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Gender Inequality in the Tax Systems of Arab Countries:

A Comparative Study of Lebanon, Tunisia, Egypt & Morocco

Based on research conducted by Dr Nasser Abdel Karim

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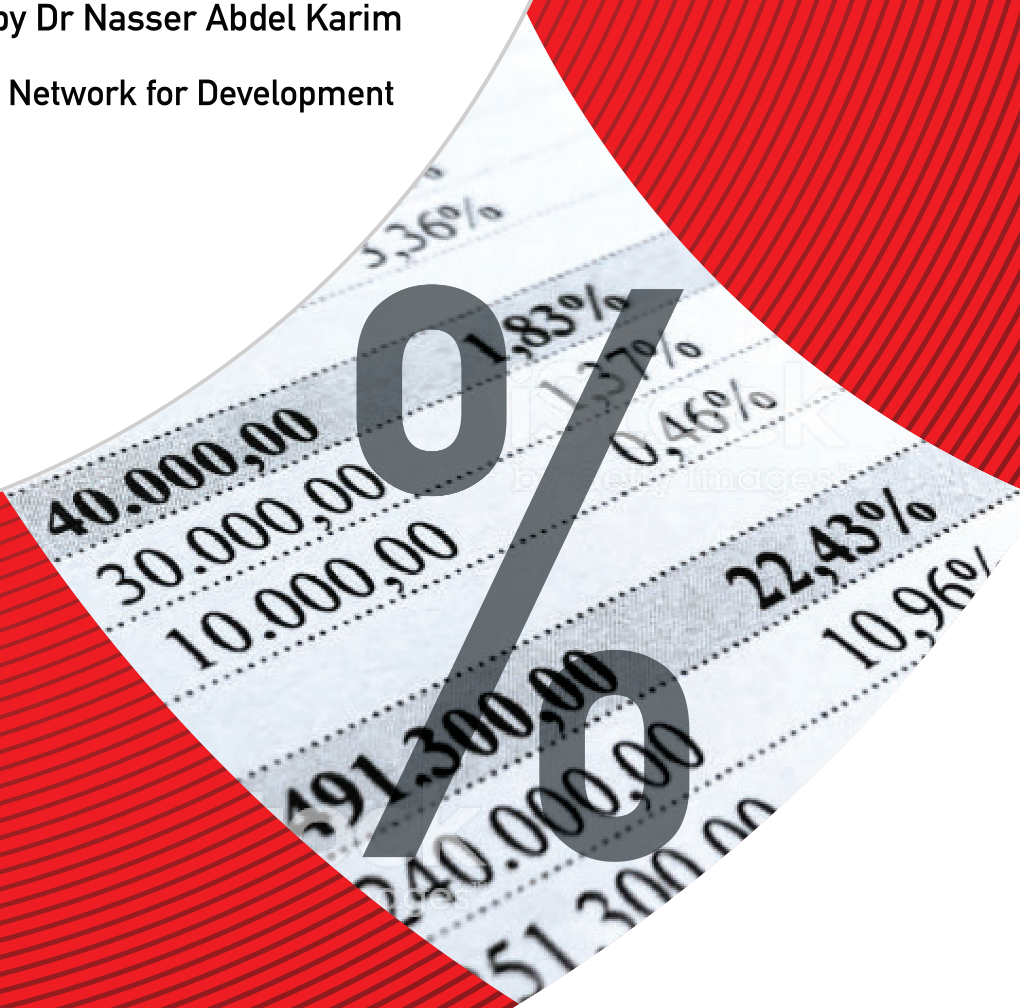

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Abbreviations:

- CEDAW Convention on the Elimination of All Forms of Discrimination against Women
- GDP gross domestic product
- IMF International Monetary Fund
- OECD Org anisation for Economic Co-operation and Development
- SDGs Sustainable Development Goals
- VAT value added tax

Introduction:

This report aims to contribute to Arab civil society efforts towards social justice by considering the links between tax and gender inequality, based on research conducted in Egypt, Lebanon and Tunisia. It accompanies a report from the Arab NGO Network for Development (ANND), Tax Justice and Sustainable Development in the Arab Region.[1]

Gender inequality in tax policies has been an issue of global concern in recent years.[2] The effect of taxation policy on gender equality has been a key topic in the debates on public finance, financing for development and the responsibility of governments towards citizens.[3] Taxation is not only a source of revenue for governments, but also an effective instrument to redistribute wealth and income, so a gender equality perspective in tax policy is essential to better address gender gaps in wealth, income and opportunities.

Most countries, including many in the Arab region, must raise sufficient revenue from taxes in order to ensure sustainable financing of growth strategies and provide essential services to all citizens. Fiscal policy, which determines how tax revenues are spent, is also important therefore.

Taxation for financing government expenditure is also important because it can foster accountability between government and citizens by giving citizens a stake in how national wealth is used. This is particularly important for gender equality because women are generally under-represented in decision making at all levels.

Eliminating gender biases in tax policies (how tax revenues are raised) would help narrow social inequality, but social equality requires more than just fair tax policy. Recent media and political attention to the Arab Spring, the global financial crisis and subsequent austerity measures in many countries have put rising inequality, and the role of fiscal policy in redistributing wealth, at the forefront of policy debates.

There is still much research to be done to fully understand the gender imbalances and biases in different tax systems, and these also need to be considered in relation to wider fiscal policy as a tool for gender equality and resourcing of women's rights through the redistribution tool of wealth and income and provision of services, such as health and social protection, that respond to the different needs of women and men. How taxes are raised, and how they are used are therefore both important, however the focus of this report is mainly on gender bias in tax policy.

