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SAWI PROJECT  
Support and Accelerate Women's Inclusion  
تعزيز مشاركة المرأة في سوق العمل



AMERICAN  
UNIVERSITY  
OF BEIRUT



TELFER

BUSINESS FOR A BETTER CANADA



# Prospects of Equal Employment Opportunities in the Middle East and North Africa

**Executive Report:**

A Legislative Perspective  
2024

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## CONTRIBUTORS TO THIS REPORT

**Lina Daouk-Öyry**, PhD, SAWI Co-Principle Investigator, Associate Professor at BI Norwegian Business School, Adjunct Professor at the American University of Beirut

**Carmen Geha**, PhD, SAWI Co-Principle Investigator, Co-Founder and Managing Director of Soltara Consulting

**Axelle Meouchy**, MHRM, Research Associate at the SAWI Project, Provost Office, American University of Beirut

**Charlotte Karam**, PhD, Principle Investigator, Professor and Ian Telfer Professorship in Inclusive Human Resource Systems, Telfer School of Management, University of Ottawa  
Adjunct Professor, American University of Beirut

Additional Contributors to this report

**Samira Hazzouri**, BA, Graphic Designer, SAWI project,  
Provost Office, American University of Beirut

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## OVERVIEW

Economic disparities and workplace inequality remain persistent obstacles to sustainable development across the world. Greater workplace equality and inclusion are needed not only to improve national economic performance but to provide access to historically marginalized groups. It is estimated that gender pay gaps will require 136 years to be bridged at the global level (WEF, 2021). At the same time, over the last decade there have been great strides towards workplace and economic inclusion of women and other marginalized groups. Multi-stakeholder mobilization from civil society, academia, business, governments, and other actors has successfully put gender and inclusion on the global policy agenda. While the Middle East and North African (MENA) countries generally rank low on global gender gap indices, the MENA region is also witnessing increased collective mobilizing to protect against discrimination and harassment and provide equal employment opportunities (EEO). Multiple campaigns and projects, of which the SAWI project is part of, have advanced policies and practices to support and uplift historically marginalized groups in local economies. One of the core pillars of the SAWI project is multi-stakeholder mobilization, whereby SAWI aims at organizing across countries and borders to engage a variety of stakeholders in the change towards dignified and inclusive workplaces and workforces (Figure 1).

Through ongoing collaborations with Country Partners, SAWI has developed and published two indices. The first is the “Knowledge is Power” (KIP) index tracking employer policies and practices from 3,274 employers in 4 sectors. The second is the “Lived Experiences” (LE) index focused on women’s workplaces experiences, with interview data from 900+ women employed in four sectors ([Click here](#) for more information on the KIP and LE indices). Our findings highlight the need for actionable policies that address workplace discrimination and biases with a focus on women’s ability to fairly access and sustain recruitment, retention, and promotion opportunities. This would be strongly reinforced through EEO legislation that encourages employers to better perform organizationally to meet national indicators, in a region where women make up an average of no more than 20% of the labor force<sup>1</sup>.

<sup>1</sup>World Bank. “Labor Force Participation Rate, Female, MENA” World Development Indicators, The World Bank Group, 2022.



Figure 1: The SAWI Multi-Stakeholder Mobilizing Model

Multi-stakeholder mobilizing for a holistic and structural approach to combatting discrimination and promoting inclusion and equality, is more needed than ever. To that end, this report offers insights into the prospects of enacting and implementing EEOs across eight MENA countries: Algeria, Bahrain, Iraq, Jordan, Lebanon, Libya, Morocco, and Tunisia. Specifically, we focus on national legislation and the role of government entities in regulating and monitoring workplace equal opportunities provision. EEO is a main legislative pillar that emerged as a tool for providing economic justice and a mechanism to enforce workplace equity, if centered on robust solutions and accompanied by application guidelines<sup>2 3 4</sup>.

This report aims at enabling multi-stakeholder mobilizing towards workplace equality in the MENA from a legislative perspective. Improvement on governance indicators would require action from all of us including employers, HR practitioners, researchers, students, activists, universities, government entities, civil society organizations, and employee groups. It is important to note that this report serves as an informational resource and should not be considered a substitute for specialized legal advice for each country. This report is based on the results of a desk review of EEO legislation in the MENA region, with benchmarks from around the world.

<sup>2</sup> Dobbin, F., Sutton, J. R., Meyer, J. W., & Scott, R. (1993). Equal opportunity law and the construction of internal labor markets. *American journal of Sociology*, 99(2), 396-427.

