



Photo Credit: Joel Sheakoski  
Copyright: Inter-Parliamentary Union

# WORDS

# & DEEDS

Holding governments  
accountable in the  
Beijing +30 review process

**6TH EDITION**

 **Equality Now**  
A just world for women and girls.

WORDS

& DEEDS

TABLE OF CONTENTS

<b>CALL TO ACTION.....</b>	<b>6</b>	India.....	34
Heads of State and Parliamentarians .....	7	Indonesia.....	34
Traditional and Religious Leaders .....	7	Israel .....	35
UN and Regional Bodies .....	7	Japan.....	36
Civil Society .....	7	Jordan .....	37
		Kenya .....	37
<b>INTRODUCTION .....</b>	<b>8</b>	Lebanon.....	38
		Malaysia.....	38
<b>PROGRESS AND SETBACKS IMPLEMENTING THE BEIJING PLATFORM FOR ACTION .....</b>	<b>10</b>	Mali.....	39
		Sudan.....	39
		Yemen.....	40
		Missouri .....	41
<b>GLOBAL BACKLASH AGAINST WOMEN’S AND GIRLS’ RIGHTS</b>	<b>13</b>	<b>ECONOMIC STATUS.....</b>	<b>42</b>
Rollback on reproductive rights, protection from marital rape, and LGBTQ+ rights .....	13	What’s the issue? .....	43
Restrictions on civil society in the law .....	14	What’s the impact? .....	44
Restrictions on education, movement, expression, and equality in law .....	15	What needs to change? .....	45
Dismantling of State institutions and laws protecting women .....	16	<b>Inheritance and Property .....</b>	<b>46</b>
<b>THE COVID-19 CRISIS.....</b>	<b>17</b>	Cameroon.....	46
		Chile.....	46
<b>SPECIAL FOCUS: CONSTITUTIONAL EQUALITY .....</b>	<b>18</b>	Sri Lanka .....	46
		Tunisia.....	47
<b>SPECIAL FOCUS: FAMILY LAW .....</b>	<b>21</b>	United Arab Emirates .....	47
		<b>Employment.....</b>	<b>48</b>
<b>MARITAL STATUS.....</b>	<b>26</b>	Brazil.....	48
What’s the issue? .....	26	Cameroon.....	49
What’s the impact? .....	27	China.....	49
What needs to change? .....	27	Ireland .....	50
		Madagascar .....	50
<b>Child, Early and Forced Marriage.....</b>	<b>29</b>	Kyrgyzstan .....	50
Mali .....	30	Russian Federation.....	51
Mississippi.....	30	Switzerland .....	52
Tanzania .....	31	South Korea .....	53
		<b>PERSONAL STATUS.....</b>	<b>54</b>
<b>Marriage, Divorce, Polygamy and Wife Obedience .....</b>	<b>32</b>	What’s the issue? .....	55
Afghanistan .....	32	What’s the impact? .....	56
Algeria .....	32	What needs to change? .....	57
Burundi.....	33		
Democratic Republic of Congo .....	33		
Honduras.....	33		

Citizenship.....58

Bahrain ..... 58

Brunei ..... 58

Monaco ..... 59

Togo .....60

United States of America .....60

Evidence.....62

Iran ..... 62

Pakistan ..... 63

Travel.....63

Oman ..... 63

VIOLENCE ..... 64

What’s the issue? ..... 64

What’s the impact? ..... 67

What needs to be changed? ..... 67

Rape.....68

The Bahamas ..... 68

India ..... 68

Kuwait.....69

Libya ..... 69

Paraguay ..... 70

Singapore ..... 70

Thailand ..... 72

Domestic Violence ..... 72

Iraq..... 72

Nigeria ..... 73

"Honor" Killings ..... 73

Egypt ..... 73

ENDNOTES ..... 74

ANNEX ..... 81

About Equality Now

Equality Now is an international human rights organization founded in 1992 to protect and advance the rights of all women and girls around the world. Its campaigns focus on four programmatic areas: achieving legal equality, ending sexual violence, ending harmful practices, and ending sexual exploitation, with a cross-cutting focus on the unique needs of adolescent girls and other vulnerable groups.

Equality Now connects grassroots activism with international, regional, and national accountability mechanisms to bring about legal and systemic change for the greater equality and benefit of all. It works to get governments to enact and enforce laws and policies that support women’s and girls’ rights in line with international human rights standards. Our advocacy has contributed to the full or partial amendment or repeal of over 59% of the sex discriminatory laws in these reports alone over the last 25 years, including since our 2020 edition in Cuba, Dominican Republic, Japan, the Philippines, Russia, Switzerland, Syria, Thailand, UAE, United States, and Zambia. We have also been instrumental in reforms in other countries and the enactment of laws against all forms of gender-based violence, including rape, sex trafficking, and harmful practices such as child, early forced marriage and unions, and female genital mutilation (FGM).

Equality Now is a global organization with partners all around the world. You’ll find our 80+ team across the world in places such as Beirut, Johannesburg, London, Geneva, San José, New York, Nairobi, Tbilisi, and Washington DC, among many others.

Acknowledgments

This report was made possible by the collective and individual contributions of many organizations and individuals around the world.

**Equality Now thanks the following organizations and individuals for their assistance in the research of this report. Unfortunately, we are not able to publicly acknowledge some organizations here due to safety concerns in their countries.**

Abolish 153: Asuda: Bahrain Women Union: CIDDF: CLADEM Brazil: Corporación humanas Chile: Equality Bahamas: FEMENA: Centre for Human Rights Supporters: Yoko Hayashi (Former Chairperson of the UN Committee on the Elimination of Discrimination against Women): JASS Just Power: Kadirat: Musawah: Unchained at Last: Forum for Dignity Initiatives: Pakistan (FDI, Pakistan): Latin American and Caribbean Committee for the Defense of Women’s Rights (CLADEM): Paraguays Movimiento contra la violencia sexual hacia niñas, niños y adolescentes: BECA (Base educativa y comunitaria de apoyo): and the Planned Parenthood Association of Thailand.

**Equality Now is also grateful to the following:** Catherine Harrington, the Global Campaign for Equal Nationality Rights; the Global Campaign for Equality in Family Law; Girls Not Brides; Women, Business and the Law team of the World Bank; and WORLD Policy Analysis Center.

In addition we would like to thank Equality Now staff and consultants worldwide, and in particular Shivangi Misra, Antonia Kirkland, Anastasia Law, and Raaya Gomez, Legal Fellow. Thank you to the Lovell Foundation for its support.

**Designer:** Peter Wilbourne

**Translators:** Prime Production, Andovar

**Photographers:** PeopleImages, DisobeyArt, JordiStock, Jesse R, George Milton, RDNE, Ahmed Akacha, Emmy E, Werner Pfennig, Chuvasher, Laura James, grandriver, Kar-Tr, Lalocracio, sestovic, Bell Visuals, Media Lens King, Frazao Studio Latino, SDI Productions, miodrag ignjatovic, 123ArtistImages, Inter-Parliamentary Union, Joel Sheakoski

**March 2025**



# CALL TO ACTION



Credit: PeopleImages / iStock

**All governments must review and amend their sex discriminatory laws and put in place clear constitutional or other guarantees of equality, as a matter of urgency, to protect all women's and girls' civil, political, economic, social, and cultural rights under the Beijing Platform for Action and other international law, standards, and commitments.**

**Governments have the responsibility to end sex and gender-based discrimination in the law. To truly *add equality* to improve the lives of women and girls globally, every sector has a meaningful role to play.**

## Heads of State and Parliamentarians

- ▶ Urgently review and amend or repeal all sex discriminatory legislation;
- ▶ Adopt and/or enforce equality provisions in your Constitution; and
- ▶ Introduce and implement gender-sensitive legislation, where lacking, in compliance with international law and by engaging meaningfully with civil society organizations, human rights advocates, and survivors.

## Traditional and Religious Leaders

- ▶ Ensure all religious and customary laws and practices comply with constitutional and other equality provisions and international law and standards, including the Beijing Platform for Action and the Sustainable Development Goals (SDGs), and hold other religious and customary leaders to account for the same.

## UN and Regional Bodies

- ▶ Continue to hold member states accountable through treaty implementation review mechanisms, and urge them to implement their human rights obligations to remove sex-discriminatory laws; and
- ▶ Continue to support initiatives such as the Equality in Law for Women and Girls by 2030: A Multistakeholder Strategy for Accelerated Action.

## Civil Society

- ▶ Urge heads of state of countries in this report, and those with legislative authority, to support the amendment or repeal of all sex discriminatory laws and fulfill their commitment to the 1995 Beijing Platform for Action and gender equality;
- ▶ Ask your own President or Prime Minister, parliamentarians, and other authorized entities to review the legislation in your country to amend all laws that discriminate directly or have a discriminatory impact on women and girls. This could include establishing a law review commission and developing a follow-up national mechanism for implementation of international obligations and recommendations from the UN and other bodies, if these don't already exist;
- ▶ Spread the word and increase the impact! Share this campaign with your networks to hold governments accountable to their international legal obligation to ensure gender equality; and
- ▶ Join the movement to end sex discrimination in nationality, child marriage, and sexual violence laws and adopt positive gender equality laws by becoming part of our Changemakers Network at <https://equalitynow.org/changemakers/>.

# INTRODUCTION

Thirty years ago, in 1995, the Fourth World Conference on Women, the largest conference held by the United Nations at the time, adopted the [Beijing Declaration and Platform for Action](#) (“Beijing Platform”) with the still highly relevant mission of “removing all the obstacles to women’s active participation in all spheres of public and private life through a full and equal share in economic, social, cultural and political decision-making.” More than 17,000 diplomats and world leaders came together to agree on a set of human rights principles and a plan for the future. After two weeks of political debate and negotiations, 189 governments collectively agreed to commitments that were unprecedented in scope and, to date, remain a blueprint with which to monitor and promote the progress of women’s and girls’ rights in the world.

The Beijing Platform identifies 12 critical areas of concern with strategic objectives and actions covering:



Credit: Ahmed Akacha / Pexels



Credit: RDNE / Pexels



Credit: Laura James / Pexels



Credit: Chuvasher / Pexels



Credit: Ahmed Akacha / Pexels



Credit: JordiStock / iStock



Credit: Emmy E / Pexels



Credit: Werner Pfennig / Pexels



Credit: RDNE / Pexels



Credit: George Milton / Pexels



Credit: Jesse R / Pexels



Credit: DisobeyArt / iStock

# URGENT ACTION IS STILL NEEDED TO REALIZE SUBSTANTIVE ADVANCEMENT IN ALL THESE AREAS TO ACHIEVE GENDER EQUALITY AND SUSTAINABLE DEVELOPMENT.

One essential and foundational key action in the Beijing Platform for Action to be undertaken by States is to “**revoke any remaining laws that discriminate on the basis of sex,**” the focus of this report. This was reiterated in the recently adopted [Pact for the Future](#) in which UN member states called on each other to “Urgently remove all **legal**, social and economic barriers to achieve gender equality...”

Significantly, the Beijing Platform for Action also affirms governments’ commitment to uphold and implement one of the most comprehensive treaties on women’s equality, the Convention on the Elimination of All Forms of Discrimination against Women ([CEDAW](#)). CEDAW provides a legally binding framework that requires ratifying countries to implement specific measures to eliminate discrimination against women, including providing equality in and before the law. States must report regularly on their progress. Regional treaties, such as the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (Maputo Protocol) and the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), have also elaborated comprehensively on States’ obligation to end various forms of violence and discrimination against women and girls, including in and through the law.

Twenty years after the Beijing Platform, in 2015, UN member states adopted another key agreement to map progress in different sectors of society, i.e., the [2030 Agenda for Sustainable Development](#) - 17 integrated Sustainable Development Goals (SDGs) with one of its stand-alone goals, SDG 5, being the goal to achieve gender equality and empowering all women and girls. SDG 5 advanced the international norms of women’s and girls’ rights by further embedding the standards set by the Beijing Platform in a global agenda - that ending all discrimination against women and girls is a prerequisite for attaining progress in all areas for sustainable development.

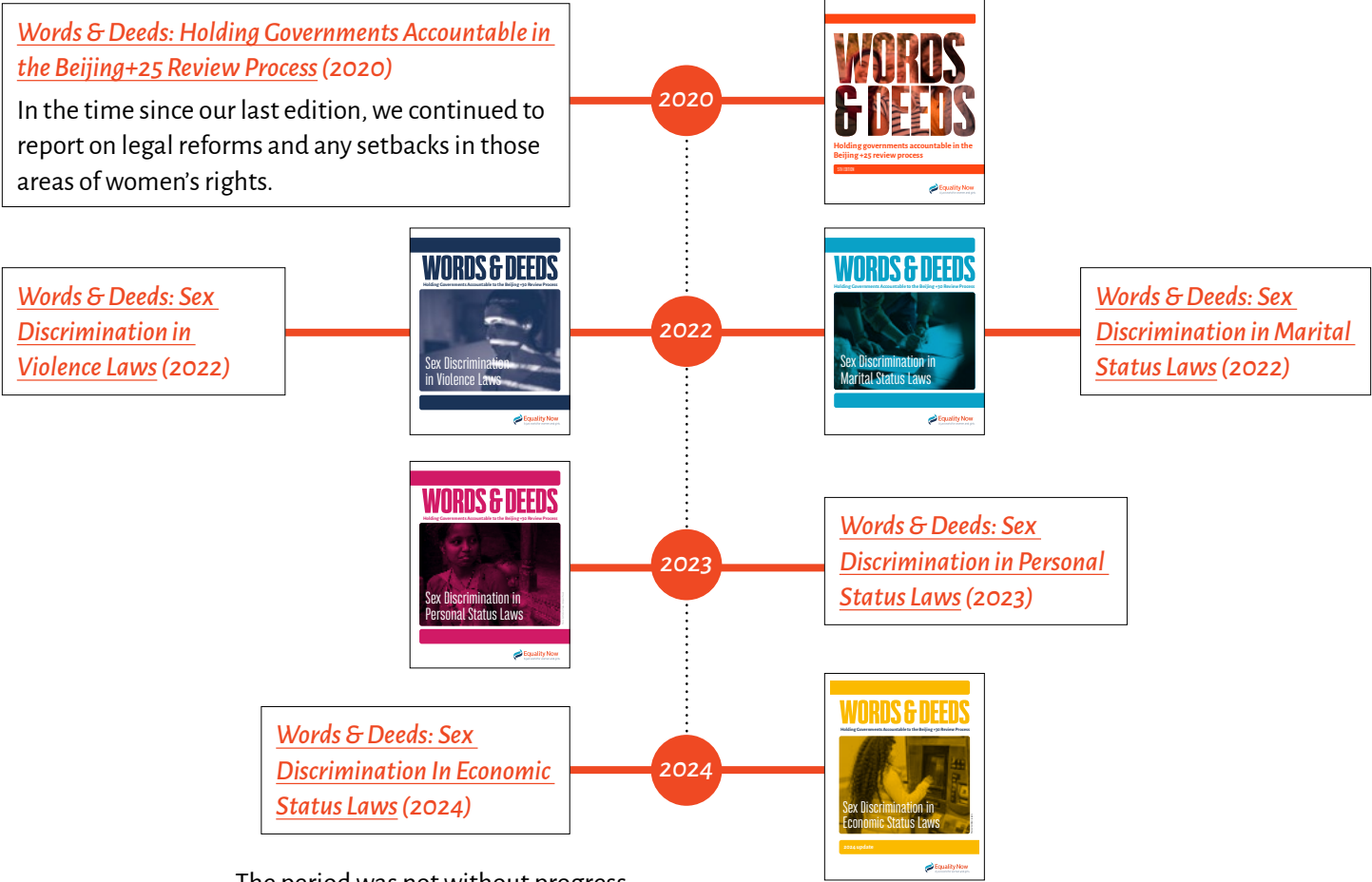
The [Commission on the Status of Women \(CSW\)](#) leads the process of monitoring and review the progress of the implementation of the Beijing Platform. CSW convenes every year in New York at the UN headquarters to promote and provide a clear roadmap and tools for fostering international cooperation on gender equality by bringing together representatives from governments, civil society, and international organizations to discuss best practices, share experiences, and coordinate efforts to address global gender equality issues. **We hope this report and campaign will contribute to the dialogue at CSW69 in March 2025 and beyond, and inspire governments to accelerate legal equality to the benefit of all, turning Words into Deeds.**



# PROGRESS AND SETBACKS

## IMPLEMENTING THE BEIJING PLATFORM FOR ACTION

Since 1999, Equality Now has been assessing the status of women’s equality in the law and highlighting explicitly sex\* discriminatory laws around the world in specific areas of women’s and girls’ lives, which are deeply interconnected: women’s and girls’ marital status, personal status, economic status, and the violence perpetrated against them, especially if facilitated through the law.

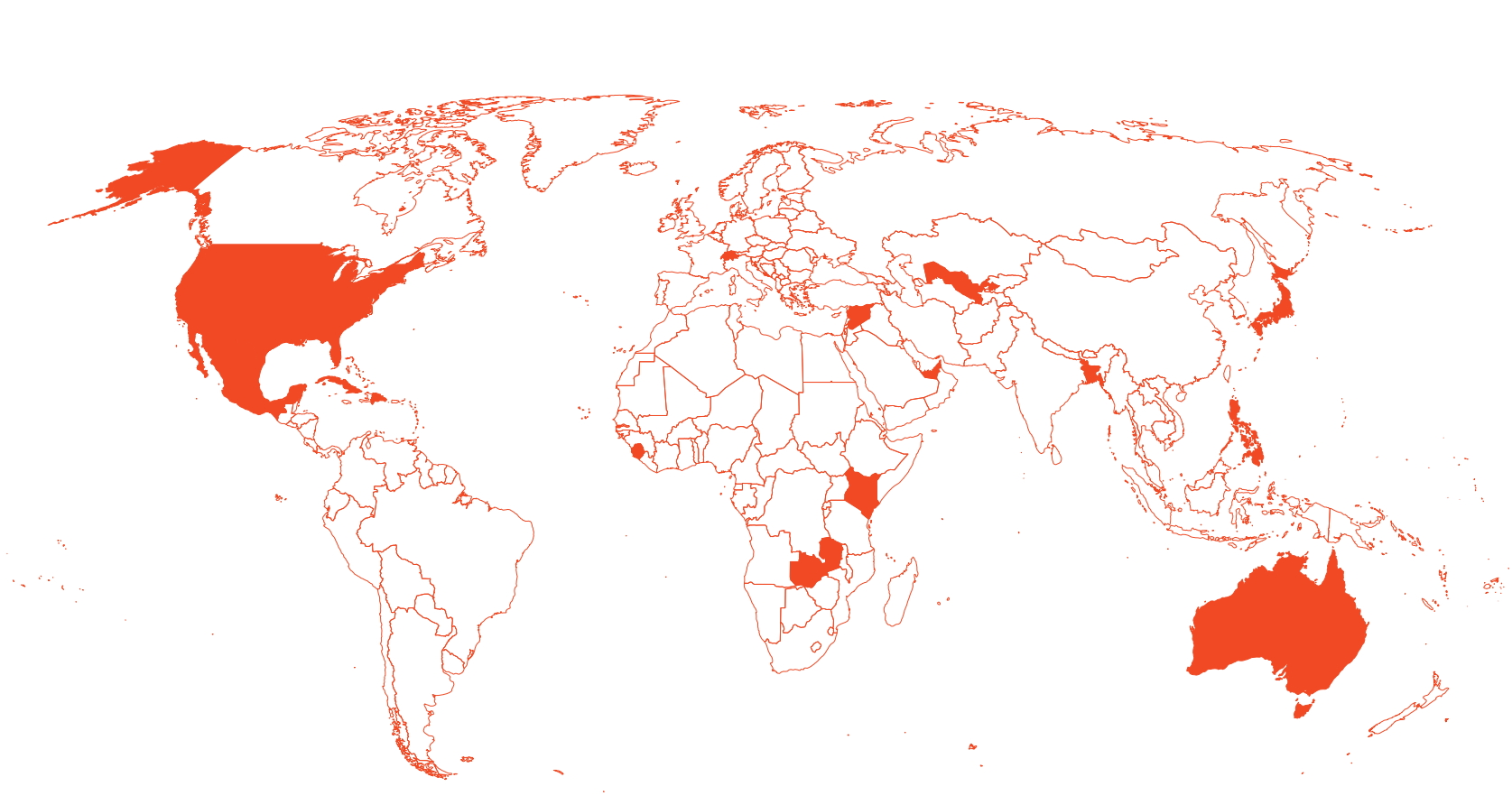


The period was not without progress.

Equality Now is pleased to report that several sex-discriminatory laws that were highlighted in the *Words & Deeds* (2020) have been amended or repealed and are a testimony to grassroots activists, legal advocates, and communities pushing for change.

See *Annex* for a full list of reformed laws highlighted as examples in Equality Now’s *Words & Deeds* reports since 1999.

\* Sex\* is the term used in the Beijing Platform for Action and most other international law. Equality Now aims to be inclusive in its legal analysis and advocacy to address sex discriminatory laws and uses the term broadly. We recognize that people may be discriminated against because of both their sex and gender identity. All people, regardless of their sex or gender identity, deserve equality and full enjoyment of their human rights.



In 2022, Japan removed in part a discriminatory law that prohibited women, but not men, from remarrying for 100 days after the dissolution or annulment of a marriage, and the Philippines repealed Article 202 of the Revised Penal Code, which defined prostitution as a crime only women could commit. Cuba, also in 2022, followed its new constitution, which prohibits gender-based discrimination, with a successful referendum approving the amendment of its Family Code and removing all exceptions to the minimum age of marriage of 18, among other progressive amendments. The United Arab Emirates (the UAE) made some progress in 2022 by amending inheritance laws for non-Muslims living in the UAE. In 2021, the Dominican Republic enacted and published a law banning marriage below the age of 18, thereby amending the civil code and equalizing the age of marriage for men and women. In the United States (US), a presidential executive order issued in January 2021 effectively reversed a Department of Defense directive banning transgender persons and persons with gender dysphoria from serving in the military. However, this is now under threat. The US also amended 18 U.S.C. 2243 through the Violence Against Women Reauthorization Act in 2022 to eliminate marriage as a defense to statutory rape, although a similar defense still exists in the United States Military Code under 10 U.S.C. *Section 920b*. Former US President Biden issued a statement in January 2025 clearly and explicitly affirming that the

Equal Rights Amendment is the 28th amendment to the US Constitution and “the law of the land.” In 2021, Russia reduced the list of occupations women cannot engage in. In 2020, Syria repealed Article 548 of the Penal Code, granting a mitigating excuse for crimes of “honor” and thus a much lesser penalty.

As well as removing or amending legal provisions that explicitly discriminate based on sex or gender, since 2020, governments have adopted **progressive laws** that advance gender equality and are a step towards complying with international law. For example, Sierra Leone passed a law prohibiting gender-based discrimination at work in 2023 and a law prohibiting child marriage in 2024. In addition, Bangladesh has repealed a specific sex-discriminatory evidentiary legal provision that took into account a rape survivor’s ‘character’ as a part of their sexual history.

Governments, with the meaningful participation of civil society, are encouraged to pass legislation that is **comprehensive** and addresses all forms of intersecting discrimination, and is ideally **harmonized at every level**. Some have taken action; for example, in 2023, Uzbekistan adopted a law against gender-based violence, recognizing economic abuse and psychological violence, among other progressive provisions such as prohibiting stalking and sharing private information. Six states and the District of





Credit: grandriver / iStock

## “No country provides equal opportunity for women – not even the wealthiest economies.”

World Bank report, *Women, Business and the Law 2024*

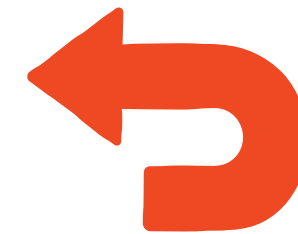
Columbia have passed laws against Female Genital Mutilation (FGM) in the United States (US) that explicitly prohibit FGM, in addition to the existing federal law on FGM. State-level laws help increase the reach of social programs, especially in the education and healthcare sectors, which are often under the jurisdiction of the state governments. Although not enough, 11 out of 50 US states have also prohibited child marriage since 2020 by setting the minimum age of marriage at 18 without exception. Similarly, in 2023, Zambia’s parliament passed legislation that unequivocally sets the marriageable age at 18, without exception, including for customary marriages, which previously meant any girl who had reached puberty could be married off.

Among other positive developments since 2020, Mexico’s Supreme Court decriminalized abortion at the federal level, establishing that criminalizing abortion is a violation of women’s human rights. Indeed, over the last 30 years, more than 60 countries have liberalized their laws on abortion. In Kenya, a three-judge bench of the High Court in Nairobi in 2021 upheld the constitutionality of the law against FGM in the country, and Switzerland voted in a referendum in September 2020, which resulted in the approval of 10 days of paternity leave, which should be further increased to be truly meaningful. Australia passed a new law in 2024 which states that employees who bring cases of sexual harassment will not have to pay any cost to the employer if they are unsuccessful in court, which is a positive step towards eliminating barriers to reporting sexual harassment.

**However, despite the progress made, not a single country has yet achieved the goal of fully eliminating sex discriminatory laws set in 1995.** In 2023, the World Bank’s *Women, Business and the Law* (WBL) report evaluated women’s working lives across 8 sectors and found that 14 countries in the world had achieved legal equality between women and men. The latest 2024 WBL report evaluated additional indicators on childcare and safety (violence) to conclude that not a single country had achieved full legal equality. The report assessed economic opportunities for women in 190 countries in ten areas (Safety, Mobility, Workplace, Pay, Marriage, Parenthood, Entrepreneurship, Assets, Childcare, and Pensions) and found that today, 37 countries grant women less than half of the legal rights of men - to the detriment of half a billion women.