Researchers, analysts and activists encounter many difficulties as they attempt to address gender bias in taxation and find evidence-based solutions:

1. **Lack of gender-disaggregated tax data for analysis. For example, data on income and expenditure is collected at a household level (rather than individual level) and it is hard to use in a comparative analysis across countries.**

2. **Difficulty in collecting reliable data from the informal sector, which in the Arab region employs the majority of workers and in which women are strongly represented.**

3. **Traditional gender norms and power structures – women are often not aware of their rights, not well supported to obtain the recognition of those rights or not integrated enough into society to speak up for their rights, so that their issues and concerns are rarely heard. Women are not able to hold their governments accountable on the gender equality and equity principles in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).**

4. **Difficulty in differentiating between economic behaviours of men and women at the consumption and production levels and to separately define those behaviours in order to understand the impact of different types of taxes and proposed tax reforms on women and men.**

In the Arab region, there has been very little research analysing tax policies from a gender perspective. Tax policies in the region have changed over the last decade, making it crucial to assess the differential impacts on men and women in order to provide adequate guidance to policymakers and stakeholders while reforming those policies.[4]

Some of the broader issues and relevance of tax policy to social justice in the Arab region have been discussed only recently, and suggest that tax policies of most Arab countries are not responsive to the need for gender justice and are contributing to inequality and inequity.[5] Research in this area is highly warranted, given increasing public concern and the importance of tax policy to sustainable development.[6]

The impacts of tax policies often exacerbate or reinforce existing gender inequalities, but tax systems can also be structured in such a way as to reduce inequality between women and men, contributing to social justice. For example, some developing countries, including India and Pakistan, have explicitly discriminated in favour of women in their tax systems.[7]

This can go some way towards compensating for the fact that due to discrimination, women's employment and educational opportunities (and hence their earnings) are generally less than those of men (and women are also more likely to take breaks from employment for maternity or other unpaid care responsibilities or because the work they do is less regular and secure). Thus, gender bias in tax systems can also help to reduce inequalities.[8]

Tax systems can also reduce gender inequalities if they are successful in increasing revenues available for public spending on services and infrastructure that help address gender inequalities or help to reduce women's unpaid care responsibilities.[9] Therefore, governments should mainstream gender in the budgeting process.

Gender bias in tax systems needs to be understood in relation to specific national contexts and within a wider understanding of the broader challenges for social justice in each country. Gender equality is a necessary but insufficient condition for social justice. While gender bias in tax policies is important, tax policies also need to be examined from the perspective of other social and economic inequalities. For example, recent research conducted by the Women's Budget Group in the UK highlighted the racialised dimensions of tax and fiscal policies and the disproportional impacts of austerity measures; since 2010 these have progressively reduced public spending on social protection and public services, hitting poorest groups hardest, including black and ethnic minority women and single mothers.[10]

To inform this report, ANND analysed the gender biases in the tax systems of three selected countries – Lebanon, Egypt and Tunisia. This paper examines the key findings from the individual country reports.

The aim was to provide preliminary evidence on explicit and implicit gender biases in the tax systems of these countries and reforms needed to make them more responsive to gender inequalities. A common methodology was employed, involving a review of relevant literature, socio-economic data, tax laws, regulations, administrative practices, and revenue data, from a gender perspective

This regional study is based on the findings and conclusions of the three country case studies.

Tax and gender equality in development and human rights frameworks:

The Convention on Elimination of Discrimination Against Women (CEDAW), which brings a gender lens to all aspects of human rights, draws attention to the fact that often women's legal status has been linked to marriage, and that discrimination against women is often linked to their reproductive roles.[11] It compels governments to embody the principle of the equality of men and women in their national constitutions and all other appropriate legislation and to take all appropriate measures to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against women (Article 2). It also provides for the 'full development and advancement' of women's rights (Article 3); equality between the sexes in all areas, including the right to social security (Article 11d), participation in economic life (Article 13), in law and civil matters (Article 15), and in ownership and management of property (Article 16). Egypt, Lebanon and Tunisia ratified the CEDAW in 1981 1997, 1985 respectively.

The Beijing Declaration and its Platform for Action reaffirmed governments' commitment to CEDAW and reiterated the need to design, implement and monitor (with the full participation of women) 'effective, efficient and mutually reinforcing gender-sensitive policies' and promote women's economic independence.[12] Action points include to review and modify macroeconomic and social policies and analyse, from a gender perspective how policies (including for taxation) impact on poverty, inequality and particularly on women (58); to address women's under representation in decision making, including in relation to tax policy (155).

Agenda 2030 for the Sustainable Development Goals, although non-binding, sets out a strong vision for gender equality, including 'A world in which every woman and girl enjoys full gender equality and all legal, social and economic barriers to their empowerment have been removed'.[13] Goal 5 aims to 'Achieve gender equality and empower all women and girls' through targets to address discrimination (5.1) recognise and value unpaid care and domestic work through provision of public services, infrastructure and social protection and promotion of shared responsibility within the household (5.4) and to give women equal rights to economic resources (5.a). Goal 10, to reduce inequality, includes targets for economic inclusion (10.2), to eliminate discriminatory laws and policies, and to promote appropriate legislation to ensure equal opportunity and fiscal, wage and social protection policies for gender equality (10.3).

Human rights instruments are integral to Agenda 2030, and the International Covenant on Economic, Social and Cultural Rights has one provision that puts tax policy at the heart of human rights. Article 2 (1) requires governments to take steps to the maximum of their available resources to achieving the full realisation of all rights.[14]

In response to these frameworks, some governments have taken positive steps. For example, in order to analyse the implications of taxes on gender equality and provide information on the contribution of women and men to tax, Oaxaca state in Mexico collects tax information by gender.

The taxation-gender nexus: What are the conceptual issues?

Tax systems have been influenced by a variety of factors, including social attitudes and expectations about the respective roles of men and women, resulting in systems that treat men and women differently, in ways that can negatively affect their decisions on whether and how much to work, their personal consumption habits, and their overall tax burden.[15]

An example of how tax systems reflect prevailing social norms is when systems provide tax exemptions or deductions to compensate for the financial burden of raising children, but only grant these to fathers, because fathers are considered to be the main providers for their children, as is the case in Lebanon. The role of women in raising children and contributing to family income is thus generally ignored, based on the assumption men usually are heads of households. This contravenes chapter 13 of CEDAW, which obliges states to maintain equality between women and men in benefiting from family assistance.

Tax regulations that deliberately treat men and women differently are often referred to as 'explicit' gender biases. Explicit biases are relatively easy to identify, since they are visible in tax codes and regulations. 'Implicit' gender biases occur when tax rates and regulations do not deliberately treat women and men differently, but have a different impact on women and men in practice. One example is value-added tax on goods and services, which may affect women and men differently because they have different consumption patterns.