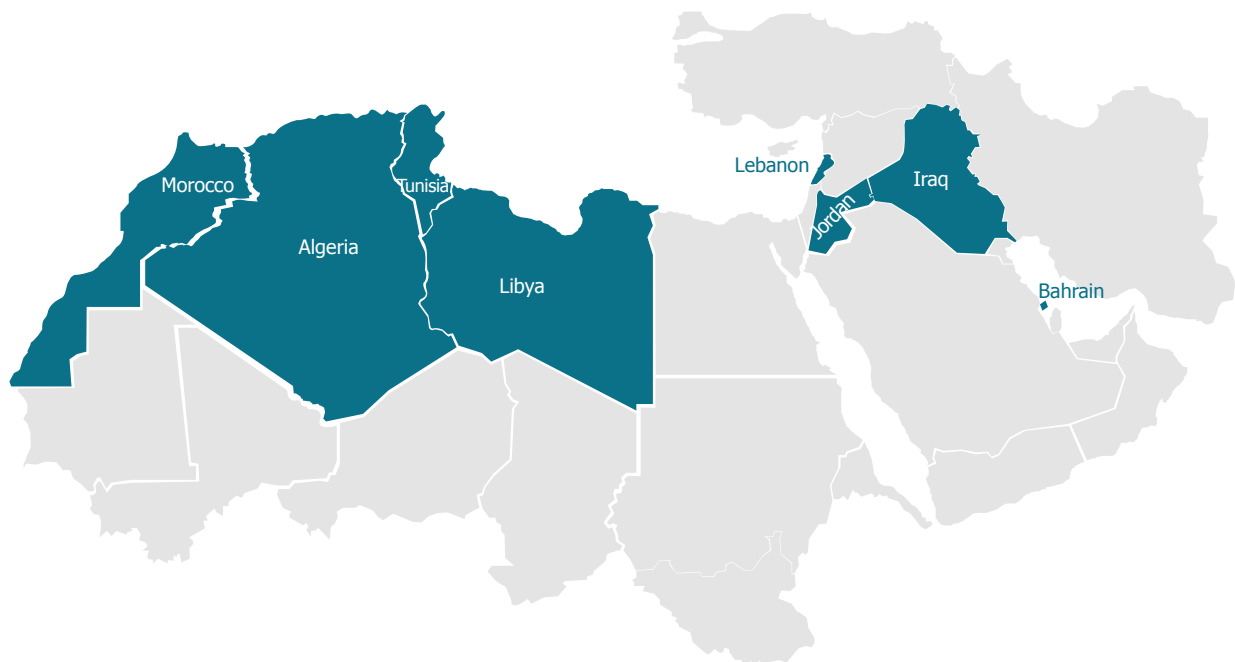
<sup>3</sup> Sayce, L. I. Z. (2003). Beyond good intentions. Making anti-discrimination strategies work. *Disability & Society*, 18(5), 625-642.

<sup>4</sup> Bennington, L., & Wein, R. (2000). Anti-discrimination legislation in Australia: fair, effective, efficient or irrelevant?. *International Journal of Manpower*, 21(1), 21-33.

## APPROACH

We define EEO as any legislation that protects employees from being discriminated against throughout their lifetime with their employer (from recruitment, selection, benefits to career advancement), based on defined protected characteristics, or provide specific categories of citizens with opportunities that secure their integration into civil and social life (e.g., opportunity for social justice). Legislation can come from various sources including but not limited to laws, codes, acts, executive decrees, articles, practices, and procedures.

Considering that equal employment opportunities per say do not exist as standalone in the countries analyzed in this report, we adopted a wider approach in our analysis. We define EEO in the MENA not as a singular category of legislation and oversight but as a prospect that can be enacted, implemented, and protected by multiple governmental and non-governmental actions. In that sense, we view EEOs as affected by the presence (or lack) of supporting legal and governance mechanisms pertaining to women’s personal status, public and private liberties, constitutional agreements, and access to justice. Accordingly, we reviewed all laws, policies, articles, procedures, mechanisms, and other reports that refer to equality, discrimination, or harassment in each of the eight MENA countries, whether in the constitution, labor law, or penal code (for method and technical country report [click here](#)).