Today, women enjoy less than two-thirds of the legal rights that men do according to the law, and **the gender equality gap is even wider in practice** due to a serious lack of implementation of good laws. At the current rate of progress, it is estimated by the United Nations that we, as a global society, will take at least another 280+ years to close the gaps in legal protections and remove discriminatory laws. This also means that we are not on track to achieve the 2030 Agenda for Sustainable Development, including the goal of gender equality. In summary, women and girls, in all their diversity, continue to face multiple forms of intersecting and systemic discrimination, and too often without any legal protection.

# GLOBAL BACKLASH AGAINST WOMEN’S AND GIRLS’ RIGHTS



**Rollback on reproductive rights, protection from marital rape, and LGBTQ+ rights**

Although governments have made considerable progress since the Beijing Platform was adopted, we have also witnessed an alarming rollback or threat of backsliding on hard-won gains, leading to the deterioration of women’s rights, including in the law itself. Once guaranteed, rights must not be retrogressed for a country to comply with its international human rights obligations. Any legal and policy measure that diminishes and threatens the current set of human rights violates basic principles of human rights law.

The backlash is often driven by deep patriarchal roots manifested in nationalist, politically conservative, fundamentalist, cultural, or social norms that promote gender stereotypes, for example, men’s and women’s roles in the family, thereby restricting everyone’s choices. In many cases, religion and culture are instrumentalized to justify the backlash and threaten the universality of human rights. However, it is important to note, and as emphasized by the UN Working Group on discrimination against women and girls, no matter the origin of the practices, religious and cultural diversity cannot be invoked to justify the denial of rights and discrimination against women and girls.

Gendered backlash is undermining current achievements and prospects for future advancement. In 2022, the US, contradicting the global trend of increasing access to legal abortions, rolled back reproductive rights across the country. A Supreme Court decision in June 2022, Dobbs v. Jackson Women’s Health Organization, held that the US Constitution does not confer the right to abortion. This decision made the US one of the only four countries in the world that has rolled back the right to abortion since 1994 and, as of January 2025, has resulted in 14 US states criminalizing abortion. In a similar attack on sexual and reproductive rights, Poland’s Constitutional Tribunal eliminated one of the last remaining grounds permitted for access to abortion in 2021 (abortion on the grounds of fetal ‘defect’ or incurable disease), thereby forbidding the procedure unless the pregnancy threatens the pregnant person’s life or health, or is the result of rape or incest. In Russia, “anti-propaganda” legislation was adopted in 2024 that prohibits the promotion of a ‘child-free lifestyle,’ which followed a ban in 2022 on LGBTQ+ relationships.



Credit: Kar-Tr / iStock



Similarly, [Kyrgyzstan](#) and [Georgia](#) have also adopted laws curtailing LGBTQ+ rights, specifically prohibiting the dissemination of “propaganda” about LGBTQ+ people.

The [Dominican Republic](#) is one of five countries in Latin America and the Caribbean that imposes a complete abortion ban, criminalizing both women and girls who seek abortions and those who assist them. Contrary to its international legal obligations, the country’s senate is close to passing a bill that not only continues to impose the ban on abortion but also lowers penalties for marital sexual violence, labeling it as ‘non-consensual sexual activity’ rather than calling it rape. In 2024, far-right politicians in [Brazil’s](#) conservative-majority Congress introduced a law that would have considered abortion after 22 weeks of pregnancy to be homicide with a sentence of up to 20 years. Labeled the ‘[Rape Bill](#),’ it would even be applicable in cases where there are exceptions, such as pregnancy as a result of rape or when the mother’s life is at risk.

We are also witnessing a wave of anti-transgender legislation, particularly targeting transgender youth. For example, as of 2024, over 600 anti-LGBT bills have been introduced in various US state legislatures, with over 40 laws passed. Twenty-six states have passed laws banning transgender youth (and even some adults) from accessing life-saving, [gender-affirming medical care](#). States have also passed laws that discriminate, affecting some girls’ ability to participate in sports, restricting bathroom access, and limiting information and open discussion about gender and sexuality in schools.

Read more about constitutional equality (below) and LGBTQ+ rights in the US: [I need the ERA because... LGBTQ+ rights are human rights too](#)

In [The Gambia](#), a bill was introduced in 2024 to overturn the existing law against FGM following the first prosecution and successful convictions under the law. Fortunately, the National Assembly of the Gambia voted to uphold the law due to the [advocacy](#) and support of survivors, activists, faith-based groups, and national and international civil society, though the constitutionality of the anti-FGM law has now been challenged before the Gambian Supreme Court.

A bill that proposes to amend [Iraq’s](#) Personal Status Law was approved by the Iraqi Council of Representatives in January 2025. The new law undermines Iraq’s Constitution as different personal laws can now be applied to decide the minimum age of marriage. Since 1959, the minimum age of marriage has

been 18 with exceptions for judicial consent. With the new law, personal religious law may allow marriage from the age of 9. Therefore, this law opens the doors for child marriage and discrimination against women and girls belonging to different religious communities. The new law immediately makes millions of girls vulnerable to rape, denial of education, economic marginalization, and exploitation.

Restrictions on civil society in the law

Around the world, we are witnessing a growing clampdown on civil society. In [India](#), for example, the government has deployed foreign funding laws that severely restrict international funding for hundreds of civil society organizations, in some cases even for engaging with the UN treaty body mechanisms, with the goal of silencing criticisms of the government or criminalizing human rights defenders, many of whom are women’s rights activists. This step by the government has been criticized by human rights institutions globally. Similarly, [Georgia](#) and [Kyrgyzstan](#) have adopted a ‘Foreign Agent’ legislation that would require organizations with foreign funding, including the media, civil society, and trade unions, to register as ‘pursuing the interests of a foreign power.’ These actions lead to self-censorship and a culture of fear among advocates and activists, depriving them of essential funding for their human rights activities.



Credit: Lalocracio / iStock

Restrictions on education, movement, expression, and equality in law

In Afghanistan, since 2021, the de-facto authority, the Taliban, has deployed extreme restrictions and crackdowns on women’s rights, including becoming the only country with a [ban on the right to education](#) for girls from receiving secondary education and women from tertiary education. Women have been systematically and forcibly removed from participating in [public life, places of work](#), and leisure, including gathering in places such as beauty salons. Very concerning, the “[Law on the Promotion of Virtue and the Prevention of Vice](#)” was (re)enacted in August 2024, and according to the UN, [punishes women for even speaking](#) outside their homes.

In [Iran](#), women have experienced violent crackdowns on their human rights, including opposing sex-discriminatory laws and facing detention, arrests, and torture.

Jina Mahsa Amini, a 22-year-old woman, died on September 16, 2022, while in the custody of the “morality police” after she was arrested for not wearing the hijab properly. Her death sparked protests across Iran with the slogan “Woman, Life, Freedom,” during which Iranian women demanded the right to bodily autonomy and freedom and called for accountability in the face of increasing oppression and violence, including rape, killing, arrests, and violation of the rights of detainees.

Watch our solidarity [film](#) about the fortitude and courage of women in Iran.

A few days after the one-year anniversary of Mahsa Amini’s death, in 2023, a discriminatory law impacting the dress code rules, *Support the Family through Promoting the Culture of Chastity and Hijab*, was approved by the Judicial and Legal Commission of the Iranian Parliament, which laid out extraordinarily harsh punishments for those who violate this law, including severe fines and imprisonment. Law enforcement has been given increased powers to crack down on women breaking this law and implement measures against businesses, celebrities, and any form of resistance to wearing the mandatory *Hijab*. The law itself violates the obligations that Iran has under the ICCPR and the recommendations of the Human Rights Committee in 2023 that explicitly urged the government of Iran to “Amend or repeal laws and policies that criminalize non-compliance with compulsory veiling, in particular, the bill on supporting the family by promoting the culture of chastity and hijab; and disband the morality police.”

For more on our work with partners on Iran, see our [submission to Iran’s Universal Periodic Review in 2025](#).

Treaty bodies’ expert committees, Special Rapporteurs, and representatives from UN agencies have issued strong recommendations, statements, and urgent calls to action to prevent, investigate, and provide remedies for gross human rights violations. Both State and non-state actors have recommended using existing legal tools to implement women’s rights, for instance, bringing cases to the International Court of Justice for violations of rights protected by CEDAW or to the International Criminal Court to investigate allegations of [gender persecution](#). There have been calls to recognize these acts in a new treaty, *the Draft Articles on Prevention and Punishment of Crime Against Humanity*, and specifically identify them as [gender-based apartheid](#). Any existing or new human rights instrument must have universal reach and applicability. As discussed in this report, there are legal frameworks in other countries that may violate these instruments, and they must be held accountable by the same standards of international law.



Dismantling of State institutions and laws protecting women

There are attempts to bring in regressive laws that undermine victims of sexual violence, who are disproportionately women, during legal proceedings with accusations and public statements that the allegations are fabricated despite overwhelming evidence to the contrary. Women are, in fact, less likely to report crimes due to the challenges and disbelief that they face in the justice system. For example, in Bolivia, which has one of the highest rates of sexual violence in Latin America, and in Uruguay, legislators have brought bills to amend and weaken legal protections for women from violence. Despite a 2023 ruling by the Inter-American Court of Human Rights ordering Bolivia to improve its sexual violence laws, Bolivian Senators speaking in support of the regressive proposed bills have claimed that the majority of sexual violence complaints are fabricated, even stating that the current law is “anti-men” and “destroys families.”

*The Inter-American Court of Human Rights (IACtHR) announced its landmark 2023 verdict in favor of an adolescent survivor of sexual violence and ordered Bolivia to adopt various systemic measures to address sexual violence. Read more about the decision: [Legal Reform is Urgent To Address Sexual Violence In Bolivia](#)*

Similarly, in Uruguay, there are attacks on victims’ testimony and claims that legal actions or restrictions imposed on the accused during the investigation and legal proceedings are excessively harsh. These proposed amendments change the fundamental nature of the law designed to protect women from re-victimization through the legal process and will seriously setback progress made.

Furthermore, contrary to the guidance in the Beijing Platform on developing institutional mechanisms, the Republic of Korea is considering legislation that would abolish the Ministry of Gender Equality and Family and did not appoint a Minister in 2024 to that effect. In Argentina, the Ministry of Women was abolished with severe budget cuts to gender-based violence policies, significantly hampering the State’s capacity to safeguard women. These retrogressive laws and policies erode structures and national machineries necessary to implement human rights standards.

*See Equality Now’s [statement on the risks that women in Latin America are facing](#).*

Sex-based discrimination remains a global human rights crisis that is not exclusive to a few countries.

The backlash on women’s rights, as well as the armed conflicts in Palestine, Israel and Lebanon, Sudan, and the Democratic Republic of the Congo, have left millions of women and girls vulnerable and in need of urgent support. Legislation has even been enacted in Russia allowing impunity for perpetrators, including of gender-based violence, if they contract with the military. These conflicts have brought international attention to the calls to strengthen international law and its implementation. The decisions and recommendations of UN bodies, including with regard to conflicts and their impact on women and girls, are more likely to be meaningfully implemented if there are suitable follow-up processes and accountability mechanisms manifested at the national level, which include, among other measures, active civil society and survivor participation, federal-state level cooperation, capacity-building of relevant authorities, and regular reporting to the rights holders.

One of the concrete ways that governments commit and assume legal obligations to implement human rights is by ratifying international human rights treaties. It is important to engage with the multilateral system so that states, civil society, and individuals are able to hold institutions accountable to their commitments in an international forum and document and address any violations that are occurring. In case of violations, international mechanisms offer platforms to engage with other countries and develop diplomatic and political resolutions. Implementation must be a priority, but it begins with firm and meaningful commitments.

Unfortunately, in 2021, Turkey withdrew from the Istanbul Convention, a Council of Europe treaty aimed at preventing and combating violence against women and domestic violence, and Poland only halted their withdrawal process after a new government was elected. Additionally, several countries, including the United States, India, China, and the Democratic People’s Republic of Korea, remain non-signatories of the Rome Statute of the International Criminal Court. Further, Iran, Niue, Palau, Tonga, Somalia, Sudan, and the United States have still not ratified CEDAW, ignoring recommendations by other treaty bodies to ratify and resisting being held accountable. Countries must ensure compliance and implementation of human rights standards ‘at home’, including by developing national implementation mechanisms and facilitating harmonization of laws at all levels, especially if advocating for international human rights standards to be met by other countries.



Credit: sestovic / iStock

Since the last global focus on the implementation of the Beijing Platform in March 2020 at the 64th session of the CSW, which was canceled on the first day of the 2-week session, the COVID-19 pandemic starkly exposed the lack of respect for the human rights of women and girls, especially in times of crisis. Gender-based violence intensified and exposed structural inequalities, including a lack of legal protections, and in some cases, reversed the progress made by women. Economic stress and the breakdown of social safety nets made many women and girls more vulnerable to domestic abuse, sexual exploitation, trafficking, and forced marriages, with a risk of 10 million more child marriages worldwide.

Weak labor law protections worsened the conditions of women workers, especially migrant and domestic workers, leading to longer working hours, often with little to no pay, and extreme difficulties in reporting the emotional, physical, and sexual abuse they encountered at the hands of the employers exacerbated by precarious work permit status. An increase in poverty and economic insecurity, along with school closures and stay-at-home measures, saw an increase in online sexual exploitation and harm. Due to COVID-19 restrictions, some minors were trapped at home with their abusers, exposed to online sexual predators with increased use of the internet, or forced to live-stream their sexual abuse. The Internet Watch Foundation also warned that the number of child sexual abuse images being removed globally had fallen

by 89% during the pandemic because tech companies and law enforcement agencies were operating with reduced numbers of staff.

Many of the measures taken to address the pandemic were gender-blind, failing to consider the different impacts on men and women. This led to inadequate responses that did not fully address the unique challenges faced by women. For example, in Mexico, the government slashed funding to women’s services as part of an emergency decree redirecting money to other programs despite the increased need. Despite being under-represented in several countries, however, women were at the forefront of COVID-19 responses, confronting discriminatory social norms in many societies. Indeed, there is an important correlation between women in power, including in parliaments and other decision-making bodies, with an increase in better laws. However, **removing barriers to women’s participation in decision-making and political life remains an urgent need, including in institutions like the United Nations.**

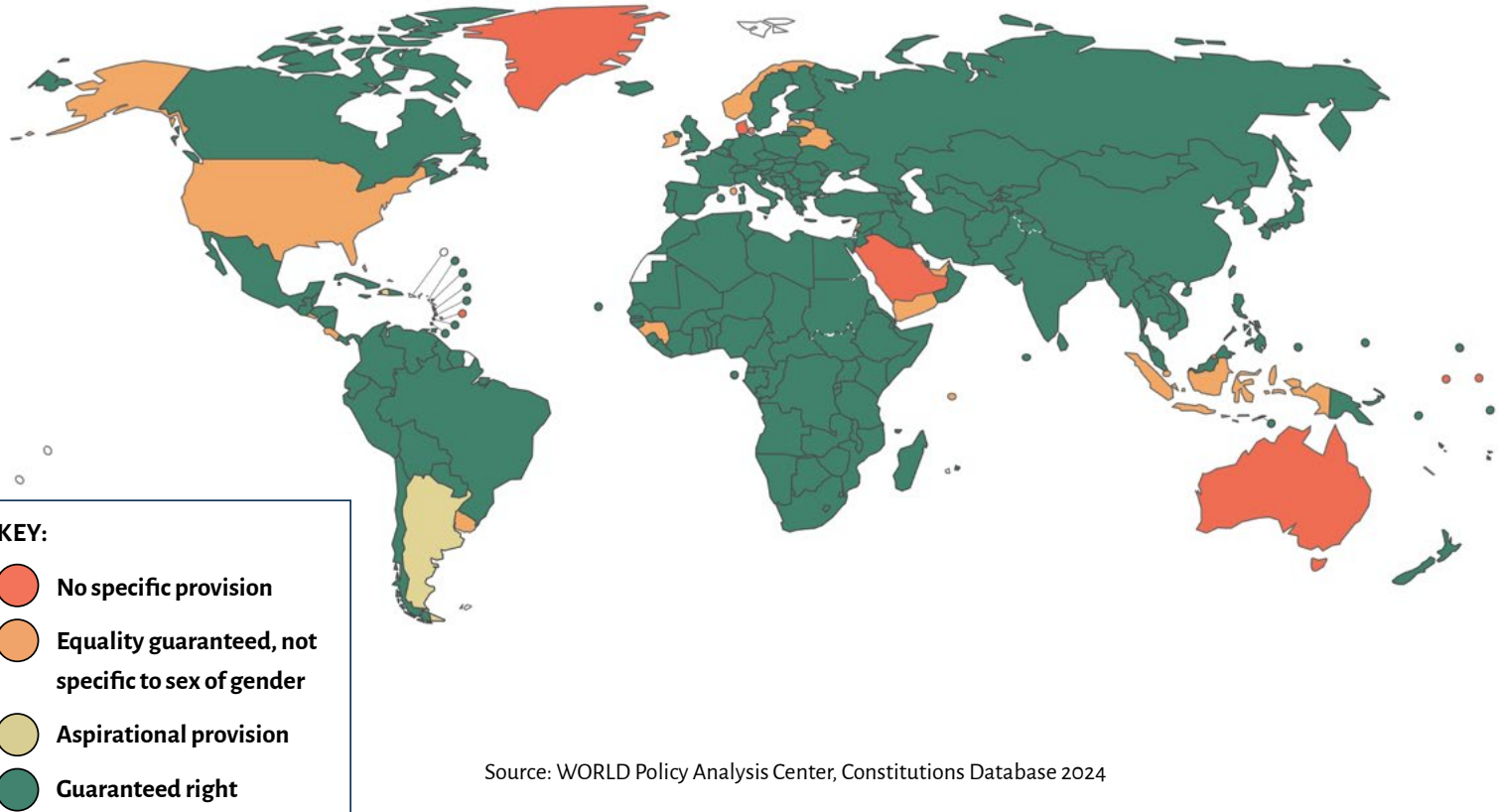
For women and girls, especially those who are further marginalized, to be resilient to the devastating impacts of crises, we need to achieve substantive equality—equality that is guaranteed, irreversible, and **reflected and rooted foremost in legal equality.**

# SPECIAL FOCUS: CONSTITUTIONAL EQUALITY

Sex equality in the constitution, the most authoritative document in most countries, and at every level of the legal ecosystem is essential, critical, and foundational to achieving meaningful gender equality. When women’s rights are enshrined in the constitution, it provides a powerful legal basis to challenge discriminatory laws, policies, and practices. Women can use constitutional provisions to advocate for changes that promote gender equality and challenge unjust practices in court and policies.

Many international human rights treaties, such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), require States to ensure gender equality in their constitutions. Constitutional equality helps countries fulfill their international legal obligations, supports enabling legislation, and aligns with global standards on women’s rights.

Does the constitution explicitly guarantee equality or non-discrimination across sex and/or gender?



The Beijing Platform for Action recognizes the significance of national constitutions as a mechanism for establishing anti-discrimination frameworks.

- Strategic Objective I.2. Ensure equality and non-discrimination under the law and in practice

Actions to be taken

232. By Governments:

(b) **Provide constitutional guarantees and/or enact appropriate legislation to prohibit discrimination on the basis of sex for all women and girls of all ages and assure women of all ages equal rights and their full enjoyment**

Constitutions can cover a wide spectrum of fundamental rights and are a vehicle to implement the highest standards of human rights and shape a country’s political, social, and economic framework. Explicit gender equality clauses can facilitate women and girls gaining access to other sets of rights, such as the right to education, health, economic security, and safety, areas in which they are often most vulnerable and overlooked in practice. Without a gender-just framework, other rights cannot be easily achieved.

Since the adoption of the Beijing Platform, countries around the world have included explicit gender equality and anti-discrimination provisions in their constitutions, and they have been used to improve women’s lives. Provisions in the constitution can facilitate change in social norms, for instance, shifting away from gender stereotypes such as women’s role in the household and the economy. For example, recently, in 2023, a court in South Africa held that statutory leave provisions that granted birth mothers four months of maternity leave and fathers just 10 days of parental leave were unconstitutional. The Court stated that “longstanding cultural norms which exalt motherhood are not a legitimate platform for a cantilever to distinguish mothers’ and fathers’ roles” and that the statute was in violation of the Article 9 equality provision of the South African Constitution.

In Ireland, on the other hand, there is a longstanding discriminatory provision in the Constitution that reinforces gender roles, potentially limiting expectations, choices, and opportunities, which was challenged in a national referendum. In early 2024, an amendment to Ireland’s Constitution, the *Fortieth Amendment of the Constitution (Care) Bill 2023*, was put to a referendum vote. The referendum proposal aimed to replace the existing language (below) in the 1937 Constitution which acknowledges the economic value of domestic labor and that mothers, *but not fathers*, have duties in their homes.

*“[B]y her life within the home, woman gives to the State a support without which the common good cannot be achieved... The State shall, therefore, endeavour to ensure that mothers shall not be obliged by economic necessity to engage in labour to the neglect of their duties in the home.”*

Unfortunately, the referendum failed to get a positive vote, and the status quo remains. Additionally, the courts in Ireland so far have failed to implement the section of the constitutional provision that recognizes the economic element of labor at home. The High Court of Ireland ruled in 2023 that the constitutional provision cannot, for example, be used to challenge a reduction in a carers’ allowance.



Credit: Equality Now, Bell Visuals



*“It is long past time to recognize the will of the American people. In keeping with my oath and duty to the Constitution and country, I affirm what I believe and what three-fourths of the states have ratified: the 28th Amendment is the law of the land, guaranteeing all Americans equal rights and protections under the law regardless of their sex”.*

*President Biden, 46th President of the United States of America, 17 January 2025*

The United States, a permanent member of the UN Security Council, lags behind in establishing comprehensive equality rights on many grounds, with one of the most profound gaps being the lack of sex equality in its Constitution. It remained a global outlier compared to nearly every other country in the world (85% of UN member states) in guaranteeing protection from sex and/or gender-based discrimination. Women and allies in the US have been [advocating](#) for explicit and permanent protection from sex-based discrimination, in the law and in practice, through the [Equal Rights Amendment \(ERA\)](#) for over a century.

The ERA, when implemented, would guarantee equal rights under the law for all citizens regardless of sex. (In the landmark case of *Bostock v. Clayton County*, the Supreme Court interpreted “sex” discrimination to include discrimination based on sexual orientation and gender identity. The terminology of ‘sex’ in this context is inclusive of gender identity.)

The text of the ERA reads:

*Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.*

*Sec. 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.*

*Se. 3. This amendment shall take effect two years after the date of ratification.*

Despite meeting all [constitutional requirements necessary](#) in 2020 to become the 28th Amendment, including ratification by 38 states, the ERA [was not published](#) by the National Archivist before President Biden’s affirmation. As a member of the ERA Coalition, we will continue to advocate for its publication and implementation . The ERA should require US courts to apply the highest level of judicial scrutiny to cases of sex-based discrimination.

The UN Human Rights Committee, in its review of the US in 2023, issued [Concluding Observations](#) calling upon the US Government to “guarantee protections against sex- and gender-based discrimination in its Constitution, including through initiatives such as the Equal Rights Amendment.”

*Learn more about the ERA [here](#)!*

Global jurisprudence, case law, and data have demonstrated that prohibiting sex- and gender-based discrimination in the constitution can establish a firm legal foundation for pursuing transformative, substantive equality in all areas of life and demonstrate the States’ commitment to gender equality. When equality is enshrined in the constitution, it becomes more difficult to introduce regressive policies or laws, as they would be subject to higher constitutional scrutiny. Constitutional equality also provides a robust defense against attempts to roll back women’s rights.



Credit: Media Lens King / iStock

# SPECIAL FOCUS: FAMILY LAW

**Reforming discriminatory family laws: Progress but still a big hurdle to global gender equality**

*“Change, of course, is a gradual process and reforming family law is not a panacea that will create gender equality overnight. But because laws form the backbone of societal relations and play a foundational role in shaping norms and culture, it is one very critical piece of the puzzle.”*

**Roya Rahmani, Former Ambassador of Afghanistan to the United States**

Family law reform today remains a highly contested area, not least because many family laws and practices are based on religion, custom, and tradition. These laws include marriage, divorce, custody and guardianship, property rights, and inheritance. They may be codified by the State, or uncoded and unwritten.

In addition to the Beijing Platform for Action, which calls for the review of all family law and the elimination of any laws that still discriminate on the basis of sex (para. 232(d)), Article 16 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) makes it clear that all governments must “take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations ....” Striking down laws that declare the husband the head of the household or those that claim a woman or girl’s silence is an indication of her consent to marriage, for example, would make it more difficult to justify women’s subservient position in the family, potentially offer legal recourse and encourage a cultural shift.

Equality cannot be denied by freedom of religion, custom, and tradition

The right to culture and freedom of religion are also human rights, but they cannot violate a person's fundamental human right to equality and non-discrimination, including in the family.

*“[F]reedom of religion or belief can never be used to justify violations of the rights of women and girls, and [ ] it can no longer be taboo to demand that women’s rights take priority over intolerant beliefs used to justify gender discrimination.”*

UN Special Rapporteur on Freedom of Religion and Belief

Too many governments have failed to secure the **universality of human rights for all women and girls** as they allow the right to religious and cultural freedom to trump those of equality and non-discrimination. State sanction of discriminatory religious and customary laws and practices, including through exceptions to constitutional equality for religious law, can result in discrimination against communities of women and girls over others within the same borders; for example, in the religion-based child custody laws in Lebanon highlighted herein, which are based on traditional gender roles.