Potential sources of explicit gender bias:

Explicit biases are more typically found in direct taxes (taxes on income and capital) than in indirect taxes (taxes on consumption of goods and services), because the direct tax applies to individuals or family units and therefore more easily accommodates different treatment for men and women. Explicit discrimination can be found in the rules governing the allocation of shared income (such as non-labour income and income from a family business); the allocation of exemptions, deductions, and other tax incentives; in tax rates; in who files the tax return; and in who pays the tax.[16] Potential sources of explicit biases in direct taxes are outlined below.

Joint filing of tax returns

Very often a married woman is not considered to have a separate existence as a taxpayer and is treated as if her income belongs to her husband, who is expected to file a tax return on her behalf. Mandatory joint filing of income tax returns is common in many countries and is very often only allowed to be done in the name of the husband. A husband alone could file a joint tax return in the UK until 1990, and this was also the case in France until 1983.[17] Joint filing is permitted in most Arab countries, but is not necessarily the norm – in Egypt, for example, men and women file their taxes separately. Joint filing in the name of the husband is usually justified on the grounds that men are in charge of the household, an assumption common in patriarchal societies which contradicts the principle of shared responsibilities within the family; and the elimination of prejudgments, as set out in CEDAW. This also often results in married women paying tax at a higher rate than they would if their income were assessed independently, because women's salaries are usually lower, and their incomes are usually less than half of the total household income. This contradicts CEDAW provisions for equality in all areas of economic life. A second reason why married women can end up carrying an unfair tax burden as a result of joint filing is that they do not benefit from differential tax rates applied to different income bands or 'brackets'. Differential tax is important to ensure equity in the tax system, and generally tax systems that are more progressive (ie, designed to reduce inequalities) apply differentiation to a greater degree.

Joint filing may result in a financial gain for the household overall, because the combined income may be in a lower tax bracket than might be applied to the man's income under individual filing, but women do not necessarily have a say in how this financial gain is used.

Because of these effects, joint filing may influence women's labour market participation (of course, if a husband earns less than his wife, the system could also discourage him from working). However, studies suggest that women are more likely to be affected, and married women should be taxed at a lower rate than married men to encourage their labour market participation.[18]

In some systems that allow joint tax filing for married couples, a single mother is taxed at a higher rate than married parents, assuming both families have dependents and earn the same. In the Arab region, this issue assumes even greater importance and relevance because of the increasing number of widows resulting from the unfortunate conflicts that have taken place in many countries. Moreover, when the woman is heading the household, she will need to provide legal proof that her husband and children are dependents.[19]

Individual filing

Different explicit gender biases occur under a tax system of individual filing.[20] For married couples, wages are attributed to the working spouse, but non-labour income can be allocated to either individual. How this is done has implications for gender equality. Many tax systems using individual filing will allocate all non-labour income to the husband, and if the husband pays tax at a higher marginal tax rate this will raise the tax on this income.

The allocation of deductions, exemptions and other tax incentives in a system of individual filing can lead to explicit gender discrimination. In an individual filing system, exemptions or deductions for purposes such as dependent children or a nonworking spouse must be allocated between spouses. In some countries, the exemptions and deductions that can be claimed vary according to the taxpayer's gender. This allocation may also affect tax liability.

In many countries, family business income is also attributed to the husband, regardless of the respective roles of the spouses in the business. Shifting income from a family business to the spouse who pays tax at a lower rate is a common means of tax avoidance. However, a system that has tax exemptions for all or part of the income generated from family agriculture businesses is gender responsive, because women in rural areas of many countries are the primary workers in such businesses.

Potential sources of implicit biases:

Implicit biases can result from both direct and indirect taxation. These are less obvious and related to differences in the way the tax system (or any tax policy measure) tends to have different implications for men and women because of typical social arrangements and economic behaviour. It can be more difficult to identify and measure implicit gender bias.

Indirect taxation (taxes on the manufacture or sale of goods and services rather than income) such as value added tax (VAT), retail and excise taxes, are the most important source of gender bias. VAT is often indirectly discriminatory where it is levied on necessities (such as food and children's clothes) rather that luxury goods People on low incomes spend a greater proportion of their salaries on everyday purchases so when these carry VAT they also bear a disproportionate burden of tax. The impact of VAT is generally much higher on women due to their lower salaries. Women may also carry a disproportionate burden of VAT and other indirect taxes where it is the norm for women to purchase most of the household needs, as is often the case in Arab societies.

The balance between direct and indirect taxes is therefore important for gender equality of tax systems. Raising the contribution of direct taxes to overall tax revenues will not only make current tax systems more socially equitable, but indirectly will reduce the relative tax burden carried by women, especially poor women. It is also possible to improve the gender equality outcomes of indirect taxes by introducing more selective and targeted measures to help poor women avoid bearing a disproportionate burden of VAT. For example, according to the results of data simulations in Morocco, reducing VAT on tea, coffee and edible oils lowered the tax incidence for poorer female- and male-breadwinner households and households with no employed adults.[21]

Other forms of indirect taxation, including import duties, may also have certain implicit biases, for example by increasing the cost of certain goods or, as is the case in many countries, by influencing the pattern of economic development. One less-studied issue is whether typical patterns of import duties tend to favour industries that employ primarily men or women.[22]

Indirect taxes mostly affect small businesses more than larger ones. Small and informal businesses are usually led by women. Generally, small women entrepreneurs have higher costs and lower revenues, which is probably associated with less opportunity to claim VAT refunds. A study in Vietnam found a gender bias in VAT that ultimately had an effect on the profitability of female-led SMEs. The study found that the sectors in which women as SME owners were more active (trade in food and beverages, textiles and garments) carried a higher VAT rate for inputs than the sectors (products and services) in which men were more active. In particular, inputs needed for trade in food and beverages carried the highest VAT rate, regardless of type of food or type of trade, thus applying the same rate to a woman behind a stall on the street and a restaurant. Overall, the data showed that female-led SMEs in urban settings bore 105% of the cost of male-led SMEs and their earnings were only 67% of their male counterparts. Despite this, female-led SMEs were found to contribute between 40 and 60% of household income. This means that boosting profitability of women-led SMEs would greatly contribute to poverty reduction.[23]