We did a similar exercise in countries from across the globe that have been extensively studied in the context of EEO. The following countries have been chosen for the desk review:



With the aim of scoping the prospects of equal employment opportunities legislations in the region, we structure our analysis and present it in this report around three questions:








Below we share the results by answering each of these questions.

# 1 WHAT LAWS CURRENTLY EXIST AND CAN SERVE AS THE BASIS FOR STRONG EEO LEGISLATION IN EACH OF THE MENA COUNTRIES?

Through our search, we identified 30 pieces of legislation, of which the following had references to equality and anti-discrimination:





Table 1: Laws with references to equality, anti-discrimination, or anti-harassment.







	Algeria	Bahrain	Iraq	Jordan	Lebanon	Libya	Morocco	Tunisia
 <b>Constitution</b>	Art. 32, 35, 37, 51, 68, 69, 70, 71, 72	Art. 13,16, 18	Art. 14, 16, 20, 49	Art. 6, 23, 24	Art. 7, 9, 12, 24	Art. 5, 6, 8	Art. 3, 6, 19, 31, 34, 35	Art. 6, 21, 46, 48, 65
 <b>Labor Law</b>	Art. 6, 17, 61, 84, 91 to 113, 135 - 155	Art 2b, 29, 36, 39, 104	Art. 1, 4, 8, 41, 48	Art.2, 13, 53, 54	Art. 26	Art. 2, 9, 24	Art. 9, 346	Art.5, 21
 <b>Disability Law</b>	Law. No 02-09	Law No. 74	Law No. 38	Law No. 20	Law No. 200	Law No. 3	Directive No. 3-130-00	Law No. 83
 <b>Penal Code</b>							Art. 431	
 <b>Other Laws</b>	Executive decree n° 97-474 on Social Security Executive Decree No. 97-474 of December 8, 1997	Resolution No 52 on Equal Pay, Laws No. 50 & 51 on Equality in Employment						



Through our search, we also found laws that we categorized as enablers of equality; in other words, these laws can increase the prospects for more equality and their absence or lack of implementation decreases those prospects. An equality enabling law is not a law that promoted equality, rather it is a law that offers additional provisions that can make workplaces more equitable, safer, and more inclusive.

Table 2: Laws categorized as enablers of equality.

	Algeria	Bahrain	Iraq	Jordan	Lebanon	Libya	Morocco	Tunisia
 <b>Gender Quotas</b>	<b>20 to 50%</b> Parliamentary & <b>30%</b> in Wilaya (Art. 2 of Electoral Law)	-	<b>25%</b> in Council of Representative (Art. 49 of Constitution & Art. 16 of Election law)	<b>18 seats</b> in parliament (Art. 8 of Electoral Law) & <b>30%</b> in municipalities	-	<b>16%</b> of the seats in the House of Representatives (Art. 18 of Law No 2 on Parliament Election)	<b>60/395 seats</b> for women, (Art. 23 of Law No. 20-16)  <b>1/3</b> in regional council (Law no. 59-11)  Art. 115 of Constitution	-
 <b>Disability Quota</b>	1%	2%	3-5%	2-4%	3%	-	7%	1-2%
 <b>Breastfeeding break/day</b>	2 hours	2 hours	1 hour	1 hour	1 hour	1 hour	1 hour	1 hour
 <b>Breastfeeding period length</b>	2 years	2 years for public 6 months for private	-	1 year	1 year	1.5 years	1 year	1 year





	Algeria	Bahrain	Iraq	Jordan	Lebanon	Libya	Morocco	Tunisia
 <b>Maternity Protection</b>	N*	Y	Y**	Y	Y	Y	Y	Y
 <b>Maternity Leave</b>	14 weeks	8 weeks	14 weeks	10 weeks	10 weeks	14 weeks	14 weeks	30 days
 <b>Paternity Leave</b>	3 days	1 day	0 days	3 days	3 days	0 days	15 days	1 day
 <b>Flexible Working Arrangements</b>	Y*	Y (Art. 35 of Labor Law)	-	-	-	-	-	-
 <b>Anti-Sexual Harassment</b>	Law No 15-19 amending Penal Code	Art. 344 & 356 of Penal Code	Y (Art. 10 of Labor Law)	Y (recent amendment to Labor Law)	Y (Law No. 25)	Y (Art. 407 & 408 of Penal Code & Art. 12 of Labor Law)	Y (Art. 40 & 41 of Labor Law & Law No. 103-13)	Y (Art. 225 of Penal Code & Law No. 60)
 <b>Nursery/ Daycares</b>	-	-	Y	Y	-	Y	Y	-

\*While there is no protection against dismissal during/after maternity specifically, there are provisions that prohibit any kind of discrimination in employment, based on sex or family status among other reasons.

