per year for all rural households.⁸⁴ Research by the ITUC found that public investment in social infrastructure provides higher quality jobs for women while also being economically self-sustaining.⁸⁵ For example, it has been projected that Turkey could create 700,000 new jobs if it were to extend early childhood education and care services to meet average enrolment rates in OECD countries.⁸⁶ As this sector primarily employs women, greater investment can offer training, decent work opportunities and the possibility to transition from the informal to the formal economy.

4.2 Making work decent

Employment creation must be accompanied by measures to remove discrimination in the workplace and promote decent work. Governments should also vigorously enforce existing labour laws, particularly in sectors where women workers predominate. New strategies to address precarious work and protect labour rights in informal and gig economies will also be needed to ensure that *all* workers have the same legal rights in relation to wages, working conditions, labour rights and access to social protection.

One solution is to establish an adequate minimum wage, found to be effective in reducing the gender pay gap in a number of countries including Brazil and India.⁸⁷ Additional action may be needed for women in the informal sector, for example in Pakistan minimum piece-rate guarantees were extended to women rolling *bidi*

cigarettes at home. This protected the workers' incomes and gave them greater negotiating power with employers.⁸⁸ Governments will also need to ensure minimum wage policies are free from gender bias and do not undervalue or exempt work and skills that are considered "feminine" like home-based work or care services.⁸⁹

Measures to protect the rights of workers in the informal sector will be most effective if they have been developed by workers organisations themselves. Responding to demands from the National Association of Street Vendors of India and the Self-Employed Women's Association (SEWA), the Indian government enacted its Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act in 2014 to extend rights and social security to more informal workers.⁹⁰ HomeNet Thailand, a home-based workers' organisation, successfully campaigned for the Homeworkers Protection Act to guarantee fair wages, written contracts between suppliers and home-based workers, and provisions for occupational health and safety in workers' homes.⁹¹

Box 3: Paid domestic work

The domestic work sector is still largely informal and unregulated, but a number of governments are now taking steps towards incremental formalisation.⁹² The ILO Domestic Workers Convention (C189) and its Recommendation 201 have set out legal measures and actions for governments to regulate work in this sector including setting a minimum wage, extending social insurance and social assistance schemes, and regulating working hours with employment contracts.

Having ratified the convention, the Philippines then introduced its own 2013 Domestic Workers Act that protects domestic workers against abuse, debt bondage and the worst forms of child labour. In addition to minimum wage, hours and days of rest, the Act extends social security, public health insurance and mechanisms for labour dispute resolution.⁹³ In Chile the convention was also ratified and the national minimum wage now covers domestic workers, domestic workers in Kenya are guaranteed minimum wages and the right to unionise, and a collective bargaining agreement covering domestic work is now in place in Brazil.⁹⁴

However, the rapid emergence of the gig economy in the traditional domestic work sector risks rolling back gains. Hard-won rights and protections afforded to domestic workers can be severely threatened by these new ways of working, as in South Africa where domestic-work legislation around contracts, sick leave and social security was rendered inapplicable in the gig economy.⁹⁵

Government action will need to be complemented by unions and women's rights organisations organising to spotlight abuses and negotiate policy reforms, and governments must respect and protect this space. In Argentina, the Ministry of Employment facilitated the negotiation of a collective bargaining agreement between

seven trade unions representing domestic workers and employers' associations that led to a 28 per cent pay increase for domestic workers, childcare workers, non-medical carers and housekeepers.⁹⁶ In October 2016, following years of organising and mobilisation by the Jamaica Household Workers' Union with support from the International Domestic Workers' Federation, Jamaica became the twenty-third country to ratify the ILO Convention on Domestic Workers (C189). The Solidarity Center suggests that international framework agreements with global corporations can combat the abuses faced by women in global supply chains. They give the example of two global trade unions, IUF and IndustriAll, which negotiated agreements with Unilever outlining procedures to protect employees reporting abuse and ensure that complaints were addressed.⁹⁷

5. Unpaid care work

Women's unpaid care work poses a significant barrier to their empowerment and the fulfilment of women's rights more broadly. Women's disproportionate care burden has a documented impact on their ability to undertake paid work, as well as to find better-quality paid work in the formal sector. This includes not just childcare but also care of elders and others in households and communities.²

5.1 Public provision

Part of the solution is for men within households to do more care work. But for many households, particularly those with low incomes - or with no adult males - this is a limited option. The amount of unpaid care work needed is too high – with little access to labour-saving technology, no social protection for elders, and no funds to pay for private health, education or care services. A redistribution of responsibility for provision or care from the family to the state will be necessary for the empowerment of women in low income households. Care provision is a public concern that cannot be relegated to the private sphere; this means increasing governments' responsibility for care and investment in its provision.⁹⁸

Since 2006 the Chilean government has invested in childcare services, in part to meet the needs of working mothers.⁹⁹ In Ecuador the 2008 constitution recognised women's unequal responsibility for unpaid care work and committed the state to providing public care services for children below the age of six, elders and people living with disability.¹⁰⁰ This childcare service is largely public, and municipalities are also planning to provide care for families of migrant workers.