It has been hard to measure the different impacts on women and men of direct taxes such as corporate income tax. However, men often dominate in economic activities that are most likely to attract tax exemptions, such as corporate and larger businesses, trading in marketable securities, and investment in stocks and shares. Tax and private investment promotion laws in many countries exempt a proportion of corporate income from taxes, and allow huge expenses deductions in calculating taxable income. This is not only likely to disproportionately benefit men (as shareholders and business leaders), but is also a significant drain on public resources, with implications for gender equality. Revenues that are effectively given away in the form of tax exemptions could be used to finance services and infrastructure that could help to reduce social inequalities, including gender inequalities.[24]

Government budgets, spending and gender

The allocation of sufficient tax revenues to good quality and gender-responsive public services (such as access to clean and safe utilities, public transportation, childcare, health, education and social protection) is critical in reducing gender inequalities.

Conversely, tax evasion and tax avoidance (including the use of tax havens and unnecessary tax exemptions) deprive governments of revenues for this purpose and thereby are more harmful to women than men.[25] As the amount of tax revenues available to government becomes lower, public spending on basic social services to citizens is reduced. Women are more affected by cuts in public services and social protection than men because they are more dependent on these services. They may also be forced to compensate for deficiencies in these services by quitting their jobs (for example, if they are unable to find childcare or affordable public transport or if they are not receiving healthcare they need).[26]

Lack of tax revenues may contribute to deficits in provision of basic social protection, which affects women disproportionately. Women are more likely to depend on social protection such as maternity benefits or childcare provided by the state because of their reproductive roles. Furthermore, traditional gendered roles and unfair division of unpaid care work between women and men often prevent women from accessing quality paid employment in which they might benefit from employment-based social protection. Women are more likely to work in the informal sector, which is usually associated with low pay and a lack of social protection. In this, they may not be taxed directly, therefore, the informal nature of many women's paid work also means that progressive taxation, such as differentiation of tax rates to ensure those on lower pay carry a lesser tax burden, do not benefit the majority of women.[27] When it comes to gender equality therefore, public spending on social protection, public services and infrastructure that are sensitive to women's needs and which help to remove structural barriers to gender equality is very important.

How social protection, public services and infrastructure impact on women's rights

The Gender and Development Network has highlighted that the relationships between gendered inequalities and public spending continues to receive insufficient attention. Because of the discrimination that women face in social, economic and political spheres, women have less income and assets, do more unpaid care work and are more likely to work in the informal sector without employment-related social protection. They are both more in need of state support and less able to access it, compared with men.

Goal 5 of the Sustainable Development Goals includes a target that calls on government to 'recognise and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies', recognising how spending on these can promote women's rights and gender equality.

For example, social protection can be designed to cover workers in the informal sector and to increase women's independence and agency, as well as to offer a safety net against extreme poverty that results from gender discrimination. Affordable public services, such as health, education and energy, can go a long way towards reducing women's unpaid care burden, enabling more women to earn an income; and infrastructure, including roads and safe public transport, can enhance women's safety and economic opportunities.

Tax policies have important implications for the financing of social protection, public services and infrastructure. They need to be progressive (raising revenues without increasing or entrenching inequalities) and raise sufficient resources for gender-responsive social protection, public services and infrastructure. Fiscal systems need to prioritise women's strategic needs, and employ gender-responsive budgeting technique to respond particularly to the needs of women facing intersecting discriminations. The disproportionate impact of macro-economic austerity measures on women needs to be better addressed.

Source: How social protection, public services and infrastructure impact women's rights, Gender and Development Network Briefing, 2019.

Reforms to reduce gender biases in taxes

Many countries have reformed their tax systems to reduce negative gender bias in recent years. For example, in the 1980s, several western European countries, including France and the Netherlands, reformed their personal income tax laws to eliminate provisions that explicitly discriminated against women. In the UK, the tax-free personal allowance has risen annually in recent years, so that no tax is now paid on the first £11,850 earned, which favours women, as does the 20% rate for the next tax band and the 45% rate for the highest earners.[28]

More generally, in industrialised countries where the personal income tax system is based on joint filing by members of the same family, there have been discussions about how the income tax treats the incomes of secondary earners (generally assumed to be women), and the incentives the income tax has on their work patterns, child bearing, and other socioeconomic behaviour. [29]

Other examples of progressive reforms are set out in the box.

Reforms to reduce gender biases in tax systems
In Malaysia, the tax system was changed in 1991 from one in which the income of a married woman was attributed to her husband unless she elected for separate assessment, to a system in which husbands and wives are treated as separate taxable units. However, the wife's income is still reported on the husband's tax return, and joint assessment is still allowed.
The South African tax system used different rate schedules for married people, single people and married women, applying a higher rate to the latter two categories. These rates were unified in 1995.

India has begun to move to an explicit bias in favour of women by starting to advocate for a progressive tax system and then increasing the threshold for personal income tax. Women can benefit from a greater proportion of their income before paying taxes, but this would only benefit the minority of women working in the formal sector.

In Pakistan, the tax code discriminates in favour of women, with a basic exemption that is higher for a working woman than a man.
Singapore's tax system includes basic child relief is available. A married woman is entitled to additional allowances for her children if she has elected to be taxed in her own name and has a certain level of education.

In 2015, Egypt announced an increase in income tax on high salaries and corporate profits, as well as an introduction of a real estate tax and 10% on capital gains (cancelled later), which all favour the poor and middle class and women.
Morocco has reformed its tax system since 1996 by addressing indirect taxes, mostly favouring the poorest and women. These indirect tax reforms are based on differing consumption patterns and they take the form of VAT exemptions on goods and services, such as basic foods, medicine, education, healthcare, tea, coffee and edible oil.

Sources: Capraro, Stotsky and UNDP.[30]

Arab countries have generally been slower to implement reforms of their tax systems to address gender biases and the reforms that have been made have not necessarily been based on strong evidence. The following sections provide a comparative analysis of tax policies in Lebanon, Tunisia and Egypt.