\*\*Women have the option to take an unpaid leave for up to a year, however as per Article 89 of the labor law, her employment contract can be suspended and there are no protective provisions to ensure that she can return to her job.

However, as we conducted the search for these laws, we also came across other discriminatory laws that were contradictory to the equality laws. Presence of laws or legal provisions that discriminate decrease a country's prospects for equality. These are laws that provide restrictions or differential treatment for people with different protected characteristics, such as age or sex. The presence of laws that promote quality and other than discriminate on the basis of sex, age, or other characteristics hinders the promotion of a unified equality narrative that can help push the equality and inclusion agenda further.

Table 3: Laws with discriminatory provisions.

	Algeria	Bahrain	Iraq	Jordan	Lebanon	Libya	Morocco	Tunisia
 <b>Presidency/ Monarchy</b>	<b>Muslim criteria</b> (Art. 91 of Constitution)	<b>Monarchy inheritance to oldest son</b> (Art. 1 of Constitution)		<b>Monarchy inheritance to oldest son</b> (Art. 28 of Constitution)			<b>Monarchy inheritance to oldest son</b> (Art. 43 of Constitution)	<b>Muslim criteria</b> (Art. 74 of Constitution)
 <b>Age Requirements</b>	<b>Minimum age of Constitutional Court 40</b> (Art. 195 of Constitution)	<b>Minimum age for consultative council &amp; chamber of deputies</b> (Art. 53 & 57 of Constitution)	<b>40 for Presidency</b> (Art. 68 of Constitution)	<b>Senate and state deputy</b> (Art. 64 & 70 in Constitution)				
 <b>Prohibition of certain sectors for women</b>			<b>Art. 85 &amp; 86 of Labor Law</b>		<b>Art. 27 of Labor Law</b>	<b>Art. 24 of Labor Law</b>	<b>Art. &amp; 179 181 of Labor Law &amp; Article 431 of the Penal Code</b>	
 <b>Prohibition of night work for women</b>	<b>Art. 29</b>		<b>Art. 85 &amp; 86 of Labor Law</b>					<b>Art. 66 of Labor Law</b>







	Algeria	Bahrain	Iraq	Jordan	Lebanon	Libya	Morocco	Tunisia
 <p><b>Prohibition in employment (general)</b></p>		Art. 56 of Family Law No. 19		Art. 61 of Personal Status Law				
 <p><b>Gender-based difference in retirement age</b></p>	Art. 6 of Act No. 16-15			Art. 62 of Social Security Law				
 <p><b>Social Security Entitlement</b></p>			55 for women vs. 60 men (Art. 65 of SS Law)					
 <p><b>Health &amp; Safety</b></p>	Maximum lift of 25kg for women according to Executive Decree No. 91-05							






We also identified the different entities under whose jurisdiction the laws fall. While there are entities that are responsible for the enforcement and monitoring of the laws, there is a lack of reporting mechanisms within these jurisdictions, highlighting potential gaps in accountability and transparency. This list of entities is not exhaustive but represents a compilation drawn from expert insights, online research, and analysis of pertinent legislation.

1. Ministries of Labor, Social Affairs, and Other Related Ministries
2. Labor Inspectorates
3. National Employment Agencies
4. Civil Service Bureaus and Other Public Sector Entities
5. Chambers of Commerce and Industry
6. Unions
7. National Women Councils and Other Gender Machineries
8. National Committees for People with Disabilities

## 2 WHAT ARE THE CHARACTERISTICS THAT ARE PROTECTED BY LAW IN EACH OF THE MENA COUNTRIES?










Constitutions are the overarching legal reference to provisions related to citizenship rights and equalities affecting economic, political, and social rights. The constitutions of the MENA region have been influenced by the complex historical and political realities of the region, including colonialism, protracted conflict, and weak governance structures. These realities and contextual variables are reflected within the protected characteristics retrieved from the constitutions of the eight MENA countries.





