



Policy Memo

At the Center: Towards a Gender-Sensitive Agenda for Social Protection in Jordan

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Women and Social Protection: Why It Matters

Women worldwide face risks, including limited access to education, inadequate health services and coverage, gender-based discrimination, unpaid care work, high poverty rates, and increased vulnerability in old age due to the absence of adequate social protection systems (SPIAC-B, 2019). Social protection programs can be an effective tool to mitigate and address these risks. Social protection can be generally defined as “the set of policies and programs aimed at preventing or protecting all people against poverty, vulnerability, and social exclusion throughout their life course” (Elena Camilletti et al, 2022, p. 10). While social protection programs can take different forms and use different methods of targeting vulnerabilities, the **ILO Social Protection Floors Recommendation, 2012 (No. 202)** has set the minimum nationally defined sets of basic and universal social security guarantees which should ensure that, over the life cycle, all in need have access to essential health care and basic income security. National social protection floors should comprise at least the following four social security guarantees (ILO):

1. Access to essential health care, including maternity care;
2. Basic income security for children, providing access to nutrition, education, care, and any other necessary goods and services;
3. Basic income security for persons of active age who are unable to earn sufficient income, in particular in cases of sickness, unemployment, maternity, and disability;
4. Basic income security for older persons

Social Protection Floors hold promise for women, a category that is over-represented among those excluded from existing social protection schemes. Studies have shown that social protection programs promote gender equality and support women throughout their lives, contributing to “improvements in girls’ education, women’s health during pregnancy and childbirth, and reduced poverty across the life cycle, during childhood, adolescence, as well as in old age for women specifically” (Elena Camilletti et al, 2022, p. 10); well-designed social protection schemes can narrow gender gaps in poverty rates, enhance women’s access to personal income and provide a life-line for women in need (UN WOMEN, 2015).

The integration of gender concerns in social protection has been uneven and ambiguous to date, leaving women’s specific risks and constraints unaddressed (UN WOMEN, 2015). This situation hampers their ability to join and benefit from various social protection programs, particularly in societies that reinforce traditional gender roles, thereby increasing their vulnerability and susceptibility to poverty (Sida, 2019). To balance existing gender-based inequalities, social protection programs and guarantees should go hand in hand with policies that encourage decent working conditions for women, as paid employment remains the main source of income for most working-age adults. These include, but are not limited to equal pay in formal employment (in private or public sectors); making available infrastructure, services, and policies that ease women’s disproportionate responsibility for unpaid care (family and domestic), as it limits their participation in the formal labor market, pushing them towards informal employment and reducing their access benefits like maternity and old-age insurance (ITUC, 2018) (Sida, 2019) (ILO, 2021); fair registration into social security, as even when women get an old-age pension based on a tax-financed program, the ILO argues that they receive low benefits due to narrow eligibility criteria, or stigmatization (ILO, 2021).

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Social Protection and Women in Jordan: A Double Challenge

Social protection and women in Jordan face a double challenge. On the one hand, the understanding of social protection in Jordan remains anchored in a charity paradigm, rather than a rights-based approach based on universal minimum guarantees. International development partners perpetuate this charity paradigm through the implementation of piecemeal poverty-targeting approaches in their programs. On the other hand, except perhaps for the field of education, where women are arguably outperforming their male counterparts, women in Jordan remain at the margins in benefiting from social protection guarantees such as health and income security throughout the life cycle.

Jordan's social security system consists of both contributory schemes for those working in the formal sector, and tax-financed schemes for the 60 percent of employed adults who work in the informal economy and their families. While Jordan's expenditures on social security are the highest in the region (amounting to 12.6 % of the GDP), there are large gaps that affect children and persons with disabilities, and around 40 percent of older people, mainly women, cannot access an old age pension (Chad & Popo, 2022)

Jordan's commitment to social protection is stated in its 1952 Constitution. Article 6 commits the government to ensure work, education, and equal opportunities for all, and Article 23 outlines requirements for special compensation to be given to workers supporting families, and during contingencies including dismissal, illness, old age, and emergencies that arise out of the nature of their work. This commitment is further supported by Law Fund No. 36 (1986), which established the National Aid Fund, and the Social Security Law No. 1 (2014), which together outline both contributory and tax-financed social security entitlements for women, men, girls, and boys in Jordan. (Chad & Popo, 2022)

In addition, further legal frameworks include the Public Health Law No. 47 of 2008, the Rights of Persons with Disabilities Law No. 20 of 2017, the Instructions of Motherhood, childhood, and family planning services No. 5 of 2004, the Labor Law of 1996, the Civil Service Law No. 82 of 2013, the Elderly Care System No. 96 of 2021, Civil Health Insurance Law No. 83 of 2004, Civil Retirement Law No. 34 of 1959, and Military Retirement Law No. 33 of 1959.