Gender analysis of taxation in study countries:

Gender analysis of tax policy 'questions the assumed neutrality of tax policy and seeks to understand the impact of taxation by taking into consideration the different roles and positions that women and men occupy in the economy'.[31]

Very little has been written about this in the Arab region. One comparative analysis of taxation and gender employment in Algeria, Morocco, Egypt and Tunisia was published in 2012.[32] This study found that tax burdens are not proportionally distributed across economic activities and across society classes including men and women. Morocco was the only Arab country that was addressed in the extensive comparative analysis of direct and indirect taxes in developed and developing countries by Grown and Valodia in 2010.[33] The study's major conclusion concerning Morocco was that the 2009 reforms were inappropriate for reinforcing gender equality, especially through the concept of male breadwinner in the personal income tax system.

Lebanon was examined in a 2016 comparative analysis which found that the most evident discrimination in the tax law stems from the decree that places married women in the same tax group as single men, in addition to a discrepancy in the duration of maternity leave between the private and public sectors.[34]

The studies published as preparation for this report consider the tax policies of Lebanon, Tunisia and Egypt from a gender perspective.[35] We draw on data, analysis and findings of these individual country reports below, and consider some of the similarities and difference in national tax systems as they relate to gender.

Public awareness about gender and tax

In all three countries in this study, women are overrepresented among those on low incomes. Disparities between men and women exist among all economic groups, but have a greater impact on people living in poverty. Attempts to reform tax systems from a gender or social justice perspective have been very limited.

Furthermore, lower income groups have been placed at a disadvantage as a result of cuts in government spending, in a large part as a result of financial crises and the imposition of policies required by international financial institutions as conditions for loans (see box).

Loan conditionality and policy space in the Arab region

In developing Arab countries in the post-colonial period, many governments made significant social outlays that resulted in remarkable improvements in social and economic indicators, but from the mid-1980s economic slowdown saw many countries in the region turning to the IMF and World Bank for support. As a result, most became subject to loan conditionalities – rules and conditions that restrict economic policy making by governments, with the aim of reducing fiscal deficits by increasing tax revenues and reducing public expenditures. The priority, at least until relatively recently, was to ensure macroeconomic stability to finance debt repayments.

In many cases, the results were economic reforms that failed to promote inclusive economic development and reduce inequalities. For example, reforms often included removal of state subsidies on important commodities including fuel, bread and medicines, which were provided in many Arab countries as a way to offer relief from high prices in the absence of universal social protection. These subsidies accounted for 8.5% of regional GDP and 22% of total government returns in 2010, much more so than in most developing regions. The decline in government subsidies for basic commodities was greater in Egypt and Jordan than in Lebanon and Palestine.

Removal of subsidies has been widely seen as unjust because it reduces the purchasing power of people living in poverty. A similar effect has resulted from the imposition of increased levels of indirect taxes including VAT, which aimed to increase revenues and broaden the tax base, but which has also reduced purchasing power and impacted vulnerable groups and women disproportionately. In the absence of universal social protection funded by progressive taxation (much needed in the Arab region) targeted social safety nets have also been promoted (often because they are regarded as more cost-effective) but the considerable challenges in the administration of such schemes has meant that they have not been very successful in reaching people most in need of support.

Civil society networks working for tax justice have been critical of loan conditionalities. Recently, the Africa Tax Justice called on the IMF to use a 2018 conditionality review to investigate the impacts of IMF policy lending practice on human rights and inequality in the past two decades, and for measures to fight inequality and achieve the SDGs to be integrated into loan programmes and conditions.[36]

Sources: ANND and IMF[37]

Despite the importance of tax policy for sustainable and inclusive development, the interviews conducted when preparing the individual country reports revealed that tax was never at the forefront of the women's rights movement, and did not occupy a fundamental place in public debate.

Public interest in the gender dimension of tax policies is limited, firstly, because the value of tax policy as an instrument for social justice is little understood, even among pro-equality political parties and social movements, and despite the ongoing political transformation in many Arab countries. It is possible that the trend towards economic liberalisation in most Arab countries in the 1990s has pushed the issue of social justice down the political agenda and the priorities of states. Governments have been very slow in recognising the impact of tax policies on social justice in general and on women in particular, and have not been pressured to change these policies. Finally, economic justice has not been among the top priorities of actors in women's rights, nor does gender justice appear to be a fundamental concern for many activists.

Nevertheless, gender analysis of tax policies remains an important step to assess the inequalities between women and men that result from social and economic power relations in households, markets, and institutions.

There is a fundamental challenge facing research on the impact of tax policies in the countries covered by this study, namely that tax and income data are collected at the household level, so that little relevant gender disaggregated data is available.

Given the lack of inter-household information, we opted in this paper for a qualitative assessment of tax laws and policies and for a crosscutting analysis through the use of variables such as women's employment, unemployment, wage gap, unpaid work, ownership of capital, rent and poverty. This analysis is helpful in assessing implications and potential impact of tax policies to/on gender equality.

Women in the economy

Socio-economic indicators in the three countries covered in this study show similar trends and common features with regard to the role of women in the economy. Gender power dynamics are strongly embedded in the market place. For example, gender norms including social stigma and stereotyping prevent many women pursuing options for more lucrative careers in what are considered to be typically masculine realms.

Table 1 shows key labour statistics based on gender. These indicate that women's labour participation rates are lower than men's, with a lower average wage in all countries, but with higher unemployment and poverty rates.

Table 1: Gendered labour statistics

	Lebanon		Tunisia		Egypt	
	Men	Women	Men	Women	Men	Women
Labour participation rate	73%	27%	76%	24%	76.6%	23.4%
Unemployment rate	12%	18%	12.4%	22.5%	9.7%	24.3%
Wage gap (in favour of men)	27%		25%		30%	

Source: Individual country studies.[38]

The figures suggest that women workers experience discrimination and other barriers in accessing employment opportunities and decent wages. Women in the labour force are more likely to work in the informal economy lacking social protection and other benefits.[39] In Lebanon, for example, women informal workers in small, unregistered enterprises and non-remunerated labour, make up approximately 57% of the total female labour force. Since most women also undertake unwaged work in the household, official labour statistics report low labour participation for women of 23–27%, compared to 73% for men.[40] Women's labour remains largely invisible and undervalued.