It is also a derogation of a State’s duty when it explicitly allows exceptions for customary family law, which may not always be written down. Since our last report in 2020 and marital status brief in 2022, this has been addressed, for example, by **Zambia where the minimum age of marriage was 21, but under customary law, a pubescent girl could be married off. Now, the Marriage Act has been reformed, so the marriage age is 18 for both men and women, and there is no longer any exception for customary marriage.** In other countries, unwritten sex discriminatory religious laws and practices, such as polygamy, child marriage, and inequality in divorce rights in certain communities, continue to go unchecked.

TOO MANY GOVERNMENTS HAVE FAILED TO SECURE THE UNIVERSALITY OF HUMAN RIGHTS FOR ALL WOMEN AND GIRLS AS THEY ALLOW THE RIGHT TO RELIGIOUS AND CULTURAL FREEDOM TO TRUMP THOSE OF EQUALITY AND NON-DISCRIMINATION.

The impact on women, girls, and society

World Bank data shows that many countries ranked at the bottom of the index for legal equality are those whose family laws, including male guardianship systems, explicitly discriminate against women and girls. These practices and systems can further violate women’s and girls’ rights to education as well as economic and political opportunity, and participation, and jeopardize any gains made towards achieving the 2030 Agenda for Sustainable Development (the SDGs).

In September 2021, in the midst of a pandemic-related lockdown, a 15-year-old Muslim girl from Colombo, Sri Lanka, was married off by her relatives to a much older man. A local women’s rights group reported this case to the national child protection authorities; however, because child marriage is still legal under the country’s Marriage and Divorce (Muslim) Act (MMDA), little could be done.

The Sri Lankan MMDA does not mandate women be physically present or sign their own marriage documents. That role rests only with the *wali* (immediate male guardian) of the bride. If the bride does not have a *wali*, the local *Quazi* (judge administering Muslim family law) can sign as a *wali*. This is just the beginning of a string of discriminatory provisions and procedures in the MMDA.

The Act does not have a minimum age of marriage for Muslims, and it allows for polygamy without any conditions. The Act also has a different, lengthy, and disadvantageous process for women to obtain a divorce and does not recognize and grant equitable financial rights for women at the time of divorce. The MMDA has remained unchanged since its codification during colonial times.

In the past two decades, grassroots community groups all around the country and national groups such as the Muslim Personal Law Reform Action Group (MPLRAG) have intensified their advocacy efforts, calling for the prioritization of family law reform as a human rights issue. The daily effort of grassroots community groups in supporting Muslim women in securing justice and redress

before the local Quazis and providing them with counseling and economic support is inspirational. They do so amidst fierce opposition and regular attacks from conservative groups.

In 2023, a bill was drafted to reform the MMDA, but conservative members of Parliament attempted to weaken it. The UN Working Group on discrimination against women and girls sent a communication to Sri Lanka to encourage the adoption of a progressive Muslim family law bill in response to conservative pushback. The bill is still pending, with no publicly available information about the status of progressive provisions as of this writing.

The cumulative effect of all these efforts has propelled us to a moment in which reform seems possible. 2024 saw a new president for Sri Lanka, with parliamentary elections pending. Should the new Cabinet of Ministers and Members of Parliament (MPs) ensure that all areas of discrimination are addressed by the MMDA bill, and should it pass, it will bring the MMDA a step closer to complying with the Sri Lankan Constitution, Islamic principles of justice and dignity, as well as international law and human rights standards, including the Beijing Platform for Action. Until then, it still runs the risk of being heavily watered down due to pressure from conservative religious groups and MPs who uphold patriarchal ideologies of a woman’s role in the family and to lack of political will to ensure that the rights of all Sri Lankan women and girls regardless of religion are guaranteed.



Feminist climate justice also demands equality in family law

Denying women equal inheritance, marital property and land rights, and autonomy in pursuing employment undermines their decision-making power, economic independence, and monetary prospects and increases their exposure to homelessness, exploitation, and gender-based violence. Further, climate crisis, drought, and land degradation increase care work, with such unpaid and domestic care work being shouldered mostly by women. All of this renders them more vulnerable to the impact of climate change and makes it tougher to mitigate and recover from climate-related losses.

Research has found that women are up to 14 times more likely to die or be injured during a climate-related disaster, and in the aftermath, rates of sexual and domestic violence, human trafficking, and maternal mortality surge. For those displaced, access to health services, including sexual and reproductive healthcare, is often more difficult and sometimes impossible. Facing all this without an effective social or fiscal safety net can be dire. Discriminatory laws, such as designating husbands as the sole head of household or manager of marital property, mean women can not always access government funds following a natural disaster. For example, according to the Minister of Gender Equality in Chile, Chilean women could not access public funds following wildfires as their husbands were missing or dead, and they needed them as the “managers of the marital property” to file the necessary paperwork.

Economic hardship arising from the climate crisis and forced migration pushes people further into poverty. This disproportionately impacts girls, who are more frequently withdrawn from school in order to work or be married off, with parents viewing marriage as a coping mechanism to alleviate financial strain and “shield daughters from sexual violence,” whereas child marriage itself facilitates and condones sexual violence against minors. For instance, Ethiopia in 2022 experienced a severe drought and, in a period of one year, saw instances of child marriage double. Similarly, the number of children at risk of dropping out of school across Ethiopia, Kenya, and Somalia due to the impact of the crisis, tripled within three months and increased the risks of child marriage for adolescent girls in the region. In times of crisis, the instances of harmful practices can escalate rapidly and have life-long, sometimes irreversible, impacts.

International Development Law Organization (IDLO) makes the compelling case for “enhancing women’s rights to land and other natural resources” as one of three key elements, alongside “empowering women and girls to claim their environmental rights and actively participate in decision-making processes” and “strengthening regulatory frameworks and institutional capacity for feminist climate action,” to achieving climate justice.

Enforce the principle that equality is a fundamental human right

**The right to equality** and to not be discriminated against on the basis of sex, both in the law itself and in practice in everyday life, **is a fundamental human right**. The UN Human Rights Committee has declared that the right to religion does not allow any State, group, or person to violate women’s equality rights, including equal protection under the law. Equally, culture and customs cannot violate the principle of equality and cannot be used to justify discrimination. Fortunately, those religious and customary laws and practices that are discriminatory can change over time, particularly with the political will and support of religious and traditional leaders, and through strategic litigation brought by women’s rights organizations and civil society. For example, the Supreme Court of India in 2017 passed a landmark ruling that found *talaq-e-biddat*, a centuries-old practice that legally allowed a man to instantaneously divorce his wife by pronouncing the word ‘*talaq*’ three times, unconstitutional, therefore not a valid form of divorce. The court found the practice ‘manifestly arbitrary’ and unreasonable under Article 14 of the Indian Constitution, which guarantees the right to equality before the law.

**Governments can no longer make excuses for sanctioning and perpetuating discrimination within the family**, no matter what form it takes or the origin of the law or practice. As the international community prepares to mark Beijing +30, a tremendous opportunity exists to mobilize and grow global action towards achieving universal legal equality and human rights for all women and girls by Beijing +35 and at the conclusion of the 2030 Agenda of the Sustainable Development Goals.

Amend or repeal sex discriminatory family laws, and replace them with good practice

In the body of this *Words & Deeds* report, we have included a sampling of sex discriminatory family laws from around the world - all need urgent amendment or repeal by States. States should take immediate steps to end discrimination against women in family laws (sometimes contained in “personal status” laws) and practices to respect, protect, and realize women’s and girls’ rights to equality in the family regardless of the source of family law, be it codified, religious or customary. The most recent decision by the King of Morocco to officially launch the process of revising the Moroccan *mudawwanah* (or family law), two decades after it was introduced, is a positive step that reflects the understanding that even family laws based on religion are not static and can be subject to re-interpretation and reform.

UN Women’s report, Progress of the World’s Women 2019: Families in a Changing World, explores how laws, policies, and public action can actually support families in all their diverse forms and promote women’s rights. Some good practice examples on issues such as inheritance, marital property, and child marriage can be found here, in addition to those in our 2020 *Words & Deeds* report.

Provide resources for reform

As the European Parliament’s report Discriminatory Laws Undermining Women’s Rights, detailing the ways that legal reforms have been undertaken with the aim of accelerating gender equality around the world, states, the private sector, governments, and others should support the Global Campaign for Equality in Family Law (GCEFL). The GCEFL is working to make the amendment or repeal of all discriminatory family laws a global priority and advocating for equality for women, girls, and other marginalized groups under laws, policies, and practices relating to families in all their diversity, regardless of religion and culture. Regional coalitions, including the Hurra Coalition and the Africa Family Law Network, are also making significant headway in bringing attention to the issue and supporting grassroots organizations working for change in many countries.

2024 was the 30th anniversary of the International Year of the Family—it’s time to make legal equality in the home and the public sphere a reality for the benefit of all women, their families in all their diversity, and our global community.



Credit: DisobeyArt / iStock

# MARITAL STATUS

Beijing Platform for Action recommendations

Strategic Objective 1.2.

Ensure equality and nondiscrimination under the law and in practice.

Actions to be taken by governments:

232(d) - **Review national laws, including customary laws and legal practices in the areas of family, civil, penal, labour and commercial law** in order to ensure the implementation of the principles and procedures of all relevant international human rights instruments by means of national legislation, **revoke any remaining laws that discriminate on the basis of sex and remove gender bias in the administration of justice;**

274(e) and 275(b) call on States to **“enact and strictly enforce laws concerning...the minimum age for marriage and raise the minimum age for marriage where necessary”** and **“generate social support for their enforcement.”**

What’s the issue?

Women experience discrimination before, during, and after marriage in various forms. Entering a marriage as a child, i.e., below 18 years of age according to international law, is still legal in many countries around the world. It impacts girls’ entire lives by adding barriers to education, healthcare, and access to justice and increasing economic dependency on their male partners. We need laws that prohibit marriage and discourage informal unions akin to marriage under the age of 18 without restricting the rights of women and girls that may arise from marriage or unions. Alarminglly, according to the World Bank’s *Women, Business and the Law 2024* (WBL 2024) report, out of the 190 countries studied, 139 countries lack adequate legislation prohibiting child marriage, i.e., setting the minimum age of marriage at 18 for both women and men. Further, in some cases, the minimum age of marriage is set lower for girls than for men or boys, adding another layer of differential treatment based on sex.

Equality in marital status and the ecosystem of related laws, such as mandatory birth registration, is needed to guarantee the right to be free from child marriage, ensuring that women and girls have the same substantive legal, social, and economic rights as their spouses within marriage and because of their status as a married person. It also involves guaranteeing a legal framework where both partners are treated as equals in all aspects of marital life, from choosing a partner and raising children to economic decision-making and ending the marriage if desired. Forty-five countries have different rules for divorce for a woman and a man, and 67 countries do not provide women the same rights to remarry as a man, according to the *WBL 2024* report. Legal equality in marital status laws is essential for protecting the dignity, autonomy, and human rights of women and girls in all aspects of their lives.

What’s the impact?

Family laws and social norms around marriage often reinforce traditional gender roles and reduce labor force participation for women, in part due to domestic and caregiving responsibilities as compared to men. Sex-based discrimination due to marital status can also manifest in denial of equal opportunity at work - the refusal to hire someone or even terminate employment when they decide to get married - or a landlord legally allowed to refuse a house to an ‘unmarried’ person. Furthermore, child marriage is sanctioned as child rape. Girls who are married young face life-long impacts on bodily autonomy, employment, education, and social protection. It is also harder for people below the age of 18 to get legal counsel and access the justice system as a minor if they wish to report abuse or, for example, hire a divorce lawyer.

Sex-based discrimination also impacts women through the practice of polygamy and laws that demand obedience from wives. For example, Saudi Arabia’s personal status laws have codified extremely sexist and discriminatory laws against women wherein women are bound by law to obey their husbands in a ‘reasonable manner.’ Failure to obey the husband can lead to the husband removing financial support for the wife. The husband also has a ‘marital right to sexual intercourse,’ or in other words, license to rape, thereby ensuring that as women have their rights stripped away from them, it is firmly rooted in law. Even in divorce, unlike men in the country, women are not allowed to end the marriage unilaterally and have a fixed number of grounds upon which to request a divorce, including the burden to establish ‘harm,’ which provides judges wide discretion in granting her the divorce or not.

What needs to change?

Laws alone will not be enough to bring systemic change. However, legal reform can form a firm basis to challenge discrimination and also make provisions for prevention and community outreach. Comprehensive laws prohibiting, if not outright criminalizing, marriage under the age of 18 without exception, for both girls and boys, are needed everywhere and at all levels. Today, one in five young women around the world aged 20–24 were married while under the age of 18. In the US, for example, nearly 300,000 minors, the vast majority of them girls, were legally married in the United States between 2000 and 2018. As of January 2025, 37 states and the District of Columbia still allow children (under the age of 18) to legally be married. Some states, such as California, allow exceptions to marriage below the age of 18 with no minimum age, and some states, such as Mississippi, have different marriage ages between boys and girls. Since 2018, 13 states have passed state-level laws that prohibit child marriage without any exceptions. However, there is still no federal-level law in the country to protect all children from child marriage, and some federal laws currently may even encourage child marriage by, for example, not setting a minimum age for the petitioner or beneficiary of a spousal or fiance immigration visa. The UN Human Rights Committee has called on the United States “to adopt measures **at all levels** to prohibit marriage below the age of 18 years”.

Similarly, in Pakistan, a federal law that allows girls to be married at 16 and boys at 18 remains applicable in most of the provinces despite marriage now being under provincial jurisdiction. However, in a progressive step, the province of Sindh has



passed specific laws prohibiting marriage before the age of 18 for both girls and boys, and the Lahore High Court in the state of Punjab in *Azka Wahid v Province of Punjab & others* found that the definition of ‘child’ (below 16 for girls and 18 for boys) is sex-discriminatory and unconstitutional. In *Bangladesh*, the law has set the minimum age of marriage for women at 18 and 21 for men. While the minimum age of marriage is over 18 (with exceptions that allow for marriage under 18 in special circumstances), the differential treatment between men and women is perpetuated in the law. Also, in practice, a high proportion of women (53.8%) in rural areas and 44% of women in urban areas are married before 18.

Harmonization of laws and practices

Differences in national- and state-level laws (federal and provincial) highlight the importance of guaranteeing equality in constitutions and situating the prohibition of marriage under 18 without exceptions firmly in national-level laws and mechanisms so as to influence states to harmonize their laws as much as possible.

Zambia’s parliament passed the Marriage (Amendment) Act of 2023 on December 22, 2023. This landmark legislation unequivocally sets the marriageable age at 18, without exception, for all marriages. Importantly, this change includes customary marriages, representing a significant shift in the nation’s commitment to eradicating child marriage. Additionally, previously, under *Zambia’s* law, Courts had ruled that men could not be prosecuted for the offense of “defilement” of the girl child under 16 if they were married to the girl since the law recognized customary marriages as valid. Now, however, the Department of Public Prosecutions notes that prosecutorial challenges will no longer be compounded by the lack of application of the Defilement provision and has committed to holding perpetrators accountable.

# CHILD, EARLY AND FORCED MARRIAGE

640 million women and girls around the world are survivors of child marriage, and every year, approximately 12 million girls are married as children across countries, cultures, religions, and ethnicities. Child, early and forced marriage (CEFM) is rooted in gender inequality and the low social value accorded to girls and is exacerbated by poverty, climate change, insecurity, conflict, migration, and displacement. It denies girls their rights, choice, and participation and undermines numerous development priorities, hindering progress towards a more equal, healthy, and prosperous world.

**640 million** women and girls around the world are survivors of child marriage

Every year, approximately **12 million girls** are married as children

**48% of countries** across the world have yet to set the minimum age of marriage at 18 without any exceptions

Despite this, 48% of countries across the world have yet to set the minimum age of marriage at 18 without any exceptions. Even gender-neutral exceptions to the minimum age of marriage can result in girls being forced to marry adult men.

## Passed!

A new law was adopted on 13 November 2024 by the Colombian Senate, which sets the minimum age of marriage as 18, without exceptions! (Previously, the minimum age was 14 with judicial or parental consent.) This is a landmark step and sets the stage for prevention and enforcement. The new law emphasizes the importance of developing policies to address the structural causes of the issue and creating social programs to raise awareness about the root causes and consequences of early marriages and unions.



Credit: Frazao Studio Latino / iStock

Below are examples of laws that explicitly discriminate against girls by allowing them to be married off at a younger age than boys. Further information can be found at Girls Not Brides, including an interactive atlas of information on legal frameworks as well as prevalence and national partners.

See also *Breaking Barriers: Addressing Child, Early And Forced Marriage In Eurasia*.

**Below are examples of laws which must be amended or repealed. They violate international law, the Beijing Platform for Action and in most cases the State’s own Constitution.**



MALI

Law No. 2011-087 Relating to the Code of Persons and Family

Section 1: Age Requirements

Article 281: **The minimum age for entering into marriage is set at eighteen years for the man and sixteen years for the woman.**

The Head of the administrative district may, nevertheless, by decision, subject to appeal, before the civil judge grant an age exemption for serious reasons. This authorization can only be issued to future spouses aged at least fifteen. A copy of the exemption decision is annexed to the marriage celebration certificate.

**Note:** Article 2 of the Constitution of Mali: **All Malians are** born and live free and **equal** in their rights and duties. **Any discrimination** based on social origin, color, language, race, **sex**, religion, or political opinion **is prohibited**.



MISSISSIPPI

Mississippi Code 1972:

Section 93-1-5. **1) Every male who is at least seventeen (17) years old and every female who is at least fifteen (15) years old shall be capable in law of contracting marriage.** However, males and females under the age of twenty-one (21) years must furnish the circuit clerk satisfactory evidence of consent to the marriage by the parents or guardians of the parties. It shall be unlawful for the circuit court clerk to issue a marriage license until the following conditions precedent have been complied with....

(d) **If the male applicant is under seventeen (17) years of age or the female is under fifteen (15) years of age, and satisfactory proof is furnished to the judge of any circuit, chancery or county court that sufficient reasons exist and that the parties desire to be married to each other and that the parents or other person in loco parentis of the person or persons so under age consent to the marriage, then the judge of any such court in the county where either of the parties resides may waive the minimum age requirement** and by written instrument authorize the clerk of the court to issue the marriage license to the parties if they are otherwise qualified by law....

**Note:** The Mississippi Code, 1972 applies only to the State of Mississippi. There is no federal law applicable to the entire country which prescribes the minimum age of marriage for all persons within the United States.



TANZANIA

The Law of Marriage Act, CAP 29

Section 10. Kinds of Marriage.

(2) A marriage contracted in Tanzania, whether contracted before or after the commencement of this Act shall —

- (a) if contracted in Islamic form or according to rites recognized by customary law in Tanzania, be presumed, unless the contrary is proved, to be polygamous or potentially polygamous; and
- (b) in any other case, be presumed to be monogamous, unless the contrary is proved.

Section 13. Minimum Age.

- (1) No person shall marry who, being male has not attained the apparent age of **eighteen years or, being female, has not attained the apparent age of fifteen years.**
- (2) Notwithstanding the provisions of subsection (1), **the court shall, in its discretion, have power, on application, to give leave for a marriage** where the parties are, or either of them is, below the ages prescribed in subsection (1) if—

- (a) **each party has attained the age of fourteen years; and**
- (b) the court is satisfied that there are special circumstances which make the proposed marriage desirable.

(3) A person who has not attained the apparent age of eighteen years or fifteen years, as the case may be, and in respect of whom the leave of the court has not been obtained under subsection (2), shall be said to be below the minimum age for marriage.

Section 15. Subsisting Marriage.

- (1) No man, while married by a monogamous marriage, shall contract another marriage.
- (2) **No man, while married by a polygamous or potentially polygamous marriage, shall contract a marriage in any monogamous form with any person.**
- (3) No woman who is married shall, while that marriage subsists, contract another marriage.

**Note:** In 2016, the High Court of Tanzania passed a ruling that sections 13 and 17 of the Law of Marriage Act, 1971, which allows for boys to marry at 18 and for girls to marry at 15 with parental consent and permits both girls and boys to marry at 14 with a court’s permission, as unconstitutional. **The judgment directed the government to raise the legal age of marriage to 18 years within a year**, but it was challenged and was not implemented. **In a landmark ruling in 2019, the Court of Appeal of Tanzania upheld the decision of the High Court.** The government must implement the Court of Appeal decision and bring legal and policy changes that protect girls by raising the minimum age of marriage from 14 to 18 years, without exceptions. Despite advocacy efforts by CSOs to have the decision implemented, there has been slow progress. We continue to advocate for the implementation of the decision.



# MARRIAGE, DIVORCE, POLYGAMY AND WIFE OBEDIENCE



## AFGHANISTAN

### Shia Personal Status Law of 2009, Article 123

- (1) **The household's supervision is the right of the husband**, unless based on the husband's mental deficiency, and by order of the court, it is given to the wife.
- (2) **A wife can leave the house for legal purposes to the extent that local custom allows.** . .

**Note:** Article 22 of the Constitution of Afghanistan: Any kind of discrimination and distinction between citizens of Afghanistan shall be forbidden. **The citizens of Afghanistan, man and woman, have equal rights and duties before the law.** Also note further discussion of the systematic and extreme discrimination in Afghanistan in the *Global Backlash on Women's and Girls' Rights* section of this report.



## ALGERIA

### Family Code of 1984, modified by Ordinance No. 05-02 of 27 February 2005

- Article 8.** It is permitted to contract **marriage with more than one wife** within the limits of the Shari'a, if there is a just ground and the conditions and intentions of equity can be fulfilled . .
- Article 11** An adult woman concludes her marriage contract **in the presence of her "wali" [guardian] who is her father or close male relative or any other male of her choice.**
- Article 30.** A Muslim woman cannot marry a non-Muslim man.
- Article 48.** Divorce is the dissolution of marriage.... **It arises from the will of the husband, mutual consent of the spouses, or the demand of the wife as provided in articles 53 and 54.**
- Article 53.** The wife can seek a divorce on the following grounds:
- (i) non-payment of maintenance . . . ;
  - (ii) **infirmities hindering realization of the objects of marriage;**
  - (iii) refusal of the husband to cohabit with his wife for more than four months;
  - (iv) conviction of the husband which is of such a nature as to dishonour the family and render impossible leading of common life and conjugal relations;

- (v) absence of the husband for more than a year without a valid excuse or maintenance;
- (vi) violation of provisions of article 8; (vii) an immoral act which is severely reprehensible;
- (viii) for persistent disagreement between the spouses;
- (ix) for violation of the clauses stipulated in the marriage contract; and
- (x) for any recognized legal injury.

**Article 54.** In the event of disagreement, the judge can order the payment of a sum . . .

**Note:** Algeria passed a new Constitution in 2020. Article 37 states, “**All citizens shall be equal before the law and shall be guaranteed the right to equal protection. There shall be no pretext for discrimination on the basis of birth, race, gender, opinion, or any other personal or social condition or situation.**”



## BURUNDI

### Code of Persons and the Family

- Art. 122. Spouses owe each other fidelity, help and assistance. **The husband is the head of the conjugal community.** He performs this function to which the wife contributes morally and materially in the interests of the household and children. A wife undertakes this function when the husband is absent or prohibited from doing so.)
- Note:** Article 13 of the Constitution of Burundi: **All Burundians are equal** in worth and dignity. All citizens have equal rights and are entitled to an equal protection under the law. No Burundian will be excluded from the social, economic or political life of the nation because of race, language, religion, **sex** or ethnicity.



## DEMOCRATIC REPUBLIC OF CONGO

### Law 87-10 on the Family Code of 1987

- Article 444. **The husband is the head of household.** The spouses owe each other mutual protection.
- Note:** Article 12 of the Constitution of the Democratic Republic of Congo: All Congolese are equal before the law and entitled to equal protection under it.



## HONDURAS

### Family Code

- Article 21. It is prohibited to celebrate marriage:** of minors who have not obtained the consent of the persons called to grant it in cases determined by Law;
- 1) **From the woman before three hundred (300) days have elapsed from the dissolution of the previous marriage or de facto union or since it is declared the marriage is void,**

unless there has been childbirth within that term or one of the spouses has been materially separated from the other or absent for the indicated term.

2) If the annulment of the marriage has been declared **due to the impotence of the husband, the woman may contract a new marriage without waiting for any term; and,**

3) Without the prior publication of the legal edicts and without the presentation of the prenuptial medical certificate.

**Note:** The Constitution of Honduras has an equality provisions in Article 60, “All men are born free and equal in rights. There are no privileged classes in Honduras. All Honduras are equal before the law. **All forms of discrimination on account of sex, race, class, or any other reason prejudicial to human dignity shall be punishable.**”



INDIA

The Hindu Minority and Guardianship Act, 1956

Section 6. Natural Guardian: **The natural guardians of a Hindu**, minor, in respect of the minor’s person as well as in respect of the minor’s property (excluding his or her undivided interest in joint family property), are – (a) **in the case of a boy or an unmarried girl—the father, and after him, the mother;** provided that the custody of a minor who has not completed the age of five years shall ordinarily be with the mother; (b) in the case of an illegitimate boy or an illegitimate unmarried girl – the mother, and after her, the father; (c) **in the case of a married girl – the husband.**

**Note:** Article 14 of the Constitution of India: **The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.** Article 15(1): **The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.**



INDONESIA

Law No. 1 of 1974 on Marriage

Article 3

(1) The court may **permit a husband to have more than one wife.** A wife may only have one husband.

(2) The court can give **permission to a husband to marry more than one person** if desired by related parties.

**Note:** Article 27(1) of the Constitution of Indonesia: **All citizens shall be equal before the law and the government and shall be required to respect the law and the government, with no exceptions.**



ISRAEL

Rabbinical Courts Jurisdiction (Marriage and Divorce) Law (5713-1953)

1. Matters of marriage and divorce of Jews in Israel, being nationals or residents of the State, shall be under the exclusive jurisdiction of rabbinical courts.