5.2 Recognition in policy making

While unpaid care work acts as a barrier to individual empowerment, it also makes an essential and irreplaceable contribution to the economy and society as a whole.

² GADN examines these issues in greater detail in a new briefing, 'Sharing the load: unpaid care work and women's economic empowerment'. See: <http://www.gadnetwork.org/gadn-resources/#briefings>

Because so much of this work is done by women, and is not financially remunerated, its critical role in maintaining healthy families and labour forces is frequently ignored or taken for granted. Yet it is vast: the value of unpaid care work globally has been conservatively pegged at US\$10 trillion per year, or 13 per cent of global GDP.¹⁰¹ More importantly, it is also valuable, ensuring future generations are educated and can flourish, allowing people to live in the knowledge that they will be cared for in old age, and maintaining the active work force – what is sometimes termed *social reproduction*. Taking this work for granted leads to poor policy and investment decisions, manifest not least in the current care crisis.

Part of the solution is to recognise this work in decision-making. The International Conference on Labour Statisticians agreed in 2013 that unpaid care and domestic work should now be classified as work.¹⁰² This requires time-use surveys to assess the amount of work done, inclusion of this data in national accounting systems like the calculation of GDP to properly count its contribution, and care-sensitive policymaking that recognises unpaid care work as time-consuming and productive. The inclusion of a target on unpaid care under SDG 5 was a significant first step in recognising unpaid care work as a barrier to gender equality.¹⁰³ What is needed now is policy making that recognises the value and extent of unpaid care work and its contribution to social reproduction.

Thus far, this has been most evident in Latin America, where the recognition of unpaid care work in policy debates has led to positive action by governments. For example, public resources have been invested in early childhood education with programmes like Chile's *Crece Contigo* and Mexico's federal day-care programme. Innovative social policy reform has also led to national care systems in Costa Rica and Uruguay. Venezuela, Ecuador and Bolivia have all made public statements recognising the importance of women's social reproductive work in sustaining societies, while committing the state to address women's unequal responsibility for unpaid care and domestic work.¹⁰⁴

6. Corporate accountability

6.1 Corporate abuse

Women working in sweat shops and industries at the end of the supply chain are frequently confined to poor quality employment (as we discuss in section 4). Attempts by governments to promote decent work for all women will only be successful if regulations are enforced throughout global supply chains, and corporations are held accountable if they fail to comply.

The impact of corporate abuse extends beyond the workforce; land grabs and environmental harm caused by transnational corporations also have an influence on women's economic empowerment. The UN Special Rapporteur on indigenous issues has noted the damaging impact of natural resource extraction on women's access to

natural resources, accompanied by an increase in violence against women and girls.¹⁰⁵ Women human rights defenders have also faced violence and harassment when standing up to such corporate abuse, without support or protection from governments.¹⁰⁶ In Mexico, woman human right defender Bettina Cruz, a *binnizá* (or multi-ethnic) indigenous woman and co-founder of the Assembly of Indigenous People of the Isthmus of Tehuantepec for the Defence of Land and Territory, has faced imprisonment, harassment and death threats in response to her efforts to prevent a large-scale wind power production by transnational corporations in the area.¹⁰⁷

Corporate bad practices can also lead to broader human rights violations. Twenty years ago, the South African government passed the Medicines and Related Substances Control Amendment Act to allow production of generic medicines once a patent had expired, hoping in particular to reduce the prices of drugs for HIV/AIDS and guarantee the right to health. After a three-year battle with transnational corporations seeking to protect profits, the government and its trade union and CSO allies was ultimately successful in regulating the power of corporations.¹⁰⁸

6.2 Regulating corporations

The responsibility of business to respect human rights has been clarified by the UN Guiding Principles on Business and Human Rights.¹⁰⁹ Many governments are now negotiating national action plans to implement these voluntary principles, to be gender-sensitive these must include requirements for lead firms in both domestic and transnational supply chains to undertake rigorous due diligence to identify and address human rights abuses, particularly discrimination and gender-based violence at work, and be held accountable in the event of failure to adequately investigate or remedy exploitation of women in supply chains.¹¹⁰

However while these principles can be useful, they remain voluntary. To ensure standards are upheld by *all* corporations, measures will be needed that go beyond corporate self-regulation, with regulations that cross national boundaries and are legally enforceable. In pursuit of women's economic empowerment, governments should therefore support international binding guidelines and a corresponding representative legislative body that can provide the legal recourse for address human rights violations and environmental degradation brought on by corporations' activities.