Despite a robust legal framework, only 27.8 % of the population is covered by at least one social protection benefit (ILO- Social Protection Dashboard). Concerning **contributory schemes**, women face significant challenges in accessing these services. Women's access to social insurance through contributory schemes remains marginal. This is due to three main factors: women have an extremely low participation rate in the Jordanian labor market (14.4%, compared to 54% for males (MoL, 2021)); when they participate, they do so mostly in the informal labor market;² and when they work, most women do not register into the social security.

According to the ILO, a significant number of both national and international full-time female employees remain unregistered (ILO, 2021). Data indicates that by the end of 2017, only 27.9% of working women (313,571 out of 1,122,843) were participating in and insured by social security, while retired women accounted for approximately 16.3% (33,252 out of 203,289 workers) (SIGI, 2021). Furthermore, it is important to note that the health insurance system, which is among the crucial components of this law, has yet to be enacted.

Further challenges facing women relate to low wages in the private sector, limited job opportunities in the public sector, and the absence of supportive infrastructure and services, such as accessible childcare facilities and transportation. Although there have been positive legal initiatives towards establishing accessible childcare facilities,³ concerning transportation, a study conducted by the Sadaqa Foundation and the Friedrich-Ebert-Stiftung in 2018, highlighted how 47% of women in Jordan do not enter the labor market due to the lack of an effective public transport system. (Al-Lobany, 2019)

Moreover, patriarchal gender norms consider women primarily responsible for unpaid domestic and care work, regardless of their employment status, which places an additional burden on women (WEF, 2022) (Phenix, 2023). This perception of women's social role as caregivers within their families also extends into the legal framework governing social protection. According to Social Security Law no 1 (2014) Jordanian women registered in social security, unlike men, can claim their social security benefits as a one-time lump sum payment if they decide to leave their job with the purpose of taking care of their families. According to the SSC Report of 2021, the number of women who claimed their pension reached 2.81% (10,466 women) (SSC, 2021). While this one-time lump sum payment of women's pension may be a safe line for many families at a time of vulnerability, it does not encourage women to remain in the labor market in the long term.

Tax-financed schemes in Jordan are provided by the National Aid Fund (NAF) and the Zakat Fund. As outlined in Law No. 36 of 1986 NAF includes the provision of regular and temporary income and in-kind support to low-income families headed by a Jordanian man or woman (Chad & Pop, 2022) NAF's flagship scheme is the permanent and recurring Monthly Aid Programme. Based on poor-target approaches, this scheme provides regular household-level benefits to families living below the national poverty line of JOD 68 per person a month. The program reaches over 105,000 households and provides an average benefit of JOD 28 a person, per month. The NAF also targets families through additional vulnerability categories, including families of orphans, women-headed households, households headed by people with disabilities, older people, divorced women, and families caring for persons with disabilities (Chad & Pop, 2022). A second supplementary program is Takaful, a program specifically targeting low-income families, with a particular focus on female-headed households. This initiative aimed to assist vulnerable families, and it recognizes the challenges women face in such circumstances. Refugees and other non-national citizens, men and women, are not eligible for NAF support and mostly depend on assistance provided by international agencies, like UNHCR, WFP, and UNRWA.

2 While it is estimated that around 25% of women, including both Jordanian citizens and refugees, are engaged in the informal labor sector, working in small businesses or as self-employed individuals (ILO, 2018), there are no accurate statistics regarding the exact percentage of women in the informal labor market in Jordan (ILO, 2021) Women working in the informal sector are not covered by contributory social protection schemes.