	Algeria	Bahrain	Iraq	Jordan	Lebanon	Libya	Morocco	Tunisia
 <b>Religion</b>	Art. 51	Art. 18	Art. 14	Art. 6	Art. 24	Art. 6	Art. 3	Art. 6
 <b>Sex</b>	Art. 71 & 37	Art. 5 ,18	Art. 14			Art. 6	Art. 19	Art. 21, Art. 46
 <b>Disability</b>		Art. 5	Art. 14*			Art. 5*	Art. 34*	Art. 48
 <b>Birth place/ Nationality</b>	Art. 37	Art. 18	Art. 14					
 <b>Race</b>	Art. 32		Art. 14	Art. 6				
 <b>Opinion</b>	Art. 37		Art. 14			Art. 6		

	Algeria	Bahrain	Iraq	Jordan	Lebanon	Libya	Morocco	Tunisia
 <b>Social/ Economic Condition</b>	Art. 37		Art. 14			Art. 6		
 <b>Language</b>		Art. 18		Art. 6		Art. 6		
 <b>Ethnicity</b>			Art. 14					
 <b>Sect</b>			Art. 14					
 <b>Other</b>	Personal Condition (Art. 37)					Kinship - Political Opinion - Tribal/ Familiale/ Regional Affiliation (Art. 6)		

Religion appears as the only common protected characteristic across the constitutions of the 8 MENA countries analyzed in this report. All countries have at least one article that relates to freedom of religion, and the right to worship without discrimination, as well as prohibits discrimination based on religion. Sex, of the second most protected characteristic across these constitutions. With the exception of Lebanon and Jordan, all countries explicitly refer to sex in their constitution as a protected characteristic that shall not be discriminated against.

When looking at other forms of legislation including labor laws and other laws, we found sex and disability to be the most referenced ‘protected characteristics’ across all eight countries.

	Algeria	Bahrain	Iraq	Jordan	Lebanon	Libya	Morocco	Tunisia
 <b>Disability</b>	Law. No 02-09	Law No. 74	Law No. 38	Art. 13 (quota) & Law No. 20	Law No. 200	Law No. 3	Art. 9 & Directive No. -130-300	Law No. 83
 <b>Sex</b>	Art. 17*	Art. 2bis & 29*	Art. 1*		Art 26*	Art & 224*	Art. 9*	Art. 21*
 <b>Origin</b>		Art. 2bis & 39	Art. 1				Art. 9	
 <b>Religion</b>		Art. & 39 104	Art. 1				Art. 9	
 <b>Race</b>			Art. 1				Art. 9	Law No. 50**
 <b>Marital Status</b>	Art. 17						Art. 9	
 <b>Family Relations</b>	Art. 17							
 <b>Political Opinion</b>	Art. 17						Art. 9	
 <b>Union Membership</b>	Art. 17						Art. 9	

	Algeria	Bahrain	Iraq	Jordan	Lebanon	Libya	Morocco	Tunisia
 <b>Socio-Economic Status</b>	Art. 17		Art. 1					
 <b>Age</b>	Art. 17							
 <b>Language</b>		Art. 2bis & 39						
 <b>Belief/Opinion</b>			Art. 1					

\* Despite the existence of a law that protects against gender-based discrimination, there also exists alternative articles that do prohibit women from working in certain industries, during certain hours, and other restrictions.

\*\*The law does not specifically mention prohibition of discrimination in the workplace.






While the presence of explicitly protected characteristics is necessary, it does not guarantee the provision and practice of equality. For example, disability is the only protected characteristic that has dedicated legislation specifically addressing the equal treatment of people with disabilities with certain provisions for equality in employment. Yet, global indicators of unemployment of people with disabilities shows a different reality. Similarly, while sex is the most referenced as a protected characteristic in labor laws, global indicators position the MENA region among the lowest performing on the gender gap. This discrepancy between a mentioned characteristic and provisions for implementing equality is a major factor in keeping women marginalized in MENA's formal economies.



## 3

## HOW DO THESE LAWS AND PROTECTED CHARACTERISTICS COMPARE TO THOSE AVAILABLE IN DIFFERENT COUNTRIES ACROSS THE GLOBE?

Following an analysis of similar legislation in countries from across the globe (Africa, Asia, Australia, Europe, North America, and South America) have been extensively studied in the context of EEO, we present below the laws spanning across federal, provincial, or state levels that exist to safeguard different characteristics, each addressing specific aspects of discrimination and equality. In line with findings from the MENA region, we found that sex, religion, disability are the top three personal characteristics protected by law. We also found that race, origin, pregnancy, age, and sexuality to be covered in most legislations.

	USA	Canada	Brazil	UK	Netherlands	Finland	Norway	Spain	Indonesia	Japan	Australia	New Zealand	South Africa	Nigeria
 Sex	Title VII	CHRA - EEA	Law 9,029	Eq Act	ETMWA - EED	EWMA - EED	EADA - EED	CLETND - EED - OLEEWM	Law No. 21	EOA - LSA	FWA - SDA - WGEA	HRA - ERA - EPA	EEA	CST
 Religion	Title VII	CHRA	Law 9,029 - Law 7716	Eq Act	ETA - EED	NDA - EED	EADA - EED	CLETND - EED	Law No. 21	LSA	FWA	HRA - ERA	EEA	CST
 Disability	Title VII - ADA	CHRA - ACA	Law 9,029 - Law No. 13,146	Eq Act	ETDCIPA - EED	NDA - EED	EADA - EED	CLETND - EED	Law No. 21 - Law No. 4	PEPDA	FWA - DDA	HRA - ERA	EEA	DDA
 Race/Color	Title VII	CHRA	Law 9,029 - Law 7716 - Law 12,1288	Eq Act	ETA - RED - EED	NDA - RED - EED	RED - EED	CLETND - RED - EED	Law No. 21 - Law No. 40		FWA	HRA - ERA	EEA	CST
 Origin	Title VII		Law 9,029 - Law 7716	Eq Act	ETA - RED - EED	NDA - RED - EED	RE D - EED	CLETND - RED - EED		LSA	FWA	HRA - ERA	EEA	CST



**Genetic Info**



**Gender Identity**



**Sexuality**







**Age**



**Pregnancy**

<p>GIA, Medical condition related to pregnancy/childbirth - HIV status - Political opinion - Culture (Title VII)</p>	Title VII	Title VII	Title VII - ADEA	Title VII	Title VII	USA
<p>Family status, Marital Status (CHRA) - Aboriginal - Visible Minorities (EEA)</p>		CHRA	CHRA	CHRA	CHRA	Canada
<p>Marital Status - Family Situation (Law 9.029)</p>			Law 9.029			Brazil
<p>HIV status - Marital status (Eq Act)</p>	Eq Act	Eq Act	Eq Act	Eq Act	Eq Act	UK
<p>ETA- EED Language - Opinion - Property - Marital Status (ETA- EED)</p>	ETA	ETA – EED	ETGGWA - EED	ETA – EED	ETA- EED	Netherlands
<p>NDA- EED Language - Opinion - Property – Union Activity - Health (NDA - EED)</p>	EWMA	EWMA – EED	NDA – EED	NDA – EED	NDA- EED	Finland
<p>EED Language - Opinion - Property (EED)</p>	EADA	EADA – EED	EADA - EED	EADA – EED	EADA- EED	Norway
<p>CLETND - EED, Language - Opinion - Property - Serological Situation – Socio-economic Status (CLETND - EED) - Family Obligations – Marital Status (OLEEWM)</p>	CLETND - EED	CLETND - EED	CLETND - EED	CLETND - EED	CLETND – EED - OLEEWM	Spain
<p>Political affiliation - Social status - Marital Status (Law No. 21)</p>						Indonesia
<p>Social status (L-SA) - Ainu People (APMRS)</p>			EMA		EOA	Japan
<p>Marital status - Family responsibilities - Political opinion (FWA)</p>	FWA - SDA	FWA - SDA	FWA - ADA	FWA - SDA	FWA - SDA	Australia
<p>Marital status - Political opinion - Union activity - Family violence (HRA - ERA)</p>		HRA - ERA	HRA - ERA	HRA - ERA	HRA - ERA	New Zealand
<p>Marital status - Family responsibilities - Political opinion - HIV status - Language (EEA)</p>		EEA		EEA	EEA	South Africa
<p>HIV status (HIVA)- Political Opinion (Constitution) – Union Membership (Labor Act)</p>						Nigeria

Interestingly, we also found that these legislations tend to be accompanied with monitoring and reporting mechanisms. These monitoring mechanisms tend to fall under the responsibility of ministries, human rights commission, or ombudsman office. However, not all countries require reporting of data from organizations, though most do. Additionally, several countries also provide incentives to encourage the hiring of people with disabilities.

	USA	Canada	Brazil	UK	Netherlands	Finland	Norway	Spain	Indonesia	Japan	Australia	New Zealand	South Africa	Nigeria
 <b>Responsibility</b>	EEOC – OGC – FEPA – Other state level human rights commissions and agencies	Federal & provincial agencies	Ministry of Economy – Federal offices	EHRC – Other committees	ETC – Labor inspectorate	Ombudsman for Equality – National ND and Equality Tribunal	Ombudsman for Equality – Equality Tribunal	Independent Authority for Equal Treatment & ND	Ministry of Manpower	Ministry of Health, Labor & Welfare	Fair Work Commission – Fair Work Ombudsman	Human Rights Commission	Commission for Employment Equity	National Industrial Court of Nigeria
 <b>Reporting Requirements</b>	Y	Y	-	Y	Pending approval	Y	Y	Y	-	Y	Y	Y	Y	-
 <b>Incentives</b>	Tax incentives for hiring PwDs			Government grants for accessibility – Tax incentives	Compensation for hiring older employees & PwDs		Pending			Levy & grant system for employing PwDs				Tax deduction for hiring PwDs
 <b>Quotas</b>	12% for PwDs in federal agencies (Rehabilitation Act)	NA	2-5%	NA	33% women on boards Creation of jobs for PwDs	40% female representation in government committees, advisory boards and other bodies	37-50% gender quota in public bodies	40% gender quota	1% disability quota	2.3% disability quota 40% gender quota	NA	NA	Regional targets for racial diversity Equity targets	5-10% quota for PwDs

## INCREASING THE PROSPECTS

The eight MENA countries in this report all have laws in place recognizing specific protected characteristics. The legislative landscape exhibits similar trends in line with most countries around the world that implement EEOs. However, five contextual factors are unique to the MENA and contribute to the discrepancy between EEO legislations and their application in practice, thereby decreasing the prospects of workplace equity and equality.



First, the presence of specific legal and constitutional provisions that enshrine blatant discrimination against women and other historically marginalized groups. While constitutions in the MENA equate the rights of citizens, several laws prohibit or put strains on women's access to specific professions, political positions, and personal rights. The blatant discrimination against women has often been perpetuated by socio-political efforts to navigate politico-sectarian and feudal tensions and struggles for power. This has often lead to an increase in barriers on women<sup>5</sup>.

Second, the overarching governance framework for equality is fragile and fragmented. By this we mean that the information about laws is scattered and is not readily and easily accessible to employers. Third, the application guidelines remain weak due to insufficient government guidance on how laws can be applied by organizations in practice. Where the laws do exist, the onus is on organizations to identify how to implement these in their day to day practices. Fourth, across the region there is no overarching reporting requirement by employers to ensure they are abiding by and committed to equal opportunities legislation. Additionally, little monitoring is being done to ensure implementation of EEO legal statutes. We see more employers ready to apply EEO standards but without monitoring and evaluation, these remain individual rather than national collective efforts towards EEO. Finally, the prevalence of some socio-cultural beliefs around the role of women in society and other marginalized groups can be a challenge to implementing EEO legislation to its utmost potential.

<sup>5</sup> Karam, C. M. (2022). Understanding diversity in the Lebanese workplace: legal protections in the context of protracted crises and occupation. Research Handbook on New Frontiers of Equality and Diversity at Work: International Perspectives, 132.

These five nuances exist within a context of growing mobilization for EEO and greater employer awareness. To increase the prospects however, countries must make national-level strides towards enhancing the overall governance, implementation, and evaluation of the impact of EEOs on equitable and fair employment. Juxtaposed to efforts by employers and civil society, government institutions are still behind in taking actions to enforce EEOs. This would require that government institutions develop and implement national action plans specifically focused on the intersection of economic participation, personal access to justice, and inclusive employment policies. The following recommendations lay the foundation for efforts towards national and regional action plans that can effectively address the need for a more inclusive EEO landscape:



### **1. A major reform or repeal of discriminatory legal codes and practices:**

EEO is also negatively impacted when contradictory there are legal codes or practices that contradict the essence of equality, as it is spelled out in most constitutions. Gender-based discriminatory legislations exist in every country despite the fact that discrimination based on gender is prohibited across all countries. While all labor laws prohibit discrimination based on gender, every country still has at least one piece of legislation that is discriminatory towards women. For example, all of the countries included in this review either prohibit women from working at night or in certain sectors or give the husband the right to stop his wife from working. Gender-based differences in retirement age exists in some countries. Equal employment opportunities include equal pension benefits, and therefore, mandatory retirement age for men and women must be equal. In addition, the lack of unified civil status codes means that women's access to opportunity, mobility, and personal rights can still be subject to discrimination and unequal treatment.

### **2. Access to information and centralized knowledge on EEOs**

With the exception of Bahrain, the countries in this study require that government makes accessible all legal practices and provisions that relate to EEO. Coupled with freedom of information and access to information laws, a centralized database or knowledge hub on EEO would allow employers to better adopt and scale their practices on EEO. Access to information on legislation for EEO should include three pillars that advance the prospects of implementation. First, a summary of all legal provisions as they relate to the

responsibility of employers towards the recruitment, retention, and promotion of women and other historically marginalized groups. Second, a matrix of authority and executive functions pertaining to each legal provision and responsible government entity for its interpretation and implementation. Third, a listing of employer policies and practices that would go against any of the legal provisions in each country. This can bolster employers' roles in this landscape as well as empower and motivate other actors to learn and raise awareness on EEOs, including by universities, syndicates, and civil society organizations.

### 3. Customized guidelines for implementation

With the database and knowledge hub as a basis for collating information on EEOs, government institutions must also develop guidelines for implementation. With the goal of implementing EEOs as a target, the daily practices related to employee recruitment, retention, and promotion require specific guidelines. These can be in the form of “do’s and don’ts” of employer practices and human resource management. A checklist for employers to implement can motivate human resource managers to better adhere to the existing legislative landscape. These guidelines must include what would be considered as blatant discrimination by employers including ways to mitigate bias, abuse of power, unfair treatment, and inequitable compensation and promotion opportunities.

### 4. Oversight through monitoring and reporting

Employers can do better on EEO legislative implementation when there are clear requirements for monitoring and reporting progress. This needs a national oversight body dedicated to codifying and disseminating monitoring and reporting indicators and criteria for employers. While such national oversight agencies exist in each of the countries, none is mandated to monitor equal opportunities employment practices. Each country can benefit from a baseline of what employers are currently doing, a strategic vision for what progress needs to be achieved over a period of time, and Key Performance Indicators (KPIs) to capture this progress. This includes numbers and percentages as well as qualitative factors of employee wellbeing and employer readiness for more equitable workplace policies. Oversight constitutes a core pillar of national and regional action plans that would enable employers to better adhere to existing EEO practices, as well as take part in reforming legal practices that discriminate and reinforce bias towards women and other historically marginalized groups.

### 5. Amplified mobilization and multi-stakeholder engagement

Finally, EEO legislative implementation, reform, and improvement requires the active engagement and ownership of stakeholders across the government, business, and civil society spectrums. EEO thrives with the presence of multiple voices, actors, and strategies to counter discrimination and bias towards women and other historically marginalized

<sup>6</sup> Dobbin, F., Sutton, J. R., Meyer, J. W., & Scott, R. (1993). Equal opportunity law and the construction of internal labor markets. *American journal of Sociology*, 99(2), 396-427.

<sup>7</sup> Sayce, L. I. Z. (2003). Beyond good intentions. Making anti-discrimination strategies work. *Disability & Society*, 18(5), 625-642.

<sup>8</sup> Bennington, L., & Wein, R. (2000). Anti-discrimination legislation in Australia: fair, effective, efficient or irrelevant?. *International Journal of Manpower*, 21(1), 21-33.

groups. It is important that government institutions take measures to bolster engagement, accountability, and progress towards EEO. This can take the shape of coalitions of various actors working to reform, implement, or introduce legislation. Universities, labor unions or syndicates, and civil society organizations can play a role in supporting employer best practices while reporting on discriminate practices. Governments can also strengthen this mobilization through various capacity building initiatives and media campaigns sensitizing the public to their rights and motivating employers to do better, towards a more effective and inclusive EEO landscape<sup>678</sup>

If you found this report intriguing and would like to delve deeper into SAWI, and the work we do, please contact us at [sawi@aub.edu.lb](mailto:sawi@aub.edu.lb).

## READING LIST:

Dobbin, F., Sutton, J. R., Meyer, J. W., & Scott, R. (1993). Equal opportunity law and the construction of internal labor markets. *American journal of Sociology*, 427-396 ,(2)99.

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American University of Beirut  
Provost Office  
[sawi@aub.edu.lb](mailto:sawi@aub.edu.lb)  
[www.aub.edu.lb/sawi](http://www.aub.edu.lb/sawi)

Telfer School of Management  
University of Ottawa  
[/telfer.uottawa.ca](http://telfer.uottawa.ca)