Following advocacy from a group of governments led by Ecuador, the UN Human Rights Council adopted a resolution and established a working group to develop such a legally binding instrument "to regulate, in international human rights law, the activities of transnational corporations and other business enterprises."¹¹¹ To be effective, these guidelines will need to affirm states' obligations to protect against transnational corporations' abuses, even when they take place outside of a given state's borders, and assert the hierarchical superiority of human rights norms over trade and investment treaties. Regulatory mechanisms that affirm and enforce civil and criminal responsibility of transnational corporations and their executives will also be required at

the international level.¹¹² So far, many governments in the Global North – where 85 percent of the world’s 40,000 transnational corporations are based – have opposed this initiative, claiming that existing voluntary guidelines are sufficient.¹¹³ Civil society has supported both the resolution and the working group, and the role of women’s rights groups, trade unions and other civil society organisations in the Global North will be critical in calling on their governments to make transnational corporations accountable for human rights abuses affecting women in the Global South.¹¹⁴

Meanwhile, transnational corporations’ power is increasing, threatening the ability of governments to promote gender equality. Most trade agreements now include investor-state dispute settlement (ISDS) mechanisms that give corporations the power to sue governments whose domestic rules affect their ability to generate profits. This provision has already been used by a number of transnational corporations, including one that raised objections to new labour laws in Egypt.¹¹⁵ A number of governments are resisting this trend – South Africa, Indonesia, India, Ecuador, Venezuela and Bolivia are renegotiating or have already terminated treaties that contain such mechanisms, and a number of civil society campaigns are also calling for the removal of this provision from trade agreements.¹¹⁶

7. Women’s voices in decision-making

In fulfilling their obligations, governments will need to democratise economic decision-making not just by increasing the number of women in boardrooms but also by listening to the voices of marginalised and excluded women in everyday government policy-making – as part of broader attempts to put human rights before corporate power. Women’s empowerment requires an enabling environment in which both workers’ and women’s movements flourish. As the Solidarity Centre notes, “women workers and their communities are in the best position to monitor labor conditions, report problems and articulate needs and solutions.”¹¹⁷

There is a wealth of examples of workers’ organisations successfully advocating for better care provision, with women workers’ organising found to have a particularly strong correlation with child care provision.¹¹⁸ India’s SEWA has led a long-established campaign for the right to childcare as a basic entitlement for all women workers, in collaboration with India’s National Forum for Crèches and Childcare (FORCES) that represents 450 women’s rights, child rights and workers’ rights organisations across ten states in India.¹¹⁹ This coalition’s work ahead of the last Delhi state elections led the incoming government to pledge to build 3,000 new public childcare centres.¹²⁰ Another organisation of women workers – HomeNet Thailand, most of whose members are women home-based workers – campaigns for public healthcare to address the specific needs of workers in sectors with high work-related risks.¹²¹ Trade unions also have an important role to play in promoting and protecting women’s rights in the workplace. Two-thirds of the 20 million public sector workers who are part of the trade union

federation Public Services International (PSI) are women, and there are 70 million women organised through trade unions worldwide.¹²²

Enabling this collective action requires the provision of resources, particularly for women's rights organisations, and a clampdown on retaliations against women human rights defenders. Governments have a duty to ensure that the rights to association and assembly are protected and the safety of activists is secured. For workers' organisations, these rights are enshrined in two of the ILO's eight fundamental conventions protecting the rights of workers to negotiate with employers for improved working conditions - the right to freedom of association (C87) and the right to organize and collective bargaining (C98).¹²³ Though more than 150 countries have ratified both conventions, the attack continues on trade unions and workers' organisations.¹²⁴

8. Recommendations

It is governments, not the private sector or civil society, who have ultimate responsibility for achieving gender equality under the SDGs, and the realisation of women's rights under international agreements such as the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) and BPfA.¹²⁵ It is governments who have the power to make policy choices and shape the economic environment in which women and men live and work. Whether at the United Nations in New York, the G20 Summit, or in national capitals worldwide, it is time for governments to step up to the plate – both by improving their own domestic policy and by promoting women's economic empowerment in their roles as donors and members of international financial institutions.