3 In 2020, regulation No. (93) of 2020 on Maternity Social Protection under the Social Security law was issued. This regulation provided working mother with the ability to return to work while securing the care for their children either at their homes or at registered childcare facility. The regulations also allow registered childcare facilities to receive direct cash benefits to cover operational cost. (ILO, 2022)

The Zakat Fund, under the Ministry of Islamic Affairs and Holy Places “*Awqaf*”, is another important source of social assistance in the Kingdom. It provides cash and in-kind assistance to approximately 58,000 households/individuals per year who are not recipients of any other form of regular social assistance. In principle, both nationals and foreigners are entitled to benefit from the Zakat Fund. In 2020, the total number of cash assistance provided by the Fund to 33,100 families was 8.615.279 JD; moreover, the Fund paid the debts of 160 women a total amount of 116,786 as part of their special program for women in debt (ZakatFund, 2020).

Concerning access to **healthcare**, only children below the age of 6 years old benefit from universal healthcare coverage in Jordan. For women in Jordan, the lack of universal health coverage is compounded by limited health programs that primarily concentrate on women’s reproductive health and fail to adequately address the broader spectrum of women’s health needs beyond their reproductive years. Existing legal frameworks emphasize this approach, namely: Public Health Law No. 47 of 2008, the Instructions of Motherhood, Childhood, and Family Planning Services No. 5 of 2004, and the Civil Health Insurance Law No. 83 of 2004 (ARDD, 2023).

COVID-19: An Added Burden with Few Solutions

As established by the literature from around the globe, the Covid-19 pandemic disproportionately affected women. In Jordan, only a small fraction of the policies implemented in response to the crisis were gender-sensitive. Out of the 26 policies developed, only 4 took gender considerations into account. These gender-sensitive policies are included (UNDP, 2023):

- 1- Implementation of the flexible work system for women with children under the age of 11, allowing them to return to work while ensuring childcare needs are met by not opening childcare centers. This policy aimed to support women returning to work.
- 2- The *Takaful* program specifically targeted low-income families, with a particular focus on female-headed households. This initiative aimed to assist vulnerable families, and it recognizes the challenges women face in such circumstances.
- 3- Adoption of the maternity social protection law No. 93 (2020) within the Social Security Law. This policy acknowledged the unique needs of pregnant women and provided them with appropriate benefits and protection during their pregnancy and after birth.
- 4- One-time cash assistance provided to the most impoverished Palestinian refugees, including elderly individuals and households headed by women. This support aimed to address the immediate financial challenges faced by vulnerable groups during the pandemic.

Way Forward

Women should be at the center of social protection policies and strategies to mitigate existing gender inequality at global and national levels. Social protection should adopt gender-sensitive and life-cycle-based approaches to avoid inadvertently reinforcing existing roles that disadvantage girls and women across the life course (UNICEF, 2021, p. 2). The ILO has repeatedly called for adopting “more gender-responsive social protection policies that need to be complemented by efforts to ensure the availability, accessibility, and quality of public services, such as childcare and long-term care provision” (ILO, 2021, p. 55). Arguably, an effective way to expand women’s access to social protection would be “to ensure adequate, public non-contributory social protection schemes, such as basic pensions and guarantee minimum unemployment benefits” (ITUC, 2018, p. 6).

In Jordan, the adoption and adaptation of internationally recognized recommendations could pave the way toward more gender-sensitive social protection policies. Recommendations for a way forward include:⁴

- Conduct assessments that analyze the factors that drive women’s exclusion and disadvantage in existing social protection schemes.
- Move beyond narrow approaches to social protection by embedding basic transfers in a broader social and economic policy package aimed at creating more and better jobs for women and reducing and redistributing unpaid care and domestic work.
- Build on targeted programs to create universal schemes that are more likely to prevent exclusion errors and stigma, especially for women from poor and marginalized groups.
- Avoid tying cash transfers to conditionalities that add to women’s unpaid care burdens and integrate gender-responsive elements, such as feasible daycare for children, the elderly, and persons with disabilities (whose care is mostly the responsibility of working-age women)
- Consider the use of affirmative action to enhance female participation in the labor market by implementing quotas in the public sector and/or fiscal incentives for hiring and retaining women in the private sector.
- Support for victims of domestic violence by linking cash transfer programs with services such as vocational training and childcare.
- Ensure that gender-responsive measures are implemented through effective monitoring and complaints mechanisms, including participatory social audits that involve women’s rights organizations.

4 Adapted from UN WOMEN (2015). Making National Social Protection Floors Work for Women. Available at <https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2015/UNwomen-PolicyBrief01-MakingNationalSocialProtectionFloorsWorkForWomen-en.pdf>

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