In Tunisia, women represent 50.2% of the total population of working age but only 28.2% of the active working population. Their employment ratio, or proportion of women of working age that are employed, is estimated at 24.6%.

Women's participation in the Egyptian labour force increased from 4.2 million in 2001 to 6.5 million in 2013, with women making up 23.4% of the total labour force.

Women's labour force participation in all three countries remains low compared to the global average of active women, which is more than 50%.[41]

All three countries are characterised by high unemployment, but figures show that the unemployment rate in Lebanon is twice as high for women (10.5% of total female labour force in 2016) than for men (5.3% of total male labour force in 2016).[42] One of the greatest issues for the Tunisian economy is the high unemployment rate, especially among women and youth (23.5% of total female labour force in 2016 and 40.3% of total female youth).[43] The 2016 statistics estimate women's unemployment rate at 25.1% of total female labour and men's at 8.6% of total male labour.

There is a significant wage gap in the three countries. In Lebanon, men earn 27% more than women, on average.[44] In Tunisia, the 2012 survey indicated that in the unorganised labour sector women earn 35.5% less; the gap is has increased since 1997, when the difference was 24.5%.[45] In the organised private sector, women's wages are 25.4% less than men's. In comparison, estimated earned income of a woman was 30% that of a man in Egypt in 2015.

An indication of very high levels of gendered income inequality can be found in estimated figures for gross national income per capita (see box)

Estimated gross national income per capita (2011 PPP$)		
Country	Female	Male
Tunisia	4,537	16,152
Egypt	4,081	16,489
Lebanon	5,523	21,182

Source: UNDP, http://hdr.undp.org/en/composite/GDIFurthermore, it can be expected that poverty rates for unmarried women, single mothers and families headed by women are relatively higher than average.

Higher illiteracy rates among women means that they are often relegated to lower-paying jobs. However, education is not necessarily the most important factor in access to employment for women in the Arab region. It has been pointed out that unemployment rates are often highest for women with tertiary education, and very high for women with mid-range educational attainment, pointing to other factors, including gender norms and expectations (particularly for married women) and gender discrimination in employment and the workplace, as important barriers to women's employment.[46]

Women are twice as likely than men to end up working in the informal sector, where they are denied basic labour rights and gender-specific rights such as maternity leave. Women are also denied social and legal protection in some formal sectors, such as agriculture, where female labour participation is high.

In business, men have a dominant position in all three countries. In Lebanon, only 15% of working women are business owners; and higher managerial levels are 18% women.[47] In Tunisia, women's opportunities for accessing resources are much lower – women are less likely to obtain loans to finance small and medium enterprises, being given 17% of loans, despite the fact that the cost of the approved projects for women is 40.8% less than men. In Egypt, 1.6% of women own businesses versus 13.7% of men. In addition, women are less likely to own other assets, such as real estate and shares, due to social limitations and discriminatory norms.

These indicators demonstrate that the economic policies, social relations of production and reproduction and labour market dynamic are highly gendered and are discriminatory against women. Understanding women's economic position is key for analysing how they are affected by tax policies, and how gender norms and practices have a role in shaping these laws and policies. Indeed, tax policies constitute a reflection of gender injustice, and they can either reinforce or alleviate the compounded effects of structural gender inequalities and injustices.

The tax system: structure and burden

The tax system in all three countries consists of direct taxes (income and wealth) and indirect taxes (consumption and trade). Income taxes include tax on business profits, tax on salaries/ wages and pension benefits, and tax on investment income (capital gains and dividends). In all three countries, tax revenues are heavily dependent on indirect taxes, such as VAT and customs.

In Tunisia, VAT was rolled out gradually, from 1989 to 1996.[48] In Egypt, revenue from indirect taxes doubled between 2014 and 2017. VAT was introduced in 2016 at 13%, with a promise that 1% would be spent on social justice programmes. The rate increased to 14% in 2017. In Lebanon, indirect taxes make up 53% of total government revenues and constitute around 6.5% of gross domestic product (GDP), while direct taxation is just over 5% of GDP.[49]

The politics of tax reform over the past two decades has focused on decreasing direct taxes and relying heavily on VAT, pointing to tax policies that are regressive and likely to place a heavy burden on women.

Direct taxation may also be placing a disproportionate burden on lower-income groups and women by under-taxing larger businesses. In Lebanon, it has been argued that direct taxes mainly target the wages and salaries of middle-income and lower-income populations while income tax on corporations' profits has been reduced from a 50% top marginal rate to a 10% flat tax. Similarly, taxes on profits of individual enterprises, which once ranged from 6% to 50% spread over 13 brackets, have been reduced to 3–10% over four brackets.[50]

In Tunisia, personal income taxes represent more than 60% of total income taxes compared to around 40% of corporate income tax. The unified corporate tax rate was reduced recently to 15%, which is much lower than the highest rate for individual taxpayers earning over TND500,000 ($168,820) of 35%. The rate of tax on wages continues to increase, reaching 42% in 2013 versus 35.7% in 1991. Direct tax burden has increased from 4.8% of GDP in 1983 to 8.7% in 2010 and 10% in 2012.[51]

In Egypt, the corporate tax rate is unified at 25%, with the exception of the Central Bank of Egypt, the Suez Canal and the National Petroleum Institute which are subject to 40% tax. The highest bracket rate for individual taxpayers is22.5% for income over EGP200,000 ($11,147), while a tax exemption is given to those with a yearly income of EGP13,500 ($752).

The relatively low tax burden on corporations compared to individuals in all three countries suggests that favouritism may be a factor. The income of large businesses is usually exempted from taxes under investment promotion laws. Large businesses are also in a much better position to influence these, as well as to practise tax evasion and avoidance, compared to individual taxpayers.

Other factors include the structure of the economy, where the informal sector is a major contributor to GDP, growth and employment, and small and medium enterprises comprise more than 95% of total number of businesses in these countries.