Our recommendations respond to old problems and new in the changing world of work. All focus on the roles and responsibilities of governments. Some recommendations seek to rectify existing policies that impact negatively on women's economic empowerment, while others prioritise new policies that will promote gender equality and the realisation of women's rights and economic empowerment. In an attempt to distil a concise list of priorities that reflect a broad range of concerns we have drawn heavily on the work of others.¹²⁶

Create an enabling macroeconomic environment

- Governments should reaffirm their commitment to fulfil women's rights and achieve gender equality under the SDGs and international binding agreements such as CEDAW and BPfA.
- Governments should use fiscal policy to maximise their available resources for the promotion of gender equality and women's rights.
- Government spending, taxation and monetary policy should be evaluated for their effects on gender equality and women's rights. Gender-responsive budgeting, involving women-led civil society organisations, should be used by

governments to ensure sufficient resources are allocated to implement laws, policies and programmes promoting gender equality, in the process.

- Governments should adopt progressive tax regimes that do not reinforce economic or gender inequality.
- Governments should increase their investment in social infrastructure, through deficit financing if necessary, to improve care provision, create decent jobs and reduce women's unpaid care burden.
- Governments should use counter-cyclical macroeconomic policies to reduce the risk and impact of economic shocks.
- Board members must ensure that IMF loan programmes are agreed only after gender impact assessments have been conducted to ensure that gender equality and women's rights are not undermined.
- In negotiating trade and investment agreements, governments should conduct *ex ante* gender impact assessments and ensure sufficient policy space is maintained for policies that protect and promote women's rights.

Create decent work

- Governments should promote and protect labour regulations that promote decent work for women, including collective bargaining and freedom of association, and should ratify ILO Convention 189 on domestic workers and support the proposed ILO convention on gender-based violence in the world of work.
- Governments should set and enforce minimum wage levels sufficient for workers to attain their right to an adequate standard of living.
- Governments should ensure that employment regulations and social and legal protection are extended to cover workers in the informal economy.
- Governments should create more decent work for women including investing in public sector jobs where women are disproportionately represented.

Recognise, redistribute and reduce unpaid care work

- Governments should recognise unpaid care work as valuable *work*, and include it in national accounts.
- Governments should make macroeconomic decisions based on an understanding of the importance of care provision in sustaining societies.
- Governments should increase public spending on quality care services, ensuring that high quality care services are accessible and affordable to all.
- Governments should ensure access to basic social protections for all women, without regard to employment or migration status.
- Governments should reduce the time it takes to provide quality care by investing in labour-saving equipment and infrastructure including water, sanitation and hygiene, electricity and public transportation.

Hold corporates to account

- Governments in the Global North and South should support the UN Human Rights Council working group on the development and implementation of

strong, legally binding guidelines to ensure corporations protect and promote women's rights.

- Governments should develop gender-sensitive national action plans to implement the UN Guiding Principles on Business and Human Rights, setting out the actions needed to ensure gender-sensitive human rights due diligence throughout global supply chains.
- Governments should call for the end of investor-state dispute settlements mechanisms that undermine their capacity to regulate and protect against harmful practices of multinational corporations.
- Governments must ensure that all corporations pay a fair share of taxes in each country in which they operate through support for public, country-by-country reporting and by democratising decision-making on global tax reform, and should undertake gender equality, human rights and environmental impact assessments on the tax incentives they offer corporations.

Promote democratic economic decision-making

- Governments should protect the right to freedom of association, collective bargaining, assembly and speech to allow women workers to join unions and workers' organisations and engage in policy debates and negotiations.
- Governments must fund organisations led by and for marginalised women, and protect women human rights defenders and labour activists from harassment, intimidation and retaliation
- The transparency, openness, responsiveness and accountability of the institutions that develop and implement macroeconomic policy nationally and internationally should be improved, creating space for marginalised women's voices in economic decision-making.

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Acknowledgements

This briefing was written by Jessica Woodroffe with Megan Daigle and Rachel Moussié as part of GADN's Gender Equality and Macroeconomics Project. GADN would also like to thank Abigail Hunt (ODI), Chiara Capraro (Womankind Worldwide), Francesca Rhodes (Oxfam), Emma Burgisser (The Bretton Woods Project), Marion Sharples (GADN) and Rachel Noble (ActionAid) for their input.

The Gender & Development Network (GADN) brings together NGOs, consultants, academics and individuals committed to working on gender, development and women's rights issues. Our vision is of a world where social justice and gender equality prevail and all women and girls are able to realise their rights free from discrimination. Our goal is to ensure that international development policy and practice promotes gender equality and women's and girls' rights.

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