2. Marriages and divorces of **Jews shall be performed in Israel in accordance with Jewish religious law.**

“Plonit v. Ploni”, The High Rabbinic Court, 1995:

“... even if it is true that she despises him there is **no basis** on which to **force him to divorce her** as it is written in the Shulchran Aruch [Medieval Compilation of Jewish law] section 37 page 2 ‘if the husband wants to divorce her,’ but there is not anything to obligate him and the authorities specified and it appears in the decrees of the rabbis that even **to obligate him to divorce**, without force, it is **not allowed** and this is from the language of the Shulchran Aruch which says ‘if he wants,’ that **the matter depends only on what he wants**, and we should therefore grant his appeal.”

“Plonit v. Ploni”, The Supreme Court of Israel, 1997:

“... there is no basis for us to intervene, within the confines of this court’s supervisory role, into the decisions of the religious courts. That is to say, we do not sit as a level of appeal for those courts... One must add that, according to Section 2 of the Rabbinical Courts Jurisdiction (Marriage and Divorce) Law 5713-1953, the law that the rabbinical courts should apply with regard to matters of marriage and divorce is the law of the torah [religious law]. The petitioner’s lawyer does not dispute that the rabbinical court did so [applied the religious law], and because the court did so, even if petitioner’s lawyer believes this law is not appropriate, there is no basis for us to intervene.”

For a divorce to be considered valid under Jewish law, the consensual transfer of a get (writ of divorce under Jewish law) from the husband to the wife, and her consensual receipt of it must take place. Jewish women who have not received a get in accordance with the requirements of Jewish law are considered *agunot* (chained) and are unable to remarry.

**Note:** The Declaration of the Establishment of the State of Israel (May 14, 1948): *The State of Israel... will ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race, or sex...*





JAPAN

Civil Code

Article 772.

- (1) A child conceived by a wife during marriage **shall be presumed to be a child of her husband.**
- (2) A child born after 200 days from the formation of marriage or within 300 days of the day of the dissolution or rescission of marriage shall be presumed to have been conceived during marriage.

**Please note** that there was an amendment, an *Act Amending the Civil Code* (Parent-Child Legislation) passed in 2023 that maintained the principle that **a child born within 300 days of the dissolution of marriage is presumed to be the child of the former husband.**

However, an exception will be made for cases in which children born within this timeframe **after the mother remarries will be presumed to be children of the current husband**, in order to address the rising cases of people not registering in a family register.

**Note from women’s rights experts in Japan:** The law requires, however, that the remarriage must be legally registered (in order for paternity to be recognized), which excludes *de facto* marriage. And if the mother has not remarried, a child will be automatically registered as a child of the mother’s ex-husband. Women’s groups, as well as UN treaty bodies, are urging the Japanese government **to abolish the concept of “legitimacy” of children.** Due to this concept, children born out of wedlock are called “illegitimate” children, and this stigma continues, including on personal identity documents. In many such cases, women do not obtain a birth certificate for their children due to this provision (as they would be forced to list the “legal father” of the child as opposed to the biological one), and consequently, the child is denied their right to identity.

Article 774. *Under the circumstances described in Article 772, a husband [or wife since the 2023 amendment] may rebut the presumption of the child in wedlock.*

**Article 774** was also amended and according to the new rules both husband and wife can rebut the presumption of child born **in wedlock.** However, this provision is not extended to mothers who have not remarried and the child was born **out of wedlock.**

**Note from Equality Now:** These provisions still deny a mother the right to have an equal say in the designation of the child’s father. The full amended Civil Code has not been officially published, and therefore, the text above is based on the government’s information about the changes contained in the Act.

**Note:** Article 14(1) of the Constitution of Japan: **All of the people are equal under the law and there shall be no discrimination** in political, economic or social relations because of race, creed, **sex**, social status, or family origin.



JORDAN

Personal Status Law No. 15 of 2019

Article 61.

(A) **A wife, who works outside the home is entitled to Alimony (Nafaqa)** under two conditions:

- 1 The work must be legitimate.**
- 2 The husband gives explicit or manifested consent to the work.**

(B) **A husband may not revoke his consent to his wife’s work** except for a legitimate reason and without causing harm to her.

**Note:** Article 6 of the Constitution of the Hashemite Kingdom of Jordan: *Jordanians shall be equal before the law. There shall be no discrimination between them as regards to their rights and duties on grounds of race, language or religion.*



KENYA

Marriage Act No. 4 of 2014

Section 2. *In this Act, unless the context otherwise requires—***“polygamy” means the state or practice of a man having more than one wife simultaneously;**

Section 3. (1) *Marriage is the voluntary union of a man and a woman whether* **in a monogamous or polygamous union** *and registered in accordance with this Act.*

(3) *All marriages registered under this Act have the same legal status.*

Section 6. (1) *A marriage may be registered under this Act if it is celebrated—* (c) *in accordance with the customary rites relating to any of the communities in Kenya;*

(3) *A marriage celebrated under customary law or Islamic law is presumed to be polygamous or potentially polygamous.*

**Note:** Article 27 of the Constitution of Kenya: (1) **Every person is equal before the law and has the right to equal protection and equal benefit of the law...** (3) **Women and men have the right to equal treatment**, including the right to equal opportunities in political, economic, cultural and social spheres.

However, this right is limited by Article 24(3) of the Constitution of Kenya: *The provisions of this Chapter on equality shall be qualified to the extent strictly necessary for the application of Muslim law before the Kadhis’ courts, to persons who profess the Muslim religion, in matters relating to personal status, marriage, divorce and inheritance.*



LEBANON

Personal Status Law of the Catholic Sects, 1949

Article 123: **Breastfeeding concerns the mother. The other rights and duties of the parental authority are, in principle, confined to the father.** These rights and duties are passed to the mother if the father is deprived from these responsibilities provided that the mother is proved to be eligible by the court and the court provides the mother a notice about the transfer of these responsibilities to her.

Article 124: The duration of breastfeeding is two years.

**Article 125: A mother loses custody of her child for the following:**

**A: if she is recalcitrant, or behaving badly**

**B: if she is not capable of raising and rearing her child**

**C: if she caused the lack of joint marital life**

**D: if she changes her religion, or changes her Catholic sect**

**E: if she remarries after the dissolution of the marriage, or the death of her husband.**

**Note:** Article 7 of the Constitution of the Republic of Lebanon: **All Lebanese are equal before the law.** They equally enjoy civil and political rights and equally are bound by public obligations and duties without any distinction



MALAYSIA

Islamic Family Law (Federal Territories) Act 1984

14. (1) No woman shall, during the subsistence of her marriage to a man, be married to any other man.

23. (1) No man, during the subsistence of a marriage, shall, except with the prior permission in writing of the Court, contract another marriage with another woman nor shall such marriage contracted without such permission be registered under this Act: Provided that the Court may if it is shown that such marriage is valid according to Hukum Syarak order it to be registered subject to section 123.

**Note:** Article 8 of the Federal Constitution of Malaysia: (1) **All persons are equal before the law and entitled to the equal protection of the law.** (5) **This Article does not invalidate or prohibit—(a) any provision regulating personal law; (b) any provision or practice restricting office or employment connected with the affairs of any religion, or of an institution managed by a group professing any religion, to persons professing that religion.**



MALI

Law No. 2011-087 Relating to the Code of Persons and Family

Article 307. Marriage may be contracted:

— Either under monogamy, in which case a husband cannot contract a second marriage before the dissolution of the first. However, a man who has opted for a monogamous marriage shall have the right to revise his option with the express consent of his wife.

— Or under polygamy, in which case it is necessary that the wife consents and a man shall not be married simultaneously to more than four wives.

Article 316. Within the respective rights and duties of spouses as enshrined in the Code, **the wife must obey her husband, and the husband must protect his wife.**

Article 319. The husband is the head of the household . . . The choice of the family residence belongs to the husband. The wife is obliged to live with him and he shall accommodate her . . .

Article 366. A divorced woman shall not remarry before a period of three months after the divorce.

Article 373. A widow shall not remarry before a period of four months and ten days after the death of her husband. A pregnant widow can only remarry after childbirth. If the birth occurs during this time, it is no longer required to complete the period prescribed in the previous paragraph.)

**Note:** Article 2 of the Constitution of Mali: **All Malians are born and live free and equal in their rights and duties. Any discrimination based on social origin, color, language, race, sex, religion, or political opinion is prohibited.**



SUDAN

Muslim Personal Law Act of Sudan, 1991

Section 25(c). **The validity of a marriage contract is conditioned on the existence of a guardian who would conclude the contract [for the woman].**

Section 33. **A guardian of a Muslim woman shall be male, sane, mature and Muslim.**

Section 34 (1). **The marriage of a pubescent woman shall be concluded by her guardian with her permission and consent to the husband and the dowry.** Her word regarding her attainment of pubescence shall be conclusive unless it contradicts the obvious.

(2) A virgin pubescent woman's express or implied affirmation is necessary if her guardian concluded her marriage contract and informed her later.

Section 40(3). The guardian of a minor girl cannot conclude her marriage contract unless there is permission from the judge. The guardian has to prove that the marriage will benefit



the minor girl, that the husband is suitable and the husband pays the dowry usually paid to women of her status.

Section 51. The wife's rights in relation to the husband shall be:

- (a) to be provided with living expenses;
- (b) to be allowed to visit her parents and those relatives whom she is prohibited by Shari'a law from marrying and to receive the aforesaid in her home;
- (c) the husband must not (i) interfere with her private property, and (ii) harm her financially or emotionally; and
- (d) to be treated equally and justly with her co-wife or co-wives.**

Section 52. **The husband's rights** in relation to his wife shall be:

- (a) to be taken care of and amicably obeyed; and**
- (b) to have the wife preserve herself** and his property.

Section 91. Except in situations involving a violation of Shari'a law, a **wife shall always obey her husband if he:**

- (a) has paid her dowry in full,
- (b) could be entrusted with her, and
- (c) provides her with a home that complies with the Shari'a requirement among good neighbors.

**Section 92. If the wife refuses to obey her husband, her right to be provided with a living ceases to be valid during such refusal.**

**Note:** New Constitution since 2019. Article 48 of the Constitution of Sudan, “**People are equal before the law**, and have the right to the protection of the law without discrimination between them on the basis of ethnicity, color, **gender**, language, religious faith, political opinion, racial or ethnic origin, or any other reason.”



YEMEN

Personal Status Act No. 20 of 1992

Article 23. The consent of the woman to marriage is required, **silence is the indication of consent of a virgin to marriage**. The consent of a previously married woman should be expressed [at the time of re-marriage].

Article 40. **A husband has the right to be obeyed by his wife** in the interest of the family, especially in regard to the following:

- 1. She must move with him to the conjugal home, unless she has stipulated in the marriage contract that she must remain in her own home or her family's home, in which case she must permit him to live with her and have access to her;
- 2. She must permit him to have legitimate intercourse with her when she is fit to do so;**
- 3. She must obey him and refrain from disobedience, and perform her work around the conjugal home, as other women do;
- 4. She must not leave the conjugal home without his permission, unless for a legitimate excuse or one commonly regarded as not prejudicial to honor or to her duties towards him. She may especially go out to attend to her property interests or to perform a mutually agreed job that does not conflict with Islamic law. A legitimate excuse would be for the woman to take care of her frail parents if she is the only one available to care for either or both of them.)

**Note:** Article 41 of the Constitution of Yemen: **Citizens are all equal** in rights and duties.



MISSOURI

Missouri Revised Statutes § 452.310

- 2. The petition in a proceeding for **dissolution of marriage or legal separation** shall set forth:
- (5) Whether the wife is pregnant;**

**Note:** Missouri’s statute requires couples petitioning for a divorce or legal separation to disclose whether the wife is pregnant. This provision is discriminatory because it forces women to disclose personal information about their pregnancy status to the state and their partner, which is not only an invasion of privacy but also a potential safety risk. While the divorce proceeding may begin, the provision delays the process and the court’s decision based on a woman’s pregnancy status.

The State of Missouri has not ratified the federal Equal Rights Amendment (ERA) nor passed one at the state level. Prohibiting sex-based discrimination at the constitutional level can help repeal sex-discriminatory laws such as Article 2(5) of the Missouri Revised Statutes.

# ECONOMIC STATUS

“And underpinning all our efforts must be a more concerted effort to dismantle gender barriers and empower all women and girls – because we cannot expect to achieve the [Sustainable Development] Goals without gender equality.”

António Guterres Secretary-General of the United Nations, The Sustainable Development Goals Report 2024



Credit: SDI Productions / iStock

Beijing Platform for Action recommendations

Strategic Objective 1.2. Ensure equality and non-discrimination under the law and in practice

Actions to be taken by governments:

232(d) – Review national laws, including customary laws and legal practices in the areas of **family**, civil, penal, **labour and commercial law** in order to ensure the implementation of the principles and procedures of all relevant international human rights instruments by means of national legislation, **revoke any remaining laws that discriminate on the basis of sex** and remove gender bias in the administration of justice;

232(b) – **Provide constitutional guarantees** and/or enact appropriate legislation to prohibit discrimination on the basis of sex for **all** women and girls of all ages and assure women of all ages equal rights and their full enjoyment;

Strategic objective F.1. Promote women’s economic rights and independence, including access to employment, appropriate working conditions and control over economic resources

Actions to be taken by governments:

165(b) – **Adopt and implement laws against discrimination based on sex** in the labour market, especially considering older women workers, hiring and promotion, the extension of employment benefits and social security, and working conditions;

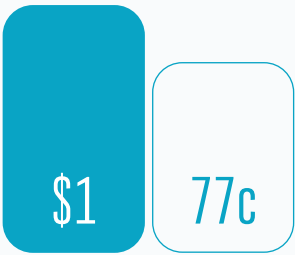
165(e) – **Undertake legislation and administrative reforms to give women equal rights with men to economic resources**, including access to ownership and control over land and other forms of property, credit, inheritance, natural resources and appropriate **new technology**.

What’s the issue?

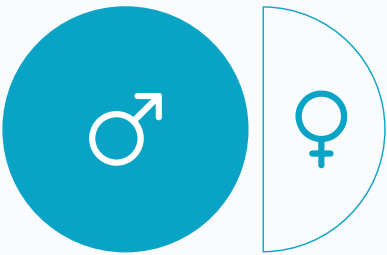
Equal economic status for women and girls means, among others, access to equal opportunities and resources, a decent workplace, equal pay for equally valuable work, adequately paid care work, an equal share of work, economic independence, and challenging gender norms and stereotypes in the workplace. Access to decent work without discrimination increases access to social protections, supports bodily autonomy, and provides control over resources and one’s own time. It facilitates meaningful participation in economic decision-making at all levels, from the household to broader societal institutions. Achieving equality requires legal and policy reforms, supported by a strong human rights framework, to increase women’s participation in economic - whether formal or informal - social and cultural life. Economic security and independence can empower women to leave abusive conditions in the family or at the workplace and make them **less vulnerable** to further exploitation, such as child marriage or gender-based violence, including tech-facilitated gender-based violence. It is a right in itself and a necessary tool for protection against violence and exploitation.

The World Bank’s *Women, Business and the Law 2024* report (WBL 2024), which evaluated 190 countries, however, found that:

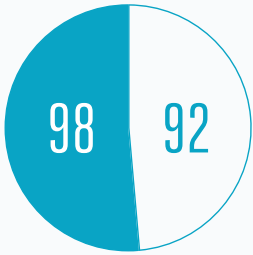
Women still earn less than men, receiving only 77 cents for every dollar paid to men.



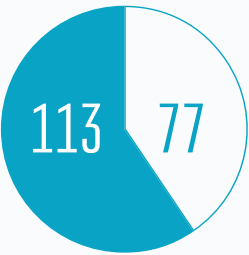
Women in the workforce are half as likely as men to have full-time wage jobs; their jobs tend to be more informal and vulnerable.



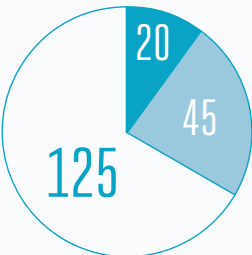
In 92 economies, women lack legal provisions mandating equal pay for work of equal value, leaving them unprotected by law.



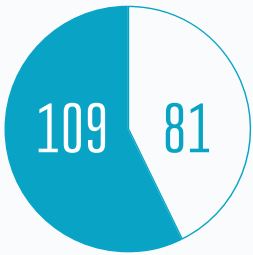
In 77 countries, women are legally not allowed to work in the same jobs and industries as men, exacerbating the differences and the gender wage gap.



20 countries have laws prohibiting women from working at night, and 45 prohibit women from working in jobs deemed “dangerous.”



In 81 economies, a woman’s pension benefits do not account for periods of work absences related to childcare, meaning she will be worse off.





What’s the impact?

Sex-based discrimination in laws governing the economic status of women and girls has deep and long-lasting impacts on the lives of women and the following generations if the cycle continues. Equality in economic conditions for women is a fundamental and crucial foundation for achieving women’s human rights. It can empower society as a whole by creating the conditions for the full enjoyment of other fundamental human rights. It is estimated that closing the gender gap will benefit the global economy by at least USD 7 trillion. Importantly, women in economically insecure roles, at home, and in the formal sector, can, as a result, experience food insecurity, have less social protection, have their health deteriorate, and live in poverty. And yet, women’s right to fully participate in the labor force remains unrealized. **According to UN Women, one in every ten women lives in extreme poverty.**

One of the ways women are still excluded from accessing economic security and opportunity is through denying them an equal share in marital property, inheritance, and household income. This exclusion could include a lack of access to financial services, bank accounts and loans, digital access, and access to any gains through their labor in family-run businesses or institutions.

SONIA ARCE

*Sonia Arce, a Chilean mother of two children and an accountant, lost her parents in 1994, so she and her siblings inherited their properties. When she decided to sell them, she, just because she was a woman, needed her husband’s signature to do so, a husband with whom she had not had contact for years. Men, on the other hand, do not need permission from their wives to sell their inheritances.*

Furthermore, women continue to be overrepresented in certain essential but undervalued sectors and the informal economy. For instance, in healthcare, education, child care, and the service industry. Women carry the majority share of care work, both paid and unpaid. The international human rights standard of equal *pay* for equal *value* encompasses determining fair pay and comparing value through a variety of methods, including situations where men and women dominate different industries. For instance, using skills, education required, and other factors to determine appropriate comparators to determine pay for a role can help alleviate sex-based discrimination in pay.

In Canada, for example, the Ontario Court of Appeal in *Ontario (Health) v Association of Ontario Midwives* passed a landmark decision in 2022 that recognized that midwifery is a service provided primarily by women, for primarily pregnant women and in relation to female reproductive health, and that midwives are under-compensated in comparison to an appropriate male comparator. Therefore, finding this a matter of systemic pay discrimination, the Court ruled that Ontario must remedy it.

*“...it is important to acknowledge that the midwife profession is the ultimate sex-segregated profession: women providing a service for women in relation to women’s health. And with this confluence of factors at work, combined with the fact that “[o]ccupational segregation and low wages ‘usually go hand in hand’”, and that jobs that are considered “female jobs” are often undervalued, there was an obvious risk that midwives would be under-compensated because they are women...”*

It is estimated that at the current trajectory, by 2050, women globally will still be spending 9.5% more time or 2.3 more hours per day on unpaid care work than men. As a result, in 128 countries, the WBL 2024 found that women may think twice about going to work while they have children in their care.

I need the ERA because... Paid Care is a Right!

Albeit slowly, there has been some progress. For example, in 2023, Cyprus introduced six weeks of parental leave as an individual and nontransferable right for each parent, and Jordan removed restrictions on a woman’s employment in industrial jobs. Azerbaijan and Oman removed restrictions on a woman’s employment in jobs deemed dangerous. Oman also increased paid maternity leave from 50 to 98 days, introduced seven days of paid paternity leave, and prohibited the dismissal of pregnant workers.



What needs to change?

Explicit legal and policy reforms are still needed to address the gender gaps in economic equality of women, including implementation of existing good laws and international legal obligations standards under the CEDAW, ICESCR, and international labor standards such as the International Labour Organization Violence and Harassment Convention-190.

As the UN Working Group on Discrimination against women and girls has powerfully stated, “Poverty is a gendered phenomenon that is deeply imbricated with other forms of inequality and discrimination.” The Working Group, therefore, recommends that States should base all laws and policies, especially in the economic and social spheres, on the core human rights principles of equality and non-discrimination: guarantee gender responsive and comprehensive social protection; and ensure equal rights to land, housing, and property, among other actions.

Importantly, human rights advocates have also highlighted the urgent need for gender budgeting, i.e., integrating gender-

based analysis into *all* areas of fiscal policy analysis and financial decision-making, for instance, in tax law, the design of infrastructure projects; the allocation and distribution of public funds to cater; and providing accountability and transparency for private corporations, and ensuring inequalities are not reinforced in any form. Further, adequate and substantial allocation of public funds for the unique and diverse needs of women and girls, specifically social protections, can address the historic and systemic gender gaps.

In addition, as Action 53 of the Pact for the Future calls for, a framework that goes beyond GDP as the sole measure of development, and one that takes into account well-being and women’s unpaid labor, must be developed. Governments must continue to carry their responsibility as the duty-bearer in providing for people’s collective and individual economic needs, including through ensuring equality in the law.

***Below are examples of laws which must be amended or repealed. They violate international law, the Beijing Platform for Action and in most cases the State’s own Constitution.***

Credit: JordiStock / iStock



# INHERITANCE AND PROPERTY



## CAMEROON

### The Civil Code of the Republic of Cameroon:

Article 1421. **The husband alone administers the common property.** He can sell, dispose of and mortgage them without the cooperation of the wife.

Article 1428. **The husband has the administration of all the personal property of the wife.** He alone can exercise all the property and possessory actions belonging to the wife.

**Note:** Preamble to the Constitution of Cameroon: All persons shall have equal rights and obligations. *The State shall provide all its citizens with the conditions necessary for their development ...* **The State shall guarantee all citizens of either sex the rights and freedoms** set forth in the Preamble of the Constitution.

Article 1: (2) *The Republic of Cameroon ... shall ensure the equality of all citizens before the law.*



## CHILE

### The Civil Code:

Article 1749. **The marital partnership is to be headed by the husband, who shall administer the spouses' joint property as well as the property owned by his wife, subject to the obligations and limitations set forth in this Section and those agreed to at the time of marriage ...**

**Note:** Chile passed a new constitution in 2021 and retained its previous provisions on equality. Article 19(2) of the Constitution of Chile: ... **Men and women are equal before the law.**



## SRI LANKA

### Matrimonial Rights and Inheritance Ordinance (Jaffna), Ordinance No. 1 of 1911

Section 6. *All movable or immovable property to which any woman married after the commencement of this Ordinance may be entitled at the time of her marriage, or which she may during the subsistence of the marriage acquire or become entitled to by way of gift or inheritance or by conversion of any property to which she may have been so entitled or which she may so acquire or become entitled to, shall, subject and without prejudice to the trusts of any will or settlement affecting the same, belong to the woman for her separate estate ..... Such woman shall, subject and without prejudice to any such trusts as aforesaid, have as full power of disposing of and dealing with such property by any lawful act inter vivos without the consent of the husband in case of movables, or with his written consent in the*

*case of immovables, but not otherwise, or by last will without consent, as if she were unmarried.*

**Note:** The provisions of the Matrimonial Rights and Inheritance Ordinance (Jaffna), including the discriminatory section 6 highlighted above, apply only to the Tamil community to whom the customary Tesawalamai law applies.

Article 12 of the Constitution of Sri Lanka: (1) **All persons are equal before the law and are entitled to the equal protection of the law.** (2) *No citizen shall be discriminated against on the grounds of race, religion, language, caste, sex, political opinion, place of birth or any one of such grounds.*

However, **the equality guarantee in Article 12 does not apply to the Matrimonial Rights and Inheritance Ordinance** as the Ordinance came into effect before the Constitution, Article 16 of which states: (1) *All existing written law and unwritten law shall be valid and operative notwithstanding any inconsistency with the preceding provisions of this Chapter* (which includes Article 12).



## TUNISIA

### Personal Status Code of 1956:

Section 103. There are three cases that apply to immediate daughters:

1. A sole **daughter inherits half** of the estate;
2. Two or more **daughters collectively inherit two thirds of the estate;**
3. **Where there are any sons, the male inherits twice as much as the female.**

**Note:** In 2022, Tunisia adopted a new constitution and retained its previous equality provision in Article 23, *“Citizens are equal in rights and duties. They are equal before the law without any discrimination.”*



## UNITED ARAB EMIRATES

### Partially Amended!

Article 334 of the Federal Law No. 28 of 2005 of the UAE Personal Affairs Law prescribes that males inherit twice as much as females where there are both male and female heirs.

Federal Decree Law No. 41 of 2022 changed the inheritance laws for non-Muslim citizens, as well as for any non-Muslims living in the UAE unless, as foreigners, they elect otherwise. The law now states that a spouse is entitled to half of the estate upon the death of their spouse, and there is no distinction between male and female heirs in regard to the inheritance of the other half of the estate.



Federal Law No. 28 of 2005 of the UAE Personal Affairs Law:

Article 334. 1. Where there is a combination of male and female heirs:

- (a) When the deceased has one or more daughters and one or more sons;
- (b) When the deceased has one or more granddaughters and one or more grandsons who are of the same degree of descent or lower, if needed to ward off her exclusion; **a male of higher ascendancy, however, would exclude her;**
- (c) When the deceased has one or more sibling sisters and one or more sibling brothers; and
- (d) When the deceased has one or more half sisters and one or more half brothers.

2. In such cases, **the male inherits twice as much as the female.**

**Note:** Article 25 of the Constitution of the United Arab Emirates: **All persons are equal before the law.**

## EMPLOYMENT

### BRAZIL

Law No. 8213 of 24 July 1991, as amended in 2019, providing for the Social Security Benefit Plans and other measures:

**Art. 40.** The public service pension plan, for public servants [employees] holding permanent positions, will be based on [periodic] contribution, have a “solidary nature”, and funded by each administrative division [federal, state, municipal] as well as active and retired employees and according to criteria that respect [government] fiscal balance.

§ 1º A public servant entitled to this benefit will retire:

**III – if employed by the Union [federal government], at 62 (sixty-two) years of age, if female, and at 65 (sixty-five) years of age, if male; if employed by a State, the Federal District and the Municipalities, at the minimum age established by their respective [state] constitutions and municipal charters, observing the employee’s contribution period and other requirements established in the appropriate statutes of the said administrative division.**

**Note:** On the face of it, this law discriminates against men who have to wait longer to receive social security benefits. However, taking into account that women perform the majority of unpaid care work, this law could actually provide some relief for women and level the playing field. Ideally, men and women would undertake equal care work and be able to access benefits at the same age.



Article 5 of the Constitution of Brazil: *Everyone is **equal before the law**, with no distinction whatsoever, guaranteeing to Brazilians and foreigners residing in the Country the inviolability of the rights to life, liberty, equality, security and property, on the following terms: I. **Men and women have equal rights** and duties under the terms of this Constitution...*



### CAMEROON

The Civil Status Registration (Ordinance No. 81-02 of 29 June 1981):

Article 74. (1) A married woman may exercise a trade different from her husband.

(2) **The husband may object to the exercise of such a trade in the interest of the marriage or their children.**

(3) The President of the Court with jurisdiction shall decide by order on such an objection by the husband within ten days of being seized of the matter. His decision shall be rendered free of charge and shall be taken only after the parties have been heard.

**Note:** Preamble to the Constitution of Cameroon: **All persons shall have equal rights** and obligations. The State shall provide all its citizens with the conditions necessary for their development . . . The State shall guarantee all citizens of either **sex** the rights and freedoms set forth in the Preamble of the Constitution.

Article 1 of the Constitution of the Republic of Cameroon, 1972: (2) The Republic of Cameroon shall be a decentralized unitary State.... It shall ensure the **equality of all citizens before the law.**



### CHINA

The Labour Act (1994):

Chapter VII. Special Protection for Female and Juvenile Workers.

Section 59. It is **prohibited to arrange female workers** to engage in work down the pit of mines, or work with grade IV physical labour intensity as stipulated by the State, **or other work that female workers should avoid.**

**Note:** Article 48 of the Constitution of China: **Women in the People’s Republic of China enjoy equal rights with men in each sphere of life**, in political, economic, cultural, social and family life. The state protects the rights and interests of women, applies the principle of equal pay for equal work to men and women alike and trains and selects cadres from among women.



IRELAND

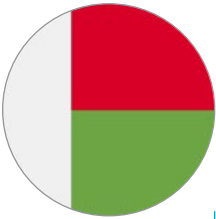
Paternity Leave and Benefit Act 2016

Section 6. Entitlement to paternity leave

(1) Subject to this Part, an employee who is a relevant parent in relation to a child shall be entitled to 2 weeks’ leave from his or her employment, to be known (and referred to in this Act) as “paternity leave”, to enable him or her to provide, or assist in the provision of, care to the child or to **provide support to the relevant adopting parent or mother of the child, as the case may be, or both.**

**Note:** Section 6 of the Paternity Leave and Benefit Act 2016 only provides 2 weeks of paternity leave. Previously, section 47(5) of Ireland’s Social Welfare Consolidation Act 2005 (No. 26 of 2005) provided that a father could only obtain additional parental financial support if the mother died within a certain time period after giving birth. Additional paid paternity or parental leave should be provided so that all parents are treated equally.

Article 40 of the Constitution of Ireland: (1) **All citizens shall, as human persons, be held equal before the law.**



MADAGASCAR

The Labor Code (Law No. 2003-44 of 28 July 2004):

Article 85. . . . **Women, regardless of age, shall not be employed at night** in any industrial establishment of any kind, public or private, secular or religious, nor in any annex of one of these establishments even if these establishments are of a professional or charitable character, except for establishments where the only ones employed therein are members of one same family.

**Note:** Article 6 of the Constitution of Madagascar: **All individuals are equal under the law, and enjoy the same fundamental liberties protected by law without discrimination based on sex, education, wealth, origin, religious belief or opinion.**



KYRGYZSTAN

Labor Code of Kyrgyzstan

**Article 218. Restriction on the Performance of Heavy Work and Work with Harmful or Dangerous Working Conditions**

**The employment of women and individuals under the age of 18, as well as those whose health conditions contraindicate such work, is prohibited for heavy work and work with harmful or dangerous working conditions.**

The lists of heavy work and work with harmful or dangerous working conditions, where the

employment of women and individuals under the age of 18 is prohibited, are approved by the Government of the Kyrgyz Republic.

Article 303. Work Prohibited for Women

**The employment of women is prohibited for heavy work, work with harmful and/or dangerous working conditions, as well as underground work, except for non-physical work or work related to sanitary and domestic services, and work involving the manual lifting and moving of loads that exceed the maximum permissible limits for them.**

The list of industries, work, professions, and positions with harmful and/or dangerous working conditions where the employment of women is prohibited, as well as the maximum permissible load limits for women when lifting and moving loads, are approved in the manner determined by the Government of the Kyrgyz Republic.

**Resolution of the Government of the Kyrgyz Republic dated March 24, 2000, No. 158** “On the List of Heavy Work and Work with Harmful Working Conditions, Where the Employment of Women is Prohibited”

**Note:** Although the Constitutional Court of Kyrgyzstan in 2023 ruled that these provisions were not unconstitutional, it stated that the List “was approved in 2000 and has not undergone any significant changes” and, therefore, directed the Cabinet of Ministers to ensure the systematic justification for the inclusion of types of industries, work, professions, and positions in the List.

Article 24 of the Constitution of Kyrgyzstan: *The Kyrgyz Republic shall ensure that all persons within its territory and subject to its jurisdiction enjoy protection of their rights and freedoms. No one shall be subjected to discrimination on the grounds of sex, race, language, disability, ethnicity, religion, age, political or other opinion, education, origin, property or other status, or other circumstances.*



RUSSIAN FEDERATION

Resolution No. 162 of 25 February 2000:

List of heavy work and work in harmful or dangerous conditions in which the **employment of women is prohibited.**

**Order No. 512H of the Ministry of Labor and Social Protection of the Russian Federation of July 18, 2019:**

List of productions, works and positions with harmful and (or) dangerous working conditions, on which the **use of women’s labor is limited.**

Labor Code – Federal Law No. 197-FZ of 2001:

Article 253. **Labor of females** on hard, dangerous and/or unhealthy trades as well as underground working excluding non-physical work or sanitary and domestic services **is forbidden.** Labor of females on the work related to manual lifting



*of weights exceeding maximum permissible standards [is forbidden]. The lists of industries, professions, and jobs with unhealthy and/or dangerous work conditions with restricted female labor as well as maximum permissible weights for manual lifting and handling by females are approved in the procedure fixed by the Government of Russian Federation taking into account opinion of the Russian Trilateral Committee on Social and Labor Relations.*

**Note:** Resolution No. 162 lists 456 types of work women may not engage in. In July 2019, the Ministry of Labour and Social Protection passed Order 512H, which liberalized the list – but there are still 100 types of works and positions in which women may not engage, including the production or use of yellow phosphorus, to drive self-propelled vehicles in open-cast mining, or to prepare brown mud manually. The list entered into force on January 1, 2021.

Article 19 of the Constitution of the Russian Federation: (1) **All people shall be equal before the law and court.** (2) *The State shall guarantee the equality of rights and freedoms of man and citizen, regardless of sex, race, nationality, language, origin, property and official status, place of residence, religion, convictions, membership of public associations, and also of other circumstances . . .* (3) **Man and woman shall enjoy equal rights and freedoms and have equal possibilities to exercise them.**



**SWITZERLAND**

**Federal Law supplementing the Swiss Civil Code of 30 March 1911:**

Article 329 (f). *Obligations of the employer / VIII. Days off work, holidays, leave for youth work, maternity leave....* 4. *Maternity leave: After having given birth, a female employee is entitled to maternity leave of at least 14 weeks.*

**Note:** Switzerland voted in a referendum on 27 September 2020, which resulted in the approval of **10 days of paternity leave** to begin in January 2021. We encouraged the government to continue to review the issue and consider additional paid paternity leave so that all parents are treated equally. The President of Switzerland, replying to our letter encouraging further reform, also stated that, “In addition, the Government is elaborating a national strategy for equality between women and men. Finally, the Government will undertake a general review of inequalities between women and men in Swiss federal law.”

Article 8 of the Federal Constitution of the Swiss Confederation: (3) **Men and women have equal rights.** *The law shall ensure their equality, both in law and in practice, most particularly in the family, in education, and in the workplace. Men and women have the right to equal pay for work of equal value.*



**SOUTH KOREA**

**Military Service Act, No. 11042 (unofficial translation)**

Article 3. **Every masculine gender** of the Republic of Korea shall faithfully perform military service, as prescribed by the Constitution of the Republic of Korea and this Act. **A feminine gender may perform only active service or reserve service through volunteering.**

**Note:** Constitution of the Republic of South Korea, Article 11 states, (1) *All citizens shall be equal before the law, and there shall be no discrimination in political, economic, social or cultural life on account of sex, religion or social status.* Further, Article 39 states, (1) *All citizens shall have the duty of national defence under the conditions as prescribed by law;* (2) **No citizen shall be** treated unfavorably on account of the fulfillment of his obligation of military service.

# PERSONAL STATUS

Beijing Platform for Action

Strategic Objective 1.2. Ensure equality and nondiscrimination under the law and in practice

Actions to be taken by governments:

232(d) - **Review national laws, including customary laws and legal practices** in the areas of family, civil, penal, labour and commercial law in order to ensure the implementation of the principles and procedures of all relevant international human rights instruments by means of national legislation, **revoke any remaining laws that discriminate on the basis of sex and remove gender bias in the administration of justice;**

232(b) - provide constitutional guarantees and/ or enact appropriate legislation to prohibit discrimination on the basis of sex for all women and girls of all ages and assure women of all ages equal rights and their full enjoyment.



Credit: miodrag ignjatovic / iStock

What’s the issue?

Thirty years after the Beijing Platform and several treaties and commitments later, countries still have laws that keep the civil and political status of women below that of men. Stemming from deeply ingrained cultural, social, economic, religious, or traditional patriarchal practices, these laws impact women's position in society and institutions and impact their status within the justice system. This discrimination is also systematically woven into the law, for example, in legal procedures in which the value of a woman giving testimony in court is less than that of a man. These often colonial-era laws still exist within systems that impact women's lives every day, deeply and in multiple ways.

In 2022, for example, Saudi Arabia, for the first time, codified its Personal Status Law, resulting in explicit, written sex discrimination in its law. As mentioned earlier, the new laws state that if a woman refuses without a “legitimate excuse” to have sex with him or travel with him, she loses her right to spousal maintenance from her husband. Further, women are not allowed to travel with their children outside of Saudi Arabia for more than 90 days, and any travel beyond this period requires the consent of a male guardian. In the United States, there is a crackdown on sexual and reproductive rights with legislative attempts to adopt a ban on travel to other states to seek safe healthcare and abortion. These acts by governments attack the most fundamental rights of women, resulting in their experiences and lives being treated as less than men’s and putting their health and lives in danger.

Countries are also holding onto laws that tie the citizenship or nationality status of women to men and measures that police their public behavior and restrict personal freedom to travel, or to express themselves freely. Despite the overall trend of decline in laws that explicitly discriminate on the basis of sex globally since the Beijing Platform, as of this writing, 24 countries still do not allow women to pass on their own nationality to their children in the same way as a man. In 47 countries, women cannot confer their citizenship to their foreign spouse in the same way as men can.

There are States, however, that have progressed towards more just citizenship laws in the last few years. For instance, in 2022, Liberia enacted the *Aliens and Nationality Law*, which eliminated the discriminatory provision that denied mothers the right to confer Liberian citizenship to their children born abroad on an equal basis with fathers. Also in 2022, Benin revised its Nationality Code, establishing full equality, including in conferring nationality on spouses. Nepal, on the other hand, did not take the opportunity in 2023 to thoroughly amend its sex-discriminatory nationality provisions through the *Nepal Citizenship Act (First Amendment Bill)*, and reform of the Constitution is also still needed.

In Malaysia, the Constitution's nationality provisions still do not allow Malaysian women to pass nationality to their foreign spouse or Malaysian mothers to automatically pass on nationality to children born abroad (only Malaysian fathers are permitted to do so for children born within marriage). However, in December 2020, a group of mothers with overseas-born children and the human rights group Family Frontiers mounted a legal challenge to this discriminatory provision. On September 9, 2021, the Kuala Lumpur High Court passed a historic decision in the



case and granted equal citizenship rights to Malaysian women and recognized their overseas-born children as Malaysian citizens. The Malaysian government, however, challenged this ruling, and in 2022, the [Court of Appeal](#) overturned the judgment, effectively denying Malaysian mothers the right to confer citizenship on their overseas-born children. While this case is still on appeal, in the meantime a citizenship amendment bill that would address some, but not all, of the discrimination passed the lower house of parliament in October 2024 and the Senate in December 2024.

What’s the impact?

Sex discriminatory personal status laws can have far-reaching economic, health, and safety impacts on women and their families. The failure to end sex discriminatory nationality laws, for example, can lead to statelessness when mothers are unable to confer their status to their children and the children are not able to gain the nationality status of their fathers. This can occur in cases where fathers were unable to establish their nationality or unable to go through the administrative process to acquire it. This has led women to stay in abusive or unhappy marriages, risk custody of their children, and put girls at risk of early, child, or forced marriage to retain or acquire citizenship.

Further, family members with different nationalities often find it challenging to access public services, including essential services like healthcare, employment, and safe housing, leading to compounded impacts of discriminatory laws such as poverty and exploitation. In [Jordan](#), for example, during the COVID-19 crisis, the government introduced a public fund for family assistance that only a Jordanian woman was eligible to apply for, not her husband, if he was not a Jordanian national. This also means in instances where the mother died, her children were unable to access state funding.

ZAINAB

Zainab, a 25-year-old woman and daughter of a Bahraini mother, is not considered a citizen of Bahrain because her mother was not able to confer her citizenship status on her. Her family of 10 siblings is supported by her father, who has financial difficulties, and they share a home with five other families. Despite a college education, she is unable to find employment because of her nationality status and lives without a national identity card, which impacts her access to healthcare and social services.

Zahra, who has been married for over 40 years, is unable to pass on her nationality status to her husband and her children, making it a challenge for her husband to stay in Bahrain. They live with the fear of her husband and her daughter losing their jobs and having to leave the country. Her other children find it difficult to find work, and the daughter, who works, faces challenges in accessing full rights such as wage increases or being able to obtain a loan to purchase a home. Zahra worries that if she were harmed in any way, her family would suffer greatly without a nationality status in the country.



Credit: 123ArtistImages / iStock

These impacts are often felt the most by already marginalized groups and women in those minority ethnic groups that are systematically isolated and exploited in the societies they live in. Even in countries, for example, that provide legal recognition to same-sex relationships, the lack of biological links to surrogate or adopted children can affect the ability of same-sex couples to pass nationality to their children.

*A comprehensive report and annex of discriminatory nationality laws around the world can be found here with progress updates - [The State We’re In: Ending Sexism in Nationality Laws](#)*

The [Global Campaign for Equal Nationality Rights](#) continues to maximize momentum amongst governments, UN agencies, and civil society to end sex discrimination in nationality laws, including with a [UN Human Rights Council resolution](#) adopted in 2023 and global summit bringing together parliamentarians, ministers and leading civil society organizations to strategize for reform.

What needs to change?

In this report, we have selected examples of laws that explicitly discriminate against women in areas such as their right to citizenship and nationality, travel, and participation in public life. The marital status section of this report includes other examples of personal status laws, particularly with regard to family relations.

***Below are examples of laws that must be amended or repealed. They violate international law, the Beijing Platform for Action, and, in most cases, the State’s own Constitution.***

# CITIZENSHIP



## BAHRAIN

### Decree Law No. 12 Amending Bahraini Citizenship Act of 1963:

Article 4. A **person shall be deemed a Bahraini national** in the following cases:

- A. *If he/she was born in Bahrain or abroad and the father, at the time of the birth, was a Bahraini national.*
- B. *If he/she was born in Bahrain or abroad **and the mother, at the time of birth, was a Bahraini national, providing that the father was either unknown or paternity was not legally proven.***

**Note:** Article 18 of the Constitution of Bahrain: *People are equal in human dignity, and citizens **are equal before the law** in public rights and duties. **There shall be no discrimination** among them on the basis of **sex**, origin, language, religion or creed.*



## BRUNEI

### Brunei Nationality Law No. 4 of 1961, as amended by S 43/00 and S 55/02:

Section 4. (1) On and after the appointed day **the following persons, and no others, shall be subjects of His Majesty** the Sultan and Yang Di-Pertuan by operation of law —

- (a) any person born in Brunei Darussalam . . . and any person born outside Brunei Darussalam . . . **whose father was**, at the time of birth of such person, a subject of His Majesty the Sultan...*

Section 5. (6) . . . **a woman who — (a) is not a subject of His Majesty the Sultan . . . ;and (b) is or has been married to a subject of His Majesty the Sultan . . . , shall . . . be eligible to be registered as a subject of His Majesty the Sultan . . .**

Section 9. (5) A person who has the status of a subject of His Majesty the Sultan . . . **shall cease to have such status if —(b) being a woman** who has acquired such status by registration [through marriage to a subject of His Majesty the Sultan and thereafter] she acquires by reason of her subsequent marriage the nationality or citizenship of her husband being the nationality or citizenship of any State or country outside Brunei Darussalam.



## ESWATINI (FORMERLY SWAZILAND)

### Constitution of the Kingdom of Swaziland Act 2005:

Article 43. (1) **A person born in Swaziland** after the commencement of this Constitution is a citizen of Swaziland by birth if at the time of birth **the father of that person** was a citizen of Swaziland in terms of this Constitution.

(2) **A person born outside Swaziland** after the commencement of this Constitution is a citizen of Swaziland if at the time of birth the father of that person was a citizen of Swaziland in terms of this Constitution . . .

(4) Where a child born outside of marriage **is not adopted by its father or claimed by that father** in accordance with Swazi law and custom and the mother of that child is a citizen of Swaziland, the child shall be a citizen of Swaziland by birth . . .

Article 44. (1) A **woman** who is not a citizen of Swaziland at the date of her marriage to a person who is a citizen (otherwise than by registration) shall become a citizen by lodging a declaration in the prescribed manner with the Minister responsible for citizenship or with any Diplomatic Mission or Consular Office of Swaziland or at any other prescribed office, either before or at any time during the marriage, accepting Swaziland citizenship.

(2) A **woman** who lodges a declaration in terms of subsection (1) shall be a citizen from the date of her marriage, where the declaration is lodged before the marriage, or where the declaration is lodged after marriage, from date of lodgement . . .

**Note:** Article 20(1) of the Constitution of the Kingdom of Swaziland Act 2005: ***All persons are equal before and under the law** in all spheres of political, economic, social and cultural life and in every other respect and shall enjoy equal protection of the law.*



## MONACO

### Law No. 1155 on Nationality (December 18, 1992) as amended by Law No. 1276 (December 22, 2003), Law No. 1387 (December 19, 2011) and Law No. 1470 (June 17, 2019):

Article 1. A Monegasque is:

1. Every person **born of a Monegasque father** unless he acquired his nationality by declaration under the provisions of Article 3.
2. Every **person born of a mother** who was born Monegasque and **who still has Monegasque nationality** on the date of that person's birth.
3. Every person born of a Monegasque mother and who has a Monegasque-born ancestor on the mother's side of the family.
4. Every person born of a **Monegasque mother** who acquired Monegasque



nationality by naturalization, by reestablishment of nationality, or **by application** of the provisions of the second paragraph of article 6 or the fourth paragraph of article 7 of this law.

- 5. Every person **born of a mother who acquired Monegasque nationality** by declaration following a simple adoption.
- 6. Every person born in Monaco from unknown parents.

**Note:** While Article 1 of Law No. 1155 was amended in 2003 to expand the categories by which a child can obtain citizenship through his/her mother, and again in 2019 to grant citizenship to children born in Monaco from unknown parents, **Article 1 is still discriminatory in that fathers, unlike mothers, have unconditional rights in passing nationality to their children.**

Article 17 of the Constitution of Monaco: *The **citizens of Monaco** enjoy **equality before the law**. No preferential status or treatment is accorded to any of them.*



TOGO

**Ordinance No. 78-34 of 7 September 1978 establishing the Code of Togolese Nationality:**

Article 5. ... **a foreign woman who marries a Togolese man acquires the Togolese nationality** at the time of the marriage.

Article 12. ... **a foreigner ... married to a Togolese woman** [can be naturalized under Article 10 by decree **following an investigation**].

Article 23. **Loses Togolese nationality: ... (3) a foreign woman divorced from her Togolese husband.**

**Note:** New Constitution promulgated in 2024 essentially retained Article 2: ***The Togolese Republic guarantees equality before the law for all citizens** without discrimination nor distinction of origin, race, **sex**, disability, social status or religion.*



UNITED STATES OF AMERICA

**The Immigration and Nationality Act (codified at 8 U.S.C. 1401):**

Section 309. Children born out of wedlock.

- (a) The provisions of paragraphs (c), (d), (e), and (g) of section 301 [granting United States citizenship to persons born outside the United States] shall apply as of the date of birth to a person born out of wedlock if -
- (1) **a blood relationship between the person and the father** is established by clear and convincing evidence,

- (2) **the father had the nationality of the United States** at the time of the person's birth,
- (3) **the father (unless deceased) has agreed in writing to provide financial support** for the person until the person reaches the age of 18 years, and
- (4) while the person is under the age of 18 years -
  - (A) the person is legitimated under the law of the person's residence or domicile,
  - (B) the father acknowledges paternity of the person in writing under oath, or
  - (C) the paternity of the person is established by adjudication of a competent court.

(C) Notwithstanding the provision of subsection (a) of this section, a person born, after December 23, 1952, outside the United States and out of wedlock shall be held to have acquired at birth the nationality status of his mother, if the mother had the nationality of the United States at the time of such person's birth . . .

**Note:** In *Sessions v. Morales-Santana* 137 S. Ct.1678 (2017), the U.S. Supreme Court held that going forward, unmarried American fathers and mothers will have the same residency requirements in order to pass on citizenship to their children born abroad, although the new length of the residency is still to be determined by Congress. Previously, fathers had to satisfy a longer residency time period than mothers, which the court found unconstitutional. The Court's opinion written by Ruth Bader Ginsburg states:

*"At the time §1409 was enacted as part of the Nationality Act of 1940 (1940 Act), two once habitual, but now untenable, assumptions pervaded the Nation's citizenship laws and underpinned judicial and administrative rulings: In marriage, husband is dominant, wife subordinate; unwed mother is the sole guardian of a nonmarital child."*

**Unfortunately, parts of Section 309 remain discriminatory as it still confers citizenship on children of unmarried U.S. citizen fathers and noncitizen mothers born outside the U.S. only if they meet certain requirements, including their father's guarantee of financial support.**

Although Section 1 of the 14th Amendment to the United States Constitution theoretically provides every person *"equal protection of the laws," the US Constitution does not explicitly prohibit discrimination on the basis of sex.* (See *Special Focus on Constitutional Equality*)

# EVIDENCE



## IRAN

### The Islamic Penal Code of 2013, Books I, II and V:

Article 199. **The standard [of proof] for testimony in all offenses shall be two male witnesses;** unless in zina, livat, tafkhiz, and musaheqeh which shall be proved by four male witnesses. In order to prove a zina punishable by the hadd punishment of flogging, shaving [of head], and/or banishment, **the testimony of two just men and four just women shall be sufficient.** If the punishment provided is other than the above, **testimony of at least three men and two women shall be required.** In such cases, **if two just men and four just women testify for the offense,** only the hadd punishment of flogging shall be given. Bodily offenses punishable by diya shall also **be proved by one male witness and two female witnesses.**

Article 209. Where, **in financial claims** such as diya for bodily offenses, and also in claims which are about claiming a sum of money such as a negligent or quasi-intentional bodily offense which must be compensated by a diya, the private claimant is unable to provide admissible evidence which meets the requirements under Shari’a, s/he [still] **can produce one male witness or two female witnesses** together with an oath and prove the financial part of his/her claim.

Article 638. Women who appear in public without prescribed Islamic dress (hejab-eshar’i), shall be sentenced to either imprisonment of between 10 days and 2 months or a fine of between 50,000 and 500,000 rials.

**Note:** *Zina* is defined as illicit sex outside of marriage. *Livat*, *tafkhiz*, and *musaheqeh* are defined as various forms of homosexual sexual activity, either between men or women. *Hadd* is a punishment for certain crimes as specified under Shari’a. *Diya* are fines imposed under Shari’a for certain crimes.

Article 20 of the Constitution of Iran: **All citizens of the country, both men and women, equally enjoy the protection of the law and enjoy all human, political, economic, social and cultural rights, in conformity with Islamic criteria.** However, all provisions of the Constitution can be superseded by Islamic principles as per Article 4 of the Constitution: All civil, penal, financial, economic, administrative, cultural, military, political, and other laws and regulations must be based on Islamic criteria. **This principle applies absolutely and generally to all articles of the Constitution** as well as to all other laws and regulations, and the fuqaha’ of the Guardian Council are judges in this matter.



## PAKISTAN

### The Qanun-e-Shahadat Order, 1984 (Law of Evidence):

Article 17. Competence and number of witnesses.

(1) **The competence of a person to testify**, and the number of witnesses required in any case shall be determined in accordance with the injunctions of Islam as laid down in the Holy Quran and Sunnah.

(2) Unless otherwise provided in any law relating to the enforcement of Hudood or any other special law,

(a) **in matters pertaining to financial or future obligations**, if reduced to writing, the instrument **shall be attested by two men, or one man and two women**, so that one may remind the other, if necessary, and evidence shall be led accordingly; and

(b) in all other matters, the Court may accept, or act on, the testimony of one man or one woman or such other evidence as the circumstances of the case may warrant.

**Note:** Article 25 of the Constitution of Pakistan: (1) **All citizens are equal before law and are entitled to equal protection of law.** (2) There shall be **no discrimination on the basis of sex.**

# TRAVEL



## OMAN

### Personal Status Law, 1997:

Article 134. **The custodian of the child cannot travel abroad with the child without the approval of the guardian.** If the guardian refuses, the matter may be submitted to a judge for resolution.

Article 11. (B) **The guardian must be a male**, wise, adult, not forbidden by Hajj or ‘Umrah, Muslim if the child is a Muslim.

**Note:** Article 17 of the Constitution of Oman: **All Citizens are equal before the Law and share the same public rights and duties. There shall be no discrimination amongst them on the ground of gender, origin, colour, language, religion, sect, domicile, or social status.**



# VIOLENCE

## Beijing Platform for Action recommendations

### Chapter IV Actions and Initiatives

**69(a)** - As a matter of priority, review and revise legislation, where appropriate, with a view to introducing effective legislation, **including on violence against women**, and take other necessary measures to ensure that all women and girls are protected against all forms of physical, psychological and sexual violence, and are provided recourse to justice;

### What's the issue?

Acts of violence against women are rooted in patriarchy and systemic discrimination facilitated by structures of powerful institutions that fail to hold perpetrators accountable. Furthermore, not fully realizing other fundamental human rights, such as social and economic protections for women and girls, entrenches the harmful environment for violence to occur and continue.

number of women and girls killed intentionally in 2023 was **85,000**

Accurate statistics on sexual assault, violence, abuse, and other forms of harm remain difficult to obtain due to a lack of reporting by victims and a lack of recording and data collection by governments. The fear of retaliation, lack of sufficient legal protections, lack of awareness, ineffective and corrupt law enforcement, internalized shame, delays, and victim-blaming are barriers to accessing the justice system.

Despite the challenges in reporting violence, we know that **during their lifetime, approximately one in three women are subjected to gender-based violence in the world. This statistic has remained consistent for more than a decade.**

**one in three** women are subjected to gender-based violence in the world

**60%** of all murders of women and girls, sometimes termed femicide, are committed by intimate partners or other family members

In 2024, the UN reported that the number of women and girls killed intentionally in 2023 was 85,000. 12% of murders of men happen within the family, while 60% of all murders of women and girls, sometimes termed femicide, are committed by intimate partners or other family members. Impunity or lesser punishments for violence against women, including murder, is sometimes written in the law itself, such as in the case of Egypt noted below.

According to the WBL 2024 report, women enjoy **barely a third of the legal protections they need** from domestic violence, sexual harassment, child marriage, and femicide:

- ▶ Only 104 countries out of the 190 in the WBL report have **comprehensive** laws addressing domestic violence.
- ▶ 151 countries have laws addressing sexual harassment in employment, but fewer economies have laws that address sexual harassment in education (75), public spaces (39), and online (75). Out of these, 92 countries address sexual harassment in at least two of these sectors their laws.
- ▶ According to our research, of the **94** countries where female genital mutilation (FGM) is practiced (the actual number is higher, but there is a lack of official statistics in other parts of the world despite having other forms of evidence), only **58** countries have specifically prohibited FGM under their national laws.

### Sexual Violence

Around the world, rape and sexual abuse are everyday violent occurrences -- affecting close to a billion women and girls over their lifetimes. **However, despite the pervasiveness of these crimes, laws are insufficient, inconsistent, not systematically enforced, and sometimes promote violence.**

Laws in some countries use abstract or vague language with respect to what constitutes an act of sexual violence, often relying on outdated and stereotypical notions of violence and sexuality. For example, there is a well-documented need for consent-based definitions of rape. Definitions of rape in laws must be grounded in the principle of voluntary, genuine, and willing consent, acknowledging a wide range of coercive situations where consent cannot be considered voluntary, genuine, or willing and where the victim is unable to give consent.

See Equality Now's reports Roadblocks to Justice: How the Law is Failing Survivors of Sexual Violence in Eurasia and Sexual Violence Laws In Eurasia: Towards a Consent-based Definition. See also Barriers to Justice: Rape in Africa, Law, Practice and Access to Justice and Failure to Protect: How Discriminatory Sexual Violence Laws and Practices are Hurting Women, Girls and Adolescents in the Americas

### Additional vulnerability

It is important to note in our response to the epidemic of violence against women that marginalized women and girls in our society are more likely to experience sexual violence and barriers to access to justice in the criminal justice system. Indigenous women, immigrant women, women of color, working-class women, Dalit and Adivasi women, and women and girls living with disability are subjected to multiple and compounded forms of discrimination, and in some countries, are often found to be more frequent and more severe.

For instance, in [India](#), the official statistics for rapes have been reported at over 80 a day. This is about one every 16 minutes. [Caste-based sexual violence data](#) is particularly alarming and a horrific reality for women in India. They face huge barriers to access to justice that include the police refusing to report rape cases, using prohibited [‘two-finger tests’](#) on women, and pressure from a patriarchal society to settle cases out of court or spend years in an expensive legal system with judges who are not gender-sensitive and in fact allow a culture of sexism in courtrooms. Removing discriminatory laws is not sufficient, and there is an urgent need to implement good laws, policies, and procedures to effectively end GBV and discrimination and provide access to justice.

See Equality Now's reports [Justice Denied: Sexual Violence & Intersectional Discrimination – Barriers to Accessing Justice for Dalit Women and Girls in Haryana, India](#) and [Sexual Violence in South Asia: Legal and other Barriers to Justice for Survivors](#) and [Joint submission to the UN Committee on the Rights of the Child on Armenia](#)

**Tech-facilitated Gender-based Violence**

Violence is not limited to the physical realm; women and girls are increasingly subjected to sexual abuse and harassment in the digital world. In turn, the use of technology has facilitated sexual violence and exploitation in the physical world as well. For instance, in the US, 55% of sex trafficking cases in 2020 involved the use of the internet by traffickers. In [India](#), online violence tripled during the COVID-19 pandemic (from 26% to 74%), and 1 in 3 people in Australia, New Zealand, and the UK have experienced at least one form of image-based sexual abuse. With the adoption of the [Global Digital Compact](#) in September 2024, we hope further action will be taken, including laws to address TF-GBV at all levels.

See more [reports and resources](#) on tech-facilitated sexual abuse, exploitation and the law by Equality Now and the Alliance for Universal Digital Rights (AUDRI)

**Conflict perpetuating sexual violence and inequality**

In addition to “everyday” forms of violence, for reasons of political, military, or economic objectives to control territory or resources, Conflict-related Sexual Violence (CRSV) is frequently and deliberately used to [target civilians, especially women, and girls](#). Women and girls face this human rights violation within their countries in situations of crisis, such as during war, genocide, armed conflict, forced migration, and displacement. Years of systemic insecurity and instability in countries such as the [Democratic Republic of Congo \(DRC\)](#), [Israel and Palestine](#), [Sudan](#), [Ukraine](#), or regions like [Manipur](#) in India do not allow fertile conditions for **rule of law** and legal reform when urgent humanitarian action is required to respond to the unique and often ignored needs of women and girls in these conflicts. In the [DRC](#), however, a small but significant step towards access to

justice was taken by the National Assembly in 2023 in adopting a law that allows exemptions for survivors of sexual violence, including survivors of CRSV, from paying legal fees when bringing a case against their perpetrators.

To better prevent CRSV and foster gender justice in times of conflict, creating a firm foundation of legal equality in times of ‘peace’ can include measures for prevention, effective investigation, and adequate and appropriate forms of remedy for sexual violence, and ending sex-based discrimination in laws, rules, and procedures. Without peace and functioning governments, laws cannot be easily amended or repealed, and women will continue to be subjected to even greater violence.

**What's the impact?**

Without laws preventing various forms of violence, women and girls' ability to realize and enjoy all other rights is severely restricted. For instance, harmful practices that are internationally recognized as forms of gender-based violence, such as child, forced, or early marriage, and female genital mutilation, affect a girl's right to education, health, economic security, as well as sexual and reproductive rights with long-lasting and in some cases permanent impact on her life. In addition, without laws against sexual harassment in the workplace, women's economic rights are impacted as they may drop out of the workforce or be retaliated against if they do report.

**What needs to be changed?**

To prevent violence against women and girls, a strong legal and policy framework and a peaceful environment are essential. The UN Trust Fund to End Violence against Women and Girls' report [Learning from Practice: Strengthening A Legal and Policy Environment to Prevent Violence Against Women and Girls](#) identifies key areas to building the right environment:

- 1) Advocating and evidence-building for law and policy reforms;
- 2) Building the capacity of judicial, law enforcement, and government institutions;
- 3) Bridging gaps between formal laws/policies and informal systems at community level; and
- 4) Improving access to justice for VAWG survivors and mechanisms for holding perpetrators accountable.

In addition, States should commit to enacting and exercising universal jurisdiction and other forms of extraterritorial jurisdiction over rape and other forms of sexual and gender-based violence that amount to crimes under international law; and building on the principles of the Global Digital Compact, laws that address the multi-jurisdictional nature of TFCBV, improving international cooperation in investigating and prosecuting such cases, and strengthening accountability of the tech sector, must also be developed.

***Below are examples of laws that must be amended or repealed. They violate international law, the Beijing Platform for Action, and, in most cases, the State's own Constitution.***



# RAPE



## THE BAHAMAS

### The Sexual Offences and Domestic Violence Act, 1991:

Section 3. **Rape is the act of any person not under fourteen years of age *having sexual intercourse with another person who is not his spouse***

- (a) without the consent of that other person;
- (b) with consent which has been extorted by threats or fear of bodily harm;
- (c) with consent obtained by personating the spouse of that other person; or
- (d) with consent obtained by false and fraudulent representations as to the nature and quality of the act.

**Note:** There are no criminal penalties for marital rape. There has been no movement at all since a 2022 draft amendment bill, which has been completely abandoned.

Article 15 of the Constitution of the Commonwealth of the Bahamas: *Whereas every person in the Bahamas is entitled to the fundamental rights and freedoms of the individual, that is to say, has the right, whatever his race, place of origin, political opinions, colour, creed or sex, but subject to respect for the rights and freedoms of others and for the public interest, to each and all of the following namely— (a) life, liberty, security of the person and the protection of the law ...*



## INDIA

### Indian Penal Code 1860, as amended by the Criminal Law (Amendment) Act No. 13 of 2013:

Section 375. A man is said to commit “rape” if he (a) penetrates his penis, to any extent, into the vagina, mouth, urethra or anus of a woman ... under the circumstances falling under any of the following seven descriptions ... Sixthly. —With or without her consent, when she is under eighteen years of age.

Exception 2. **Sexual intercourse or sexual acts by a man with his own wife, [the wife not being under fifteen years of age,] is not rape.**

**Note:** In 2005, India passed The Protection of Women from Domestic Violence Act No. 43 which, provides for women to access various civil remedies for domestic violence, including sexual abuse. In *Independent Thought v. Union of India*, the Indian Supreme Court in 2017 held that the part of Exception 2 to section 375, which excused

*marital rape of minors between the ages of 15-18, was unconstitutional.* However, there are **no criminal penalties for marital rape when a wife is over 18 years old.**

The failure to criminalize marital rape is also compounded by section 9 of the Hindu Marriage Act, 1955, which allows for the court to grant the remedy of “restitution of conjugal rights” when either the “husband or the wife has, without reasonable excuse, withdrawn from the society of the other.” Allowing the court to enforce “conjugal rights” when the wife does not wish to live with her husband makes the wife vulnerable to sexual violence, particularly since marital rape is not considered a criminal offense under Indian law.

Article 14 of the Constitution of India: *The State shall not deny to any person **equality before the law** or the equal protection of the laws within the territory of India.* Article 15(1): *The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them*

**Update!** A case challenging the marital rape exception is still pending before the Supreme Court. In the meantime, another High Court ruled that marital rape cannot be punished under existing law. Additionally, new bills to reform the Penal Code were introduced in August 2023, which included enhanced punishment for rape and separate laws for the rape of a minor; however, marital rape was still included as an exception.



## KUWAIT

### Law no. 16 of 1960 promulgating the Penal Code:

Article 182: *If the abductor marries the one he abducted, in a legally-recognized marriage with the permission of her guardian, and the guardian agrees that the abductor not undergo punishment, then he is not sentenced to punishment.*

**Note:** Article 29 of the Constitution of Kuwait: *The people are peers in human dignity and have, in the eyes of the Law, equal public rights and obligations.*



## LIBYA

### The Penal Code:

Article 424. Extinction of Offences and Stay of Execution of Penalties: *If the offender marries the woman against whom the offense is committed, the offense and penalty shall be extinguished and the penal effects thereof shall cease. This shall apply both to the offender and to his accomplices, provided that the personal status law applicable to the offender does not authorise divorce or judicial divorce.*

*But if the personal status law applicable to the offender authorises divorce or judicial divorce, then the marriage of the offender shall only stay criminal proceedings or execution of the penalty for a period of three years. The stay shall cease before the passage of three years from the date of the offense if the woman against whom the offense was committed is judicially*

divorced for no reasonable reason or if a ruling of divorce is issued on her behalf.

**Note:** Article 6 of the Constitutional Declaration 2011 of Libya: *Libyans shall be equal before the law. They shall enjoy equal civil and political rights with, have the same opportunities in all areas and be subject to the same public duties and obligations, without distinction on the grounds of religion, belief, language, wealth, gender, kinship, political opinions, social status, or tribal, regional or familial loyalty.*



PARAGUAY

Paraguay Penal Code:

Article 137. (1) *The man who persuaded a woman of fourteen to sixteen years of age to perform extramarital intercourse, will be punished with penalty of fine.*

**Note:** Article 137 of the Paraguay Penal Code is known as an ‘estupro’ provision which prescribes a lower penalty for sexual offenses against adolescent girls between the ages of 14 - 16 than for rape of a younger child or a woman. *Estupro* provisions too often result in impunity for rapists when the victim is between 14 and 16 years old. They are common across many Latin American countries, including [Bolivia](#).

Chapter III of the Constitution of Paraguay: Article 47. *The State will guarantee to all inhabitants of the Republic: 1. Equality in access to justice, for which effect it will level the obstacles that would prevent it; 2. Equality before the laws ...* Article 48. **Men and women have equal** civil, political, social, economic and cultural **rights**.



SINGAPORE

Penal Code:

Chapter XVI. Offences Affecting the Human Body.

Article 375. Rape.

(1) *Any man who penetrates the vagina of a woman with his penis —*

*(a) without her consent; or*

*(b) with or without her consent, when she is below 14 years of age,*

*shall be guilty of an offence.*

(1A) *Any man (A) who penetrates, with A’s penis, the anus or mouth of another person (B) —*

*(a) without B’s consent; or*

*(b) with or without B’s consent, when B is below 14 years of age,*

*shall be guilty of an offence.”*

....

(4) *No man shall be guilty of an offence under subsection (1)(b) or (1A)(b) for an act of penetration against his wife **with her consent.***

Article 376A. Sexual Penetration of Minor Under 16.

(1) Any person (A) who

*(a) penetrates, with A’s penis, the vagina, anus or mouth, as the case may be, of a*

*person below 16 years of age (B); ...*

(2) *Whoever commits an offence under this section against a person (B) who is of or above 14 years of age but below 16 years of age —*

*(a) in a case where the offender is in a relationship that is exploitative of B, shall be punished with imprisonment for a term which may extend to 20 years, and shall also be liable to fine or to caning; and*

*(b) in any other case, shall be punished with imprisonment for a term which may extend to 10 years, or with fine, or with both.*

(3) *Whoever commits an offence under this section against a person (B) who is under 14 years of age shall be punished with imprisonment for a term which may extend to 20 years, and shall also be liable to fine or to caning.*

(4) **No person shall be guilty of an offence under this section for an act of penetration against his or her spouse with the consent of that spouse.**

**Note:** Partially Amended: The Criminal Law Reform Act 2019 removed the immunity for marital rape. Now, husbands who rape their wives can be found guilty of rape under Articles 375 and 376-A of The Penal Code. However, the amended law maintains marital immunity for sexual activity with minors under the age of 16 who are said to “consent.” These provisions could encourage “child marriage” and could lead to the assumption that children, mostly girls, are willingly consenting to sexual activity and not coerced (notwithstanding any significant differential in age and power) merely because they are married to the offender. A man who has sex with a 15-year-old girl would ordinarily be deemed guilty of sexual penetration of a minor, regardless of her apparent agreement, but the law deems such a minor wife capable of “consenting” to sexual activity with her husband. The law needs to be amended to remove **all** marital exceptions for sexual offenses.

Article 12(1) of the Singapore Constitution: *All persons are equal before the law and entitled to the equal protection of the law.*





THAILAND

Criminal Code, B.E 2499 (1956), amended as of 2019:

Section 277: Whoever **commits intercourse with a child** aged still not over fifteen years **who is not his own wife or her own husband**, whether with or without the consent of that child, shall be punished with imprisonment from five years to twenty years and a fine from one hundred thousand baht to four hundred thousand baht.

**Note:** The previous version of the provision included a clause that allowed rapist to avoid criminal prosecution if he married the victim. However, the government of Thailand, in its State Party report to the CEDAW Committee (CEDAW/C/THA/8), expressed that it has amended the Penal Code by revising Article 277. The State Party report states that the amended law “removes the authority of the court to consider cases involving minors and families allowing an individual under the age of 18 who commits sexual acts against another consenting child aged over 13 but not exceeding 15 to enter marriage. However, it is still at the discretion of the court to ensure the protection and welfare of the affected child or the perpetrator.” Further, although the government has amended other sections of the Criminal Code, removing the exception of marital rape, it remains an exception in Article 277. Article 277 lays out the sentence for raping a minor unless the victim is the legal spouse of the perpetrator.

Section 27 of the Constitution of the Kingdom of Thailand: *All persons are equal before the law and shall have rights and liberties and be protected equally under the law. Men and women shall enjoy equal rights.*

DOMESTIC VIOLENCE



IRAQ

Iraqi Penal Code No. 111 of 1969:

**Article 41.** *There is no crime if the act is committed while exercising a legal right. The following are considered to be in exercise of a legal right: (1) The punishment of a wife by her husband, the disciplining by parents and teachers of children under their authority within certain limits prescribed by law or by custom.*

**Note:** Article 14 of the Constitution of Iraq: *Iraqis are equal before the law without discrimination based on gender, race, ethnicity, nationality, origin, color, religion, sect, belief or opinion, or economic or social status.*



NIGERIA

The Penal Code of Northern Nigeria:

Section 55. Correction of Child, Pupil, Servant or Wife.

(1) **Nothing is an offence** which does **not** amount to the **infliction of grievous hurt** upon any persons which is **done**:

(a) **by a parent** or guardian for the purpose of **correcting his child** or ward . . .

(b) **by a schoolmaster** for the purpose of **correcting a child** . . .

(c) **by a master** for the purpose of **correcting his servant** or apprentice . . .

(d) **by a husband** for the purpose of **correcting his wife**, such husband and wife being subject to any native law or custom in which such correction is recognized as lawful.

**Note:** Article 42(1) of the Constitution of Nigeria: **A citizen of Nigeria** of a particular community, ethnic group, place of origin, sex, religion or political opinion **shall not**, by reason only that he is such a person: -(a) **be subjected** either expressly by, or in the practical application of, any law in force in Nigeria or any executive or administrative action of the government, **to disabilities or restrictions** to which citizens of Nigeria of other communities, ethnic groups, places of origin, **sex**, religions or political opinions are not made subject . . .

“HONOR” KILLINGS



EGYPT

Penal Code No. 58 of 1937:

Article 237. Whoever surprises **his wife in the act of adultery** and **kills her** on the spot together with her adulterer-partner **shall be punished with detention instead of the penalties prescribed** in articles 234 and 236.

**Note:** Article 237 of the Egyptian Penal Code **allows for a lesser punishment for men who kill their wives than for other forms of murder.**

Article 53 of the Constitution of Egypt: **All citizens are equal before the law.** They are equal in rights, freedoms and general duties without discrimination based on religion, belief, **sex**, origin, race, color, language, disability, social class, and affiliation.

ENDNOTES

1 Equality in Law for Women and Girls by 2030: A Multistakeholder Strategy for Accelerated Action, (UN Women, 2019), <https://www.unwomen.org/en/digital-library/publications/2019/03/equality-in-law-for-women-and-girls-by-2030>

2 Beijing Declaration and Platform for Action, <https://www.unwomen.org/en/digital-library/publications/2015/01/beijing-declaration>

3 Pact for the Future, Global Digital Compact and Declaration on Future Generations, (UN, September 2024), [https://www.un.org/sites/un2.un.org/files/sotf-pact\\_for\\_the\\_future\\_adopted.pdf](https://www.un.org/sites/un2.un.org/files/sotf-pact_for_the_future_adopted.pdf)

4 Convention on the Elimination of All Forms of Discrimination against Women 1979, <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>

5 2030 Agenda for Sustainable Development, <https://sdgs.un.org/2030agenda>

6 Commission on the Status of Women (CSW), <https://www.unwomen.org/en/how-we-work/commission-on-the-status-of-women>

7 \* Sex' is the term used in the Beijing Platform for Action and most other international law. Equality Now aims to be inclusive in its legal analysis and advocacy to address sex discriminatory laws and uses the term broadly. We recognize that people may be discriminated against because of both their sex and gender identity. All people, regardless of their sex or gender identity, deserve equality and full enjoyment of their human rights.

8 'Words & Deeds: Holding Governments Accountable in the Beijing+25 Review Process', (Equality Now, March 2020), [https://equalitynow.org/resource/words\\_and\\_deeds\\_beijing25\\_report/](https://equalitynow.org/resource/words_and_deeds_beijing25_report/)

9 *Words & Deeds: Sex Discrimination In Economic Status Laws* (Equality Now, March 2024), <https://equalitynow.org/resource/words-and-deeds-sex-discrimination-in-economic-status-laws-2024-update/>

10 'Words & Deeds: Sex Discrimination in Personal Status Laws', (Equality Now, May 2023), <https://equalitynow.org/resource/words-and-deeds-sex-discrimination-in-personal-status-laws/>

11 'Words & Deeds: Sex Discrimination in Violence Laws', (Equality Now, November 2022), <https://equalitynow.org/resource/words-and-deeds-sex-discrimination-in-violence-laws/>

12 'Words & Deeds: Sex Discrimination in Marital Status Laws', (Equality Now, October 2022), <https://equalitynow.org/resource/words-and-deeds-sex-discrimination-in-marital-status-laws/>

13 'Japan- The Civil Code', (Equality Now, November 2021), [https://equalitynow.org/discriminatory\\_law/japan\\_the\\_civil\\_code/](https://equalitynow.org/discriminatory_law/japan_the_civil_code/)

14 'Philippines – the Revised Penal Code As Amended By Act No, 10158 (March 27, 2012), (Equality Now, November 2021), [https://equalitynow.org/discriminatory\\_law/philippines\\_the\\_revised\\_penal\\_code\\_as\\_amended\\_by\\_act\\_no\\_10158\\_march\\_27\\_2012/](https://equalitynow.org/discriminatory_law/philippines_the_revised_penal_code_as_amended_by_act_no_10158_march_27_2012/)

15 'Cuba – The Family Code', (Equality Now, November 2021), [https://equalitynow.org/discriminatory\\_law/cuba\\_the\\_family\\_code/](https://equalitynow.org/discriminatory_law/cuba_the_family_code/)

16 'UAE – Federal Law No. 28 Of 2005 Of The UAE Personal Affairs Law', (Equality Now, November 2021), [https://equalitynow.org/discriminatory\\_law/uae\\_federal\\_law\\_no\\_28\\_of\\_2005\\_of\\_the\\_uae\\_personal\\_affairs\\_law/](https://equalitynow.org/discriminatory_law/uae_federal_law_no_28_of_2005_of_the_uae_personal_affairs_law/)

17 'The Dominican Republic – The Civil Code' (Equality Now, November 2021), [https://equalitynow.org/discriminatory\\_law/the\\_dominican\\_republic\\_the\\_civil\\_code#:~:text=Article%20144%20of%20the%20Dominican,18%20from%20entering%20into%20marriage.&text=UPDATE%20January%202021%3A%20On%206,below%20the%20age%20of%2018.](https://equalitynow.org/discriminatory_law/the_dominican_republic_the_civil_code#:~:text=Article%20144%20of%20the%20Dominican,18%20from%20entering%20into%20marriage.&text=UPDATE%20January%202021%3A%20On%206,below%20the%20age%20of%2018.)

18 'The United States – Department of Defense Directive-Type Memorandum (DTM)- 19-004 – Military Service By Transgender Persons And Person With Gender Dysphoria Dated March 12, 2019', (Equality Now, 2021), [https://equalitynow.org/discriminatory\\_law/us\\_department\\_of\\_defense\\_directive-type\\_memo\\_randum\\_dtm\\_-19-004/](https://equalitynow.org/discriminatory_law/us_department_of_defense_directive-type_memo_randum_dtm_-19-004/)

19 'Fact Sheet: Reauthorization of the Violence Against Women Act (VAWA)' (White House, March 2022), <https://www.whitehouse.gov/briefing-room/statements-releases/2022/03/16/fact-sheet-reauthorization-of-the-violence-against-women-act-vawa/>

20 'Syria – The Penal Code', (Equality Now, November 2021), [https://equalitynow.org/discriminatory\\_law/syria\\_the\\_penal\\_code/](https://equalitynow.org/discriminatory_law/syria_the_penal_code/)

21 'Building a Fairer World, One Workplace at a Time: Combating Discrimination and Harassment for Social Justice in Sierra Leone', (Sierralii, February 2024), <https://sierralii.gov.sl/articles/2024-02-16/Dannyy/building-a-fairer-world-one-workplace-at-a-time-combating-discrimination-and-harassment-for-social-justice-in-sierra-leone#:~:text=Sierra%20Leone%27s%20legal%20framework%20provides,%2C%20religion%2C%20and%20political%20opinion.>

22 'Understanding the New Law Against Child Marriage In Sierra Leone', (Equality Now, July 2024), [https://equalitynow.org/news\\_and\\_insights/understanding-the-new-law-against-child-marriage-in-sierra-leone/](https://equalitynow.org/news_and_insights/understanding-the-new-law-against-child-marriage-in-sierra-leone/)

23 'Sexual Violence In Bangladesh: How Years Of Activism By CSOs Led To Landmark Amendment To The Evidence Act', (Equality Now, May 2023), [https://equalitynow.org/news\\_and\\_insights/sexual-violence-in-bangladesh-how-years-of-activism-by-csos-led-to-landmark-amendment-to-the-evidence-act/](https://equalitynow.org/news_and_insights/sexual-violence-in-bangladesh-how-years-of-activism-by-csos-led-to-landmark-amendment-to-the-evidence-act/)

24 *Protecting Minority Rights – A Practical Guide to Developing Comprehensive Anti-Discrimination Legislation* (OHCHR & Equal Rights Trust, December 2022), <https://www.ohchr.org/en/publications/policy-and-methodological-publications/protecting-minority-rights-practical-guide>

25 'Uzbekistan's Strides Against Gender-Based Violence: Strengthened Protections And The Path To Further Reforms', (Equality Now, June 2023), [https://equalitynow.org/news\\_and\\_insights/uzbekistans-strides-against-gender-based-violence-strengthened-protections-and-the-path-to-further-reforms/](https://equalitynow.org/news_and_insights/uzbekistans-strides-against-gender-based-violence-strengthened-protections-and-the-path-to-further-reforms/)

26 'US Laws Against FGM – State By State (Map)', (Equality Now), <https://equalitynow.org/us-laws-against-fgm-state-by-state-map/>

27 'Child Marriage in the U.S., (Unchained at Last), <https://www.unchained-atlast.org/child-marriage-in-the-u-s/>

28 'Illegal To Marry Below 18 – Zambia Passes The Landmark Marriage (Amendment) Act, 2023', (Equality Now, January 2024), [https://equalitynow.org/press\\_release/illegal-to-marry-below-18-zambia-passes-the-landmark-marriage-amendment-act-2023/](https://equalitynow.org/press_release/illegal-to-marry-below-18-zambia-passes-the-landmark-marriage-amendment-act-2023/)

29 'Zambia – The Marriage Act', (Equality Now, November 2021), [https://equalitynow.org/discriminatory\\_law/zambia\\_the\\_marriage\\_act/](https://equalitynow.org/discriminatory_law/zambia_the_marriage_act/)

30 'Historic Decision: Mexico's Supreme Court Decriminalizes Abortion', (Center for Reproductive Rights, July 2023), <https://reproductiverights.org/mexico-supreme-court-decriminalizes-abortion-federal/>

31 'The World's Abortion Laws', (Center for Reproductive Rights), <https://reproductiverights.org/maps/worlds-abortion-laws/>

32 'Kenya's High Court Rules Anti-FGM Law Is Constitutional: A Jubilant Day For Girls And Women In Kenya', (Equality Now, March 2021), [https://equalitynow.org/press\\_release/kenya\\_fgm\\_case\\_response\\_2021/](https://equalitynow.org/press_release/kenya_fgm_case_response_2021/)

33 'Switzerland – Federal Law Supplementing The Swiss Civil Code of 30 March 1911', (Equality Now, September 2021), [https://equalitynow.org/discriminatory\\_law/switzerland\\_federal\\_law\\_supplementing\\_swiss\\_civil\\_code\\_of\\_30\\_march\\_1911-2/](https://equalitynow.org/discriminatory_law/switzerland_federal_law_supplementing_swiss_civil_code_of_30_march_1911-2/)

34 'Sex Discrimination Commissioner welcomes final recommendation being implemented from Respect@Work Report', (Australian Human Rights Commission, September 2024), <https://humanrights.gov.au/about/news/media-releases/sex-discrimination-commissioner-welcomes-final-recommendation-being>

35 *Women, Business and the Law*, (World Bank, 2024), <https://wbl.world-bank.org/en/reports>

36 *Women, Business and the Law*, (World Bank, 2024), <https://wbl.world-bank.org/en/reports>

37 'With less than one fifth of targets on track, world is failing to deliver on promise of the Sustainable Development Goals, warns new UN report', (Department of Economic and Social Affairs, United Nations, 2024), <https://www.un.org/en/with-less-than-one-fifth-of-targets-on-track#:~:text=The%20report%20reveals%20that%20only,one%20third%20stalled%20or%20regressing.>

38 *Escalating backlash against gender equality and urgency of reaffirming substantive equality and the human rights of women and girls- Report of the Working Group on discrimination against women and girls, A/HRC/56/51*, (15 May 2024), <https://www.ohchr.org/en/documents/thematic-reports/ahrc5651-escalating-backlash-against-gender-equality-and-urgency>

39 'The World's Abortion Laws', (Center for Reproductive Rights), <https://reproductiverights.org/maps/worlds-abortion-laws/>

40 *Dobbs, State Health Officer of the Mississippi Department of Health et al v. Jackson Women's Health Organization*, 597 U.S. (2022), 24 June 2022, [https://www.supremecourt.gov/opinions/21pdf/19-1392\\_6j37.pdf](https://www.supremecourt.gov/opinions/21pdf/19-1392_6j37.pdf)

41 'Poland violated women's rights by unduly restricting access to abortion, UN committee finds', (OHCHR, 26 August 2024), <https://www.ohchr.org/en/press-releases/2024/08/poland-violated-womens-rights-unduly-restricting-access-abortion-un>

42 'Russia seeks to ban 'propaganda' promoting child free lifestyles', (The Guardian, 18 October 2024), <https://www.theguardian.com/world/2024/oct/18/russia-ban-propaganda-promoting-child-free-lifestyles>

43 'Rights in Retrograde? Unchecked Attacks on Queerness in the Name of the Law', (Outright International), <https://outrightinternational.org/insights/rights-retrograde-unchecked-attacks-queerness-name-law>

44 'Statement: Kyrgyzstan Targets LGBTI Communities in a New Law', (ILGA Europe, 23 August 2023), <https://www.ilga-europe.org/news/statement-kyrgyzstan-targets-lgbti-law/>

45 'Georgian parliament speaker signs anti-LGBTG law after president refuses to sign it', (AP News, 3 October 2024), <https://apnews.com/article/georgia-lgbtq-rights-crackdown-election-2ca-c5aea651c0380d6a2829aa28c4697>

46 'Dominican Republic Senate Reaffirms Total Prohibition of Abortion in Penal Code', (Human Rights Watch, 3 July 2024), <https://www.hrw.org/es/news/2024/07/03/senado-de-republica-dominicana-reafirma-la-prohibicion-total-del-aborto-en-el>

47 'Brazil: The Law Should Protect Women and Girls, Not Criminalise Them', (CIVICUS, IP News, 18 July 2024), <https://www.ipsnews.net/2024/07/brazil-law-protect-women-girls-not-criminalise/>

48 PL 1904/24 Bill, <https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=2434493>

49 '2024 anti-trans bills tracker', (Trans Legislation Tracker), <https://translegislation.com/>

50 'Map: Attacks on Gender Affirming Care by State', (Human Rights Campaign), <https://www.hrc.org/resources/attacks-on-gender-affirming-care-by-state-map>

51 'I Need The ERA Because...LGBTQ+ Rights Are Human Rights', (Equality Now, June 2023), <https://equalitynow.org/resource/i-need-the-era-because-lgbtq-rights-are-human-rights/>

52 'NGOs Unite To Urge The Gambian Government To Uphold Landmark Law Banning Female Genital Mutilation', (Equality Now, October 2023), [https://equalitynow.org/press\\_release/ngos-unite-to-urge-the-gambias-government-to-uphold-landmark-law-banning-female-genital-mutilation/](https://equalitynow.org/press_release/ngos-unite-to-urge-the-gambias-government-to-uphold-landmark-law-banning-female-genital-mutilation/)

53 'Musawah Statement on Iraqi Parliament's Amendments to Personal Status Law', (Musawah, 18 September 2024), <https://www.musawah.org/press/musawah-statement-on-iraqi-parliaments-amendments-to-personal-status-law/>

54 'UN rights experts urge India to repeal law restricting NGO's access to crucial foreign funding', (OHCHR, 16 June 2016), <https://www.ohchr.org/en/press-releases/2016/06/un-rights-experts-urge-india-repeal-law-restricting-ngos-access-crucial?LangID=E&NewsID=20112>

55 'Georgia: UN experts condemn adoption of Law on Transparency of Foreign Influence', (OHCHR, 15 May 2024), <https://www.ohchr.org/en/press-releases/2024/05/georgia-un-experts-condemn-adoption-law-transparency-foreign-influence>

56 'Kyrgyzstan adopts law targeting foreign-funded NGOs', (Reuters, 3 April 2024), <https://www.reuters.com/world/europe/kyrgyzstan-adopts-law-targeting-foreign-funded-ngos-2024-04-02/>

57 'Afghanistan: UN experts say 20 years of progress for women and girls' rights erased since Taliban takeover', (OHCHR, 8 March 2023), <https://www.ohchr.org/en/press-releases/2023/03/afghanistan-un-experts-say-20-years-progress-women-and-girls-rights-erased>

58 'Women Literally Being Erased from Public Life in Afghanistan, Speaker Tells Security Council, Sounding Alarm over Country's Dire Situation', (UN Security Council, SC/15153, 20 December 2022), <https://press.un.org/en/2022/sc15153.doc.htm>

59 'New morality law affirms Taliban's regressing agenda, experts call for concerted action', (OHCHR, 30 August 2024), <https://www.ohchr.org/en/press-releases/2024/08/new-morality-law-affirms-talibans-regressive-agenda-experts-call-concerted>

60 'Iran- Submission To The Human Rights Council At The 48<sup>th</sup> Session of The Universal Periodic Review, January 2025', (Equality Now, July 2024), <https://equalitynow.org/resource/iran-submission-to-the-human-rights-council-48th-session-upr-july-2024/>

61 'Woman. Life. Freedom: Honoring the activism of Iranian women and girls', (Equality Now, November 2022), <https://www.youtube.com/watch?v=AHM-Abu762Y>



62 'Iran- Submission to The Human Rights Council At The 48<sup>th</sup> Session of The Universal Periodic Review, January 2025', (Equality Now, July 2024), <https://equalitynow.org/resource/iran-submission-to-the-human-rights-council-48th-session-upr-july-2024/>

63 'Afghanistan can advance rights – or spiral deeper into failure, Turk says', (OHCHR, 9 September 2024), <https://www.ohchr.org/en/statements-and-speeches/2024/09/afghanistan-can-advance-rights-or-spiral-deeper-failure-turk-says>

64 'Draft articles on Prevention and Punishment of Crimes Against Humanity 2019', (International Law Commission), [https://legal.un.org/ilc/texts/instruments/english/draft\\_articles/7\\_7\\_2019.pdf](https://legal.un.org/ilc/texts/instruments/english/draft_articles/7_7_2019.pdf)

65 'Gender apartheid must be recognized as a crime against humanity, UN experts say', (OHCHR, 20 February 2024), <https://www.ohchr.org/en/press-releases/2024/02/gender-apartheid-must-be-recognised-crime-against-humanity-un-experts-say#:~:text=E2%80%9CGender%20apartheid%20is%20not%20merely,%2C%E2%80%9D%20the%20UN%20experts%20said.>

66 'Fighting Domestic Violence – Bolivia: Bolivian Police', (Resource hub), <https://resourcehub.bakermckenzie.com/en/resources/fighting-domestic-violence/latin-america-and-the-caribbean/bolivia/topics/illegal-provisions#:~:text=348%20created%20the%20FELCV%2C%20a,against%20women%20and%20the%20family.>

67 'Committee of Experts of the MESECVI expresses concern over regressive proposals to modify the Law on violence against women in Uruguay', (OAS MESECVI, 9 May 2024), <https://belemdopara.org/wp-content/uploads/2024/05/Communique-Uruguay-Comprehensive-Law.pdf>

68 'Feminists in Bolivia warn of changes that could lead to setbacks in the law on violence', (efeminista, 5 June 2024), <https://efeminista.com/feministas-bolivia-alertan-retrocesos-ley-violencia/>

69 'Legal Reform Is Urgent To Address Sexual Violence in Bolivia', (Equality Now, May 2024), [https://equalitynow.org/news\\_and\\_insights/legal-reform-is-urgent-to-address-sexual-violence-in-bolivia/](https://equalitynow.org/news_and_insights/legal-reform-is-urgent-to-address-sexual-violence-in-bolivia/)

70 'Committee of Experts of the MESECVI expresses concern over regressive proposals to modify the Law on violence against women in Uruguay', (OAS MESECVI, 9 May 2024), <https://belemdopara.org/wp-content/uploads/2024/05/Communique-Uruguay-Comprehensive-Law.pdf>

71 'Concluding observations on the ninth periodic report of the Republic of Korea', (CEDAW/C/KOR/CO9, 6 June 2024), <https://documents.un.org/doc/undoc/gen/n24/159/36/pdf/n2415936.pdf>

72 'Argentina Under Milei: The First 120 Days Of A Government Marked By Wide-Ranging Attacks On Women's Rights', (Equality Now, May 2024), [https://equalitynow.org/news\\_and\\_insights/argentina-under-milei-the-first-120-days-of-a-government-marked-by-wide-ranging-attacks-on-womens-rights/](https://equalitynow.org/news_and_insights/argentina-under-milei-the-first-120-days-of-a-government-marked-by-wide-ranging-attacks-on-womens-rights/)

73 'Worrying Surge In Bills Aiming To Remove Women's Legal Rights In Latin America And Caribbean Countries', (Equality Now, August 2024), [https://equalitynow.org/news\\_and\\_insights/worrying-surge-in-bills-aiming-to-remove-womens-legal-rights-in-latin-america-and-caribbean-countries/](https://equalitynow.org/news_and_insights/worrying-surge-in-bills-aiming-to-remove-womens-legal-rights-in-latin-america-and-caribbean-countries/)

74 '7 October: UN experts call for end of violence and accountability after year of human loss and suffering and blatant disregard for international law', (OHCHR, 07 October 2024), <https://www.ohchr.org/en/press-releases/2024/10/7-october-un-experts-call-end-violence-and-accountability-after-year-human>

75 'Equality Now Statement Condemning Violence Against Women in Sudan', (Equality Now, May 2024), [https://equalitynow.org/news\\_and\\_insights/equality-now-statement-condemning-violence-against-women-in-sudan/#:~:text=Equality%20Now%20Statement%20Condemning%20Violence%20Against%20Women%20in%20Sudan,-News%20and%20Insights&text=Equality%20Now%20strongly%20condemns%20the,over%20the%20past%2013%20months.](https://equalitynow.org/news_and_insights/equality-now-statement-condemning-violence-against-women-in-sudan/#:~:text=Equality%20Now%20Statement%20Condemning%20Violence%20Against%20Women%20in%20Sudan,-News%20and%20Insights&text=Equality%20Now%20strongly%20condemns%20the,over%20the%20past%2013%20months.)

76 'Joint Communique of the Democratic Republic of the Congo and the United Nations on addressing Conflict-Related Sexual Violence', (Office of the Special Representative of the Secretary General on Sexual Violence in Conflict, 30 March 2013), <https://www.un.org/sexualviolenceinconflict/joint-communique/with-the-government-of-the-democratic-republic-of-the-congo-30-march-2013/>

77 'Guide To Advocating For Women's Rights Using International Human Rights Mechanisms', (Equality Now, November 2022), <https://equalitynow.org/resource/a-guide-to-advocating-for-womens-rights/>

78 '10 Years Of The Istanbul Convention: Combatting Violence Against Women Across Europe And Beyond', (Equality Now, May 2021), [https://equalitynow.org/news\\_and\\_insights/10\\_years\\_istanbul\\_convention/](https://equalitynow.org/news_and_insights/10_years_istanbul_convention/)

79 'Prime Minister Donald Tusk: The Istanbul Convention is intended to protect women and children from violence', (government of Poland, 30 January 2024), <https://www.gov.pl/web/premier/pdt-konwencja-stambulska>

80 'COVID-19: A threat to progress against child marriage', (UNICEF, 7 March 2021), <https://data.unicef.org/resources/covid-19-a-threat-to-progress-against-child-marriage/>

81 'COVID-19 Conversations: Women Migrant Workers In Lebanon Abused And Abandoned By The Kafala System', (Equality Now, August 2024), [https://equalitynow.org/news\\_and\\_insights/covid-19-conversations-women-migrant-workers-in-lebanon-abused-and-abandoned-by-the-kafala-system/](https://equalitynow.org/news_and_insights/covid-19-conversations-women-migrant-workers-in-lebanon-abused-and-abandoned-by-the-kafala-system/)

82 'COVID-19 Conversations: The Crisis Of Online Child Sexual Exploitation', (Equality Now, May 2020), [https://equalitynow.org/news\\_and\\_insights/covid\\_19\\_online\\_exploitation/](https://equalitynow.org/news_and_insights/covid_19_online_exploitation/)

83 'Lockdown hampering removal of child abuse material online', (The Guardian, 27 April 2020), <https://www.theguardian.com/society/2020/apr/27/lockdown-hampering-removal-of-child-sexual-abuse-material-online>

84 'COVID-19 measures are 'gender-blind', increase risk of violence against women, says UN expert', (OHCHR, 12 October 2020), <https://www.ohchr.org/en/press-releases/2020/10/covid-19-measures-are-gender-blind-increase-risk-violence-against-women-says>

85 'The coronavirus is not gender-blind, no should we be', (World Bank Blogs, 20 April 2020), <https://blogs.worldbank.org/en/voices/coronavirus-not-gender-blind-nor-should-we-be>

86 'COVID-19 Conversations: Mexico's Government Is Failing Women', (Equality Now, July 2020), [https://equalitynow.org/news\\_and\\_insights/covid-19-conversations-mexicos-government-is-failing-women/](https://equalitynow.org/news_and_insights/covid-19-conversations-mexicos-government-is-failing-women/)

87 'Global and regional averages of women in national parliaments', (IPU), [https://data.ipu.org/women-averages?date\\_year=2024&date\\_month=06](https://data.ipu.org/women-averages?date_year=2024&date_month=06)

88 'COVID-19 and Women's Leadership: From an Effective Response to Building Back Better', (Policy Brief No. 18, UN Women), <https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2020/Policy-brief-COVID-19-and-womens-leadership-en.pdf>

89 'Global and regional averages of women in national parliaments', (IPU), [https://data.ipu.org/women-averages?date\\_year=2024&date\\_month=06](https://data.ipu.org/women-averages?date_year=2024&date_month=06)

90 'Momentum Growing for a Woman Secretary-General', (1 for 8 Billion, 21 March 2024), <https://1for8billion.org/news/2024/3/21/momentum-growing-for-a-woman-secretary-general>

91 'Advancing Equality: How Constitutional Rights Can Make a Difference Worldwide', (World Policy Center), <https://www.worldpolicy-center.org/events-launches/advancing-equality-how-constitutional-rights-can-make-a-difference-worldwide>

92 'Original wording of article 41.2 might look good for women, but the courts never saw it like that', (The Irish Times), <https://www.irishtimes.com/opinion/2024/02/15/original-wording-of-article-412-might-look-good-for-women-but-the-courts-never-saw-it-like-that/>

93 *B.M. & Anor v Chief Appeals Officer & Ors* (2023) IEHC 359 (21 June 2023), [https://www.bailii.org/cgi-bin/format.cgi?doc=/ie/cases/IEHC/2023/2023IEHC359.html&query=\(hyland\)+AND+\(%22carers%27+al-lowance%22\)](https://www.bailii.org/cgi-bin/format.cgi?doc=/ie/cases/IEHC/2023/2023IEHC359.html&query=(hyland)+AND+(%22carers%27+al-lowance%22))

94 "Our Partners" ERA Coalition. Available at: <https://www.eracoalition.org/partners/>

95 Proposed Amendment to the Constitution of the United States, Second Sessions Ninety Second Congress. Available at: <https://www.govinfo.gov/content/pkg/STATUTE-86/pdf/STATUTE-86-Pg1523.pdf>

96 American Bar Association, Equal Rights Amendment, Available at: <https://www.americanbar.org/groups/diversity/women/initiatives/awards/era/>

97 Equality Now, ERA Explainer. Available at: [https://equalitynow.org/era\\_explainer/](https://equalitynow.org/era_explainer/)

98 Senator Gillibrand on Equal Rights Amendment, C-SPAN (January 2025). Available at: <https://www.c-span.org/program/news-conference/senator-gillibrand-on-equal-rights-amendment/654604>

99 UN Human Rights Committee, Concluding observations on the fifth periodic report of the

100 United States of America. (December 2023). Available at: <https://undocs.org/Home/Mobile?FinalSymbol=CCPR%2FC%2FUSA%2FCO%2F5&Language=E&DeviceType=Desktop&LangRequested=False>

101 Equality Now, We need the Equal Rights Amendment. Available at: <https://equalitynow.org/we-need-the-equal-rights-amendment/#:~:text=Specifically%2C%20the%20ERA%20would%20make,to%20the%20status%20of%20a>

102 'Report of the Special Rapporteur on freedom of religion and belief', A/HRC/37/49 (28 February 2018), <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F37%2F49&Language=E&DeviceType=Desktop&LangRequested=False>

103 'Illegal To Marry Below 18 – Zambia Passes The Landmark Marriage (Amendment) Act, 2023', (Equality Now, January 2024), [https://equalitynow.org/press\\_release/illegal-to-marry-below-18-zambia-passes-the-landmark-marriage-amendment-act-2023/](https://equalitynow.org/press_release/illegal-to-marry-below-18-zambia-passes-the-landmark-marriage-amendment-act-2023/)

104 'Polygamous marriages', (UN Women, 28 January 2011), <https://www.endvawnow.org/en/articles/625-polygamous-marriages.html>

105 *Women, Business and the Law* (World Bank, 2024), <https://wbl.world-bank.org/en/wbl>

106 'Slow Pace Of Family Law Reform Is Holding Back Women's Rights', (Equality Now, January 2023), [https://equalitynow.org/news\\_and\\_insights/slow-pace-of-family-law-reform-is-holding-back-womens-rights/](https://equalitynow.org/news_and_insights/slow-pace-of-family-law-reform-is-holding-back-womens-rights/)

107 Muslim Marriage and Divorce Act, No. 13 of 1951, <https://www.lawnet.gov.lk/marriage-and-divorce-muslim-4/>

108 Muslim Personal Law Reform Action Group (MPLRAG), <https://www.mmdasrilanka.org/>

109 '#LetHerSignVoices', (MPLRAG, 26 July 2021), [https://www.youtube.com/watch?v=dhl\\_iLD\\_zMo&t=4s](https://www.youtube.com/watch?v=dhl_iLD_zMo&t=4s)

110 'Mandates of the Working Group on discrimination against women and girls; the Special Rapporteur in the field of cultural rights; the Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on the sale, sexual exploitation and sexual abuse of children', (23 October 2023), <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=28377>

111 'Study on the Differentiated Impacts of Desertification Land Degradation and Drought on Women and Men', (UN Convention to Combat Desertification, 2022), <https://www.unccd.int/sites/default/files/2022-05/SDM%20-%20Study%20differentiated%20impacts%20of%20DLDD%20on%20women%20and%20men.pdf>

112 'Why is Climate Change a Gender Issue?' (UN Women), <https://www.uncclearn.org/wp-content/uploads/library/unwomen704.pdf>

113 'Child marriage on the rise in Horn of Africa as drought crisis intensifies', (UNICEF, 28 June 2022), <https://www.unicef.org/press-releases/child-marriage-rise-horn-africa-drought-crisis-intensifies>

114 'Climate Justice for Women and Girls: A Rule of Law Approach to Feminist Climate Action', (International Development Law Organization, 16 March 2022), <https://www.idlo.int/publications/climate-justice-women-and-girls-rule-law-approach-feminist-climate-action>

115 'CCPR General Comment No. 28: Article 3(The Equality of Rights Between Men and Women', (UN Human Rights Committee, 29 March 2000), <https://www.refworld.org/legal/general/hrc/2000/en/38892>

116 'Progress of the World's Women', (UN Women), <https://www.unwomen.org/en/digital-library/progress-of-the-worlds-women>

117 'Discriminatory Laws Undermining Women's Rights', (European Parliament, 20 May 2020), [https://www.europarl.europa.eu/thinktank/en/document/EXPO\\_IDA\(2020\)603489](https://www.europarl.europa.eu/thinktank/en/document/EXPO_IDA(2020)603489)

118 'Global Campaign for Equality in Family Law', <https://equalfamilylaws.org/>

119 'Raising the Urgency of Reforming Family Laws at the 56<sup>th</sup> Human Rights Council', (GCEFL, 23 July 2024), <https://equalfamilylaws.org/raising-the-urgency-of-reforming-family-laws-at-the-56th-human-rights-council/>

120 'Hurra Coalition', <https://equalitynow.org/hurra-coalition/>

121 'Launch of Africa Family Law Network', (We cannot wait), <https://wcw.sihanet.org/launch-of-africa-family-law-network/>

122 'Resolution adopted by the General Assembly on 19 December 2023: Preparations for and observance of the thirtieth anniversary of the International Year of the Family', A/RES/78/176 (22 December 2023), <https://undocs.org/Home/Mobile?FinalSymbol=A%2FRES%2F78%2F176&Language=E&DeviceType=Desktop&LangRequested=False>

123 *Women, Business and the Law* (World Bank, 2024), <https://wbl.world-bank.org/en/wbl>

124 Words & Deeds: Sex Discrimination in Marital Status Laws', (Equality Now, October 2022), <https://equalitynow.org/resource/words-and-deeds-sex-discrimination-in-marital-status-laws/>

125 *Women, Business and the Law* (World Bank, 2024), <https://wbl.world-bank.org/en/wbl>

126 'Saudi Arabia: New Personal Status Law Codifies Discrimination Against Women', (Amnesty International, 8 March 2023), <https://www.amnesty.org/en/wp-content/uploads/2024/01/MDE2364312023ENG-LISH.pdf>

127 'Saudi Arabia: Law Enshrines Male Guardianship', (Human Rights Watch, 8 March 2023), <https://www.hrw.org/news/2023/03/08/saudi-arabia-law-enshrines-male-guardianship>

128 'Child marriage', (UNICEF), <https://www.unicef.org/protection/child-marriage>

129 'Concluding observations on the fifth periodic report of the United States of America', CCPR/C/USA/CO/5 (7 December 2023), <https://undocs.org/Home/Mobile?FinalSymbol=CCPR%2FC%2FUSA%2FCO%2F5&Language=E&DeviceType=Desktop&LangRequested=False>



130 ‘Pakistan’, (Girls Not Brides), <https://www.girlsnotbrides.org/learning-resources/child-marriage-atlas/regions-and-countries/pakistan/>

131 *Azka Wahid v Province of Punjab & others* 2024 Lahore 1392, (6 May 2024), <https://sahsol.lums.edu.pk/node/16845>

132 ‘Bangladesh’, (Girls Not Brides), <https://www.girlsnotbrides.org/learning-resources/child-marriage-atlas/regions-and-countries/bangladesh/>

133 ‘Bangladesh’, (Girls Not Brides), <https://www.girlsnotbrides.org/learning-resources/child-marriage-atlas/regions-and-countries/bangladesh/>

134 ‘Ending Child Marriage in Zambia: Implications and Considerations for Accelerating Progress in the Context of Zambia’s Marriage (Amendment) Act No. 13 of 2023: Policy Brief’, (Population Council Zambia), [https://zambia.unfpa.org/sites/default/files/pub-pdf/ecm\\_policy\\_brief\\_zambia\\_2024\\_1.pdf](https://zambia.unfpa.org/sites/default/files/pub-pdf/ecm_policy_brief_zambia_2024_1.pdf)

135 ‘Child and forced marriage, including in humanitarian settings: OHCHR and women’s human rights and gender equality’, <https://www.ohchr.org/en/women/child-and-forced-marriage-including-humanitarian-settings>

136 ‘Legislating and enforcing the minimum age of marriage: A comparative study of experiences and lessons learned in ending the legalization of child marriage’, (UN Women), <https://www.unwomen.org/en/digital-library/publications/2023/09/legislating-and-enforcing-the-minimum-age-of-marriage>

137 Girls Not Brides, <https://www.girlsnotbrides.org/learning-resources/child-marriage-atlas/atlas/>

138 ‘Breaking Barriers: Addressing Child, Early And Forced Marriage In Eurasia’, (Equality Now, October 2024), <https://equalitynow.org/resource/breaking-barriers-addressing-child-early-and-forced-marriage-in-eurasia/>

139 ‘Israel: Rabbinical Courts’ Jurisdiction Extended to Enable Jewish Divorce When a ‘Get’ Cannot be Processed Abroad’, (Library of Congress), <https://www.loc.gov/item/global-legal-monitor/2021-12-26/israel-rabbinical-courts-jurisdiction-extended-to-enable-jewish-divorce-when-a-get-cannot-be-processed-abroad/>

140 ‘Releasing Agunot from the Chains of Marriage in Selected Countries’, (Library of Congress, 30 May 2017), <https://perma.cc/QQ52-7YXH>

141 ‘Act Amending the Civil Code (Parent-Child Legislation)’, (Civil Affairs Bureau, Ministry of Justice, April 2023), <https://www.japaneselawtranslation.go.jp/outline/70/905R412.pdf>

142 *Women, Business and the Law* (World Bank, 2024), <https://wbl.worldbank.org/en/wbl>

143 ‘Facts and figures: Economic empowerment’, (UN Women), [https://www.unwomen.org/en/what-we-do/economic-empowerment/facts-and-figures#\\_edn3](https://www.unwomen.org/en/what-we-do/economic-empowerment/facts-and-figures#_edn3)

144 ‘Every woman in Chile needs a man’, (humanas), <https://www.humanas.cl/necesito-un-hombre/>

145 *Ontario (Health) v. Association of Ontario Midwives*, 2022 ONCA 458 (13 June 2022), <https://www.ontariocourts.ca/decisions/2022/2022ON-CA0458.htm>

146 ‘Progress on the Sustainable Development Goals: The Gender Snapshot 2023’, (UN Women & UN Department of Economic and Social Affairs, Statistics Division 2023), <https://www.unwomen.org/sites/default/files/2023-09/progress-on-the-sustainable-development-goals-the-gender-snapshot-2023-en.pdf>

147 ‘I Need the ERA Because... Paid Care Is A Right – Gender Equality And The Care Economy’, (Equality Now, July 2024), <https://equalitynow.org/resource/we-need-the-era-because-paid-care-factsheet/#:~:text=Paid%20Care%20is%20a%20Right%20%E2%80%93%20Gender%20Equality%20and%20the%20Care%20Economy,-Resources&text=For%20more%20than%20a%20century,equality%20in%20the%20United%20States.>

148 ‘Cyprus’, (Women, Business and the Law 2024), <https://wbl.worldbank.org/content/dam/documents/wbl/2024/snapshots/Cyprus.pdf>

149 ‘Data Update – Women, Business and the Law 2024: Jordan: Ministry of Planning and International Coordination’, (World Bank Group), <https://wbl.worldbank.org/content/dam/sites/wbl/documents/2024/WBL2024-Response-Data-Update-Jordan-MoPIC.pdf>

150 ‘Azerbaijan’, (Women, Business and the Law 2024), <https://wbl.worldbank.org/content/dam/documents/wbl/2024/snapshots/Azerbaijan.pdf>

151 ‘Oman’, (Women, Business and the Law 2024), <https://wbl.worldbank.org/content/dam/documents/wbl/2024/snapshots/Oman.pdf>

152 ‘Gendered inequalities of poverty: feminist and human rights-based approaches’, A/HRC/53/39 (26 April 2023), <https://www.ohchr.org/en/documents/thematic-reports/ahrc5339-gendered-inequalities-poverty-feminist-and-human-rights-based>

153 Pact for the Future, Global Digital Compact and Declaration on Future Generations, (UN, September 2024), [https://www.un.org/sites/un2.un.org/files/sotf-pact\\_for\\_the\\_future\\_adopcted.pdf](https://www.un.org/sites/un2.un.org/files/sotf-pact_for_the_future_adopcted.pdf)

154 Federal Law Decree No. 41 of 2022, <https://perma.cc/6MUG-KLBQ>

155 Labour Code of Kyrgyzstan, <https://cbd.minjust.gov.kg/3-22/edition/1220610/ru>

156 Labour Code of Kyrgyzstan, <https://cbd.minjust.gov.kg/3-22/edition/1220610/ru>

157 Resolution of the Government of the Kyrgyz Republic dated March 24, 2000, No. 158, <https://cbd.minjust.gov.kg/7182/edition/404183/ru>

158 <https://constsot.kg/wp-content/uploads/2023/12/18-tusucheva.pdf>

159 Military Service Act No. 11042, 15 September 2011, [https://elaw.klri.re.kr/eng\\_service/lawView.do?lang=ENG&hseq=25744](https://elaw.klri.re.kr/eng_service/lawView.do?lang=ENG&hseq=25744)

160 ‘Saudi Arabia: Overview of Muslim Family Laws & Practices’, (Musawah), <https://www.musawah.org/wp-content/uploads/2019/03/SaudiArabia-Overview-Table-2022.pdf>

161 ‘Saudi Arabia: New Personal Status Law Codifies Discrimination Against Women’, (Amnesty International, 8 March 2023), [https://www.amnesty.be/IMG/pdf/20230308\\_dp\\_arabie\\_saoudite.pdf](https://www.amnesty.be/IMG/pdf/20230308_dp_arabie_saoudite.pdf)

162 Cohen, Adashi & Ziegler, ‘The New Threat to Medical Travel for Abortion’, 137 (4) *The American Journal of Medicine* (April 2024), 298-299, [https://www.amjmed.com/article/S0002-9343\(23\)00759-3/fulltext](https://www.amjmed.com/article/S0002-9343(23)00759-3/fulltext)

163 ‘The State We’re In: Ending Sexism in Nationality Laws – 2022 Edition – Update For A Disrupted World’, (Equality Now, July 2022), <https://equalitynow.org/resource/state/>

164 ‘UNHCR applauds Liberia for removing gender discrimination from its nationality law’, (UNHCR, 11 August 2022), <https://www.unhcr.org/news/press-releases/unhcr-applauds-liberia-removing-gender-discrimination-its-nationality-law>

165 Nationality Code, 20 December 2022, <https://sgg.gouv.bj/doc/loi-2022-32/>

166 ‘Our Stand On the Non-Authentication of Nepal’s Gender-Progressing Citizenship Amendment Bill By the President’, (Equality Now, September 2024), [https://equalitynow.org/news\\_and\\_insights/non-authentication-of-nepals-gender-progressive-citizenship-amendment-bill/](https://equalitynow.org/news_and_insights/non-authentication-of-nepals-gender-progressive-citizenship-amendment-bill/)

167 ‘Gender-equal citizenship rights’, (Family Frontiers), <https://familyfrontiers.org/>

168 ‘Malaysia Mothers Challenging Discriminatory Citizenship Laws’, (Equality Now, July 2022), <https://equalitynow.org/stories/malaysian-mothers-challenging-discriminatory-citizenship-laws/>

169 ‘In 2-1 decision, Court of Appeal rules Malaysia mums cannot pass citizenship to overseas-born kids’, (Malaymail, 5 August 2022), <https://www.malaymail.com/news/malaysia/2022/08/05/in-2-1-decision-court-of-appeal-rules-malaysian-mums-cannot-pass-citizenship-to-overseas-born-kids/21229>

170 ‘COVID-19 Conversations: Discriminatory Nationality Law Harms Families’, (Equality Now, June 2020), [https://equalitynow.org/news\\_and\\_insights/covid\\_19\\_jordan\\_nationality/](https://equalitynow.org/news_and_insights/covid_19_jordan_nationality/)

171 ‘2023 Update: Progress On Ending Sexism In Nationality Laws Since July 2022’, (Equality Now, July 2023), <https://equalitynow.org/resource/nationality-report-update/>

172 The Global Campaign for Equal Nationality Rights, <https://www.equal-nationalityrights.org/>

173 ‘The right to nationality: equality in nationality rights in law and in practice’, A/HRC/53/L.28/Rev.1, 12 July 2023, <https://documents.un.org/doc/undoc/ltd/g23/140/73/pdf/g2314073.pdf?OpenElement>

174 ‘Devastatingly pervasive: 1 in 3 women globally experience violence’, (WHO, 9 March 2021), <https://www.who.int/news/item/09-03-2021-devastatingly-pervasive-1-in-3-women-globally-experience-violence#:~:text=Younger%20women%20among%20those%20most%20at%20risk%3A%20WHO&text=Across%20their%20lifetime%20C%201%20in,unchanged%20over%20the%20past%20decade.>

175 ‘Gender-related Killings of Women and Girls (Femicide/Feminicide): Global estimates of female intimate partner/family-related homicides in 2022’, (UN Women & UNODC, 2023), <https://www.unwomen.org/sites/default/files/2023-11/gender-related-killings-of-women-and-girls-femicide-feminicide-global-estimates-2022-en.pdf>

176 *Women, Business and the Law* (World Bank, 2024), <https://wbl.worldbank.org/en/wbl>

177 ‘Consent-Based Rape Definitions’, (Equality Now, September 2021), <https://equalitynow.org/resource/consent-based-rape-definitions/>

178 ‘Roadblocks To Justice: How The Law Is Failing Survivors Of Sexual Violence in Eurasia’, (Equality Now, January 2019), [https://equalitynow.org/resource/roadblocks\\_to\\_justice/](https://equalitynow.org/resource/roadblocks_to_justice/)

179 ‘Sexual Violence Laws In Eurasia: Towards A Consent-Based Definition’, (Equality Now, January 2023), <https://equalitynow.org/resource/sexual-violence-laws-in-eurasia-towards-a-consent-based-definition/>

180 ‘Barriers to Justice: Rape In Africa, Law, Practice, And Access to Justice’, (Equality Now, November 2024), <https://equalitynow.org/resource/barriers-to-justice-rape-in-africa-law-practice-and-access-to-justice/>

181 ‘Failure To Protect: How Discriminatory Sexual Violence Laws And Practices Are Hurting Women, Girls, And Adolescents In The Americas’, (Equality Now, September 2021), <https://equalitynow.org/resource/failure-to-protect-how-discriminatory-sexual-violence-laws-and-practices-are-hurting-women-girls-and-adolescents-in-the-americas/>

182 ‘The Rape Of India’s Dalit Women And Girls’, (Equality Now, November 2020), [https://equalitynow.org/news\\_and\\_insights/the\\_rape\\_of\\_india\\_s\\_dalit\\_women\\_and\\_girls/](https://equalitynow.org/news_and_insights/the_rape_of_india_s_dalit_women_and_girls/)

183 ‘Women And Girls With Disabilities Experience Higher Rates Of Sexual Violence And Greater Obstacles to Accessing Justice’, (Equality Now, December 2023), [https://equalitynow.org/press\\_release/women-and-girls-with-disabilities-experience-higher-rates-of-sexual-violence-and-greater-obstacles-to-accessing-justice/](https://equalitynow.org/press_release/women-and-girls-with-disabilities-experience-higher-rates-of-sexual-violence-and-greater-obstacles-to-accessing-justice/)

184 ‘We Condemn The Horrific Rape And Murder Of A Young Female Doctor In Kolkata, India. Sexual Violence, Rape And Killing Of Women Everywhere Must Stop Now’, (Equality Now, August 2024), [https://equalitynow.org/news\\_and\\_insights/we-condemn-the-horrific-rape-and-murder-of-a-young-female-doctor-in-kolkata-india-sexual-violence-rape-and-killing-of-women-everywhere-must-stop-now/](https://equalitynow.org/news_and_insights/we-condemn-the-horrific-rape-and-murder-of-a-young-female-doctor-in-kolkata-india-sexual-violence-rape-and-killing-of-women-everywhere-must-stop-now/)

185 ‘India’s Government Must Do More To End Caste-Based Sexual Violence, Say Dalit Women’s Rights Activists’, (Equality Now, August 2021), [https://equalitynow.org/press\\_release/indias\\_government\\_must\\_do\\_more\\_to\\_end\\_caste\\_based\\_sexual\\_violence\\_say\\_dalit\\_womens\\_rights\\_activists/](https://equalitynow.org/press_release/indias_government_must_do_more_to_end_caste_based_sexual_violence_say_dalit_womens_rights_activists/)

186 ‘Two-Finger Test: The Indian Supreme Court’s Important Reiteration of Ban’, (Equality Now, November 2024), [https://equalitynow.org/news\\_and\\_insights/two-finger-test-the-indian-supreme-courts-important-reiteration-of-ban/](https://equalitynow.org/news_and_insights/two-finger-test-the-indian-supreme-courts-important-reiteration-of-ban/)

187 ‘Justice Denied: Sexual Violence & Intersectional Discrimination – Barriers To Accessing Justice for Dalit Women And Girls In Haryana, India’, (Equality Now, November 2020), <https://equalitynow.org/resource/justicedenied/>

188 ‘Sexual Violence In South Asia: Legal And Other Barriers To Justice For Survivors – 2024 Update’, (Equality Now, June 2024), <https://equalitynow.org/resource/sexual-violence-in-south-asia-legal-and-other-barriers-to-justice-for-survivors/>

189 ‘Armenia – Information For Consideration By The Committee On The Rights Of The Child At Its 97<sup>th</sup> Session, August 2024’, (Equality Now, August 2024), <https://equalitynow.org/resource/armenia-information-for-consideration-by-the-committee-on-the-rights-of-the-child-at-its-97th-session-august-2024/>

190 ‘COVID-19 and Online Violence in India: Digital Intelligence Report: Executive Summary’. (ICRW & Quilt.AI, April 2021), <https://www.icrw.org/wp-content/uploads/2021/04/Ex-Summary-Online-Violence-during-Covid-in-India.pdf>

191 ‘Global Digital Compact’, A/79/L.2, [https://www.un.org/global-digital-compact/sites/default/files/2024-09/Global%20Digital%20Compact%20-%20English\\_o.pdf](https://www.un.org/global-digital-compact/sites/default/files/2024-09/Global%20Digital%20Compact%20-%20English_o.pdf)

192 Alliance for Universal Digital Rights: Resources, <https://audri.org/resources/>

193 ‘Women As Weapons Of War: The Role Of International Mechanisms To Eliminate Sexual Violence In Conflict’, (Equality Now, June 2024), [https://equalitynow.org/news\\_and\\_insights/women-as-weapons-of-war-sexual-violence-in-conflict/](https://equalitynow.org/news_and_insights/women-as-weapons-of-war-sexual-violence-in-conflict/)

194 ‘UN representative alarmed by sexual violence against women and girls in DRC’, (United Nations, 25 May 2023), <https://news.un.org/en/story/2023/05/1137042>

195 ‘Conflict-Related Sexual Violence: Report of the United Nations Secretary-General’, <https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2024/05/SG-2023-annual-reportsmallFINAL.pdf>

196 ‘Conflict-Related Sexual Violence: Report of the United Nations Secretary-General’, <https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2024/05/SG-2023-annual-reportsmallFINAL.pdf>

197 ‘Statement by Radhouane Nouicer on the International Day for the Elimination of Sexual Violence in Conflict’, (OHCHR, 19 June 2024), <https://www.ohchr.org/en/statements/2024/06/statement-radhouane-nouicer-international-day-elimination-sexual-violence>

198 ‘Ukraine: UN Commission concerned by continuing patterns of violations of human rights and international humanitarian law’, (OHCHR, 15 March 2024), <https://www.ohchr.org/en/press-releases/2024/03/ukraine-un-commission-concerned-continuing-patterns-violations-human-rights>



- 199 ‘India: UN experts alarmed by continuing abuses in Manipur’, (OHCHR, 4 September 2023), <https://www.ohchr.org/en/press-releases/2023/09/india-un-experts-alarmed-continuing-abuses-manipur>
- 200 ‘DRC: National Assembly passes law to exempt sexual violence survivors from paying high legal fees’, (JHR, 20 May 2023), <https://jhr.ca/drc-national-assembly-passes-law-to-exempt-sexual-violence-survivors-from-paying-legal-fees/>
- 201 ‘Learning from practice: Strengthening a legal and policy environment to prevent violence against women and girls’, (UN Women), <https://untf.unwomen.org/en/digital-library/publications/2022/06/learning-from-practice-strengthening-a-legal-and-policy-environment-to-prevent-violence-against-women-and-girls>
- 202 ‘#Strike5ive: It’s not complicated’, (Equality Bahamas), [https://docs.google.com/document/d/1ul\\_td5UdkfidFNdCboYolLhPyy\\_ey1qFCVb\\_kVvWOWA/edit?tab=t.o](https://docs.google.com/document/d/1ul_td5UdkfidFNdCboYolLhPyy_ey1qFCVb_kVvWOWA/edit?tab=t.o)
- 203 ‘Challenge to the Marital Rape Exception: *Hrishikesh Sahoo v. State of Karnataka*’, (Supreme Court Observer), <https://www.scobserver.in/cases/challenge-to-the-marital-rape-exception/>
- 204 ‘An Indian woman accused her husband of forcing her to have ‘unnatural sex’. A judge said that’s not a crime in marriage’, (CNN, 6 May 2024), <https://edition.cnn.com/2024/05/06/india/india-madhya-pradesh-marital-rape-ruling-intl-hnk/index.html#:~:text=Marital%20rape%20has%20not%20been,%2C%E2%80%9D%20the%20court%20order%20said.>
- 205 ‘New bills propose stricter laws on rape but marital rape still not an offence’, (India Today, 12 August 2023), <https://www.indiatoday.in/law-today/story/centre-criminal-law-bills-stricter-punishment-rape-marital-rape-not-offence-2419905-2023-08-12>
- 206 ‘Bolivia: Protection Gaps In Sexual Violence Laws And Practices’, (Equality Now, September 2021), <https://equalitynow.org/resource/bolivia-protection-gaps-in-sexual-violence-laws-and-practices/>

# ANNEX

## PROGRESS TO END SEX DISCRIMINATION IN THE LAW

There has been progress in removing legal discrimination against women. Equality Now is pleased to report that almost 60% of countries highlighted in all five previous *Words & Deeds* reports have repealed or fully or partially amended the discriminatory laws indicated. Among these countries are:

Countries	Legal provision repealed or amended since 2000
MARITAL STATUS	
Algeria, Democratic Republic of Congo	The wife’s obedience is no longer mandated
Colombia, Japan, Mexico, Romania, Turkey, Dominican Republic, Cuba, Zambia	The minimum age of marriage for men and women is now the same.
Democratic Republic of Congo	The husband no longer has the right to manage his wife’s property and the wife can appear in civil court without the husband’s authorization
Guinea	The husband no longer has the right to determine the place of residence, or to object to his wife’s separate profession.
Nicaragua, Republic of Korea, Turkey	Men are no longer designated as heads of the family.
Mexico, Japan	Women are no longer prohibited from remarrying for a specified time after divorce or widowhood.

## PERSONAL STATUS

Bangladesh, Kenya	Women can now pass citizenship to their children on the same basis as men.
Iraq	Women can now obtain a passport without having to get approval from a male guardian or a husband.
Kenya, Monaco, Venezuela	Women can now pass their nationality to their foreign spouse on the same basis as men.

<b>Kuwait</b>	Women now have the right to vote.
<b>Pakistan</b>	Discriminatory evidentiary standards applied to proving rape under the Zina Ordinance have been removed.
<b>Saudi Arabia</b>	Women now have the right to drive, but they can still be arrested for being “absent” from the home ( <i>taghayoub</i> ).
<b>United States of America</b>	Unmarried American fathers and mothers will have the same residency requirements in order to pass on citizenship to their children born abroad.
<b>Philippines</b>	Women are no longer criminalized as prostitutes.

ECONOMIC STATUS	
<b>Australia, Switzerland, United Kingdom</b>	Women are now allowed to apply for all jobs in the army.
<b>Bahamas, UAE*</b>	Women now have equal inheritance rights to men.
<b>Bolivia, France</b>	Women are no longer prohibited from working at night.
<b>Ireland, Switzerland</b>	Men are now entitled to some paternity leave.
<b>Latvia</b>	Women are no longer prohibited from working overtime and traveling for work during pregnancy and one year after childbirth.
<b>Lesotho</b>	Property can now be registered in the name of women married in a community property.
<b>Nepal</b>	Certain restrictions on women's property rights have now been lifted.
<b>eSwatini (formerly Swaziland)</b>	A woman married in a community of property can now register property in her own name.
<b>Poland</b>	Women are no longer restricted from passing their surname to their children.
<b>Russia</b>	Women can now engage in a greater number of occupations.
<b>United States</b>	Transgender persons and persons with gender dysphoria can now serve in the military.

VIOLENCE	
<b>Argentina</b>	A sexual abuser is no longer exempt from punishment by agreeing to a settlement with the victim.
<b>Costa Rica, Ethiopia, Guatemala, Lebanon, Palestine, Peru, Uruguay, Thailand</b>	A rapist can no longer avoid punishment by marrying the victim.
<b>India** , Malaysia***, Papua New Guinea, Serbia and Montenegro****, Singapore*****, Tonga</b>	Marital rape is now a crime.
<b>Haiti, Jordan, Morocco, Syria</b>	There is no longer an exemption from penalty for men who murder their wives and/or female relatives in certain circumstances.
<b>Malta</b>	A perpetrator is no longer exempt from punishment by marrying the victim that he abducted.
<b>United States of America***</b>	Marriage is no longer a defense to statutory rape.

\*UAE amended its inheritance laws for non-Muslim women in the country.

\*\* Although India’s domestic violence law of 2006 gives women the option to bring a civil case for marital rape, India continues to exempt marital rape from its criminal law when the wife is over the age of 18.

\*\*\* Malaysia added a new provision to the Penal Code that criminalizes a husband who “causes hurt or fear of death or hurt to his wife” in order to have sex with her, which is a positive step toward addressing marital rape. However, it did not delete the exception for “sexual intercourse by a man with his own wife” in the provision on rape and did not criminalize the act of rape itself committed by a man against his wife. This does not afford women full protection against marital rape.

\*\*\*\* 18 U.S.C. 2243 was amended by the Violence Against Women Reauthorization Act of 2022 to eliminate this statutory rape defense, but a similar defense still exists in the United States Military Code under 10 U.S.C. Section 920b.

\*\*\*\*\* Depending on the age of the victim.



## CONTACT EQUALITY NOW

 [info@equalitynow.org](mailto:info@equalitynow.org)

 [www.equalitynow.org](http://www.equalitynow.org)

 [@equality-now](https://www.linkedin.com/company/equality-now)

 [@equalitynow](https://twitter.com/equalitynow)

 [@equalitynoworg](https://www.facebook.com/equalitynoworg)