Other forms of direct taxes that could contribute to more taxation of wealth – such as on capital gains, stock dividends, interest revenues and property – are almost nonexistent in Egypt and Tunisia, and marginal in Lebanon. Even the taxes on removable capital in Lebanon were reduced from 15% to 5% and property taxes were reduced from 15% to 10%. A 10% capital gains tax was introduced in Egypt in 2014, but was cancelled after protests from investors.

These features make the tax system in these countries more regressive, shifting the burden to lower-income groups in which women are overrepresented. At the same time, public services are being cut back and outsourced to the private sector, something that disproportionately affects women.

Gender biases in the tax systems

The analysis above shows that the tax systems of the three countries are far from being socially just. Poor people are overburdened by taxes, while rich people are not taxed as much as they could be. This social injustice has negative implications for gender equality, since women are economically disadvantaged. Therefore, it is expected that these systems contain many gender biases in favour of men, some of these biases are explicit in the language and narratives of the effective income tax laws and regulations, while others are implicit.

Explicit biases

Tax laws in these countries vary as to the existence of clear explicit biases against women. The explicit biases are most evident in Lebanon, where income tax legislation discriminates against women, reflecting social norms, for example the perception that women are not primary income earners. Married women's income is treated as supplementary to that of their husbands. Under the tax code, married men are entitled to a deduction for dependent spouses and up to five children. Married women can only claim this deduction if their husband dies or is incapacitated; otherwise they are treated as single women for tax purposes. Delphine Torres Tailfer stated: 'This injustice reflects deep rooted patriarchy in which woman is defined by her marital status rather than by her economic and social contribution.'[52]

In addition, the code of commerce is discriminatory, imposing restrictions on a wife's property if her husband declares bankruptcy. A woman is treated as her husband's dependent and assets acquired during their marriage are considered to have been acquired with her husband's money, unless she is able to prove otherwise.[53] In contrast if a woman becomes bankrupt, her husband's property is not considered to belong to her. These provisions treat explicitly women as dependents of men and should be removed.

Direct taxes also have an implicit bias against women in Lebanon. Existing gender inequalities mean that women have no control over key assets and property. Studies show that women in Lebanon have low access to land and face obstacles in trying to access production assets, such as technical expertise, land, capital and credit.[54] Incentives, tax exemptions and low direct taxes and property taxes clearly favour men, because they are higher income earners and more likely to own companies or shares than women. Men constitute a stronger tax base and would have to pay more if the rate structure was more progressive and exemptions lower.

In comparison, Tunisian personal income tax was reformed in 1990 and is an ascending system according to income bands. A tax division based on gender was not addressed when developing this system, and there are no statistics on the value of income taxes paid by men and women, whether at the individual or corporate level.

Income up to TND5,000 ($1,700) is exempt from tax. There are joint reductions for income earners with children. However, these amounts have not changed since they were first adopted in 1983, while similar reductions are updated on a regular basis in Organisation for Economic Co-operation and Development (OECD) member states. In contrast, the unified corporate tax rate was reduced from 25% to 15% in January 2017.

The tax system in Tunisia considers the man to be the head of the family, and grants married men tax reductions rather than married women. However, in Egypt the current personal income tax law treats men and women equally. Before the current legislation came into effect in 2005, men and women were treated differently with regards to personal allowances, based on the sharia which states that men are the protectors of women. Now, women and men are granted the same personal allowance of EGP5,000 ($278), regardless of their status (married, single, dependent, breadwinner, etc). Men and women file their taxes separately, based on the Islamic sharia that there should be separation of property for men and women. However, this does not imply the absence of indirect or implicit discrimination against women. For example, while the government has championed differential tax rates on different income brackets, a person with an annual income of EGP13,500 ($752), which is below the national poverty line, is still expected to pay10% tax, which may impact heavily on some of the lowest-earning women.

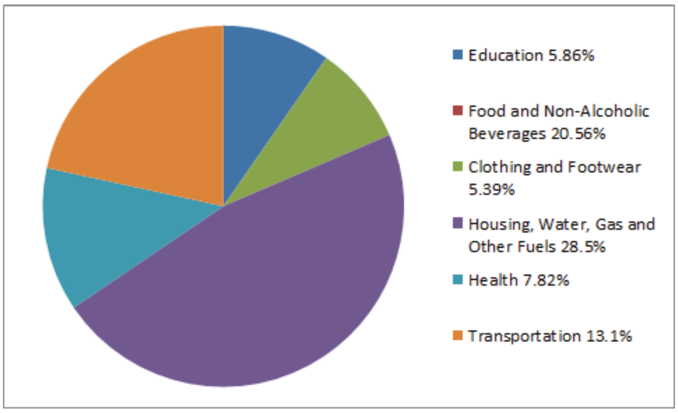
Reliance on indirect taxation – which, as mentioned earlier, is a problematic feature of all three countries – is the result of high levels of informality in these economies that makes it more difficult to increase revenues from income taxes. At the same time, business interests apply pressure to reduce corporate taxes, and a lack of institutional capacity is a barrier to enforcing other wealth taxes, such as capital gains or stock exchange taxes. A heavy reliance on indirect taxation is very problematic, not only because it contributes to inflation and limits what people can afford to buy, but also because it contributes to inequality by disproportionately increasing the tax burden on people living in poverty. Indirect taxes may introduce more implicit biases against women who are more economically disadvantaged and have different consumption behaviour than men.

Implicit gender biases in indirect taxes

As noted, tax structures in the second half of the 1990s emphasised indirect taxes, and deemphasised direct taxation, a consequence of structural reforms towards economic liberalisation. The resulting implicit gender biases are best illustrated by the case of Lebanon.

In Lebanon, the share of indirect tax revenues has been increasing, especially since 10%VAT was introduced in 2002. Studies suggest that VAT and other indirect taxes are regressive and vertically inequitable. They do not differentiate between income levels of consumers, with poor people paying relatively more tax as a percentage of income, with those at the top paying lower marginal rates of indirect consumption tax.[55] For example, on average, indirect tax rate paid by low-income people amounts to 13.5%, whereas it decreases to 6.6% for those on high incomes.[56] The Central Administration of Statistics data on Lebanese household expenditure in 2012 reveal that expenditure on housing and other amenities (water, electricity, gas and other fuels) is 28.5% of total expenditure, on average (Figure 1). The average spent on food is 21%, but for poor households expenditure on food is much higher, reaching 35% of total expenditure.[57]

Figure 1. Average annual household expenses by product category



Source: Central Administration of Statistics[58] v

Despite the fact that VAT law exempted many products that were considered to be mostly consumed by the poor in order to attenuate its impact (basic food items, butane, collective transport, education, health and other products), it also introduced regressive exemptions on luxury items such as yachts, air transport, precious and semi-precious stones, negotiable money, sale of built property, banking and financial services and others that are mostly consumed by high income groups.[59] Hence, the richer the household, the more is its share of exemptions. The poorest households benefit from 32.8% of total exemptions, compared to 33.6% for the richest.[60]

Women in Lebanon tend to spend the income under their control on their families and children, and on goods such as food, education and healthcare, so it is reasonable to assume that women as lower income earners are more disadvantaged by indirect taxes.[61] For indirect taxes from excise taxes on alcohol and tobacco, women generally enjoy an advantage as they are lower consumers of these goods. This forces us to think more about women's position in the household and how households determine their budgets.[62] In the case of a working married woman, there is a greater probability that the household budget will be consensually decided upon by the spouses or partners, and this probability increases with the share of total income earned by the woman.[63] This is true especially among young couples or spouses.[64] As Huber notes, in the case of consensual budget-making, one could assume that income and expenditures are shared, and thus the final experienced incidence of taxation is the same for both spouses, whether the woman works or not and whether children are present or not. However, in practice, it is probable that the woman will be in charge of administering the household budget and will experience the burden of indirect taxes more directly.[65] It is also probable that she spends more time and energy to compensate for high prices of food and essential services, adds Huber.

In Lebanon, 61% of households with working people have one person in employment. In the case of unilateral budget-making, where women rely on their husbands' wages to take care of household needs, the gendered impacts of indirect taxes are more obvious.[66] When the household budget is small, women will be disproportionately affected by indirect taxes on food and the absence of healthcare coverage and privatisation of education, and that effect will be magnified by the presence of children. Women-headed households, which constitute 15% of households, are affected primarily by the greater probability of earning lower incomes than men and thus are seriously more disadvantaged by regressive taxes of all kinds, direct and indirect.[67]

Single women with children account for 71% of all female-headed households. They are disadvantaged in the labour market and bear the responsibility of providing for their children, leaving them generally in the economically weakest positions.[68]They tend to have low incomes and have to spend more time and energy to provide for the needs of their families and they feel the burden of the regressive tax structure the most.

Since women are predominantly responsible for providing for the health and education of their children, better public health services and educational facilities will definitely benefit them. In contrast, women are less likely to be covered by social security schemes because they have lower rates of labour participation and because they represent a considerable proportion of the workforce in the informal sector. Only 44.5% of employed women are covered by social security schemes, leaving the remainder without social protection unless they can access private insurance, which protects only 15.6% of working women.[69]

The lack of adequate and accessible healthcare and basic infrastructure means that women have to fill the gap though their unpaid or low paid work. In contrast, capital and big business rely on women's cheap labour and unpaid labour to increase lucrativeness, while avoiding taxes and social security benefits that could pay for public services and support unpaid care work predominantly undertaken by women. This was evident when the demand for an extension of maternity leave from 40 days to 10 weeks in 2014 was faced with fierce opposition from the 'economic committees', ie, the alliance of the economic elite, because of the 'economic loss that will be incurred by employers during the two and a half months of vacation'.[70]

It can be concluded from the above that the dominant trends in tax policies result in a tax system that does not raise sufficient revenue from those who are able to pay. These measures not only directly benefit higher income earners and business owners, the majority of whom are men, they also erode the revenue necessary to provide essential services for those who need them most. These are services that women, more so than men, rely on in their daily lives. Thus, the regressive nature of the tax system is more likely to harm lower income earners, to which women predominantly belong, especially with the quasi absence of social redistributive policies, privatisation and the decreased government social services expenses which shift the economic burden of reproduction from the public towards women.

Towards gender-sensitive tax systems

This study has found that tax systems in Egypt, Lebanon and Jordan are not adequate from a gender perspective.

We suggest some possible recommendations that could be used to address this issue in these and similar countries.

What governments can do:

- Reform tax systems to comply with CEDAW provisions for non-discrimination.
- Reform income tax to increase the amount of income that is exempted from tax with due consideration of poverty lines and inflation rates.
- Reduce dependence on indirect taxes on goods and services primarily consumed by women or of primary importance to women.
- Support women's access to economic opportunity through gender-specific tax incentives and tax breaks.
- Design tax policies in such a way as to value women's unpaid work.
- Reduce taxes on goods and services that promote substantive gender equality and higher social welfare, such as reproductive health.
- Find ways to increase employment in the formal economy while also extending social protection and other benefits to the informal sector, and securing the rights of informal sector workers.
- Revise labour laws to improve working conditions for women (for example, by extending entitlements to paid maternity leave).
- Adopt gender-responsive budgeting.

Governments can also collect gender disaggregated data on taxpayers and those employed informally, and on the contribution of women and men in direct and indirect taxes, in order to better determine the gender implications taxation and promote gender.

Gender tax justice must be a part of wider public policies to eliminate gender discrimination. Expenditure on public services and investment in social infrastructure, particularly the care economy, has the potential to increase well-paid jobs for women. Tax revenues devoted to high quality and highly accessible education and health services and to anti-poverty policies, such as family allowances paid to mothers, pensions, unemployment, and disability schemes, have the potential to mitigate class and gender inequalities.

What civil society organisations can do:

- Tax justice should be firmly on the agenda of the women's movement. Equally, gender inequality should be a core concern of tax and social justice advocates.
- Pro-equality civil organisations and political activists should engage with governments and parliaments to mainstream gender in public policies including taxation.
- Based on country-level analysis, civil

society organisations can develop position papers on the issue of gender tax equality to provide a basis for advocacy.

- Public awareness campaigns about tax justice and gender equality should be designed and implemented, through workshops, social media and training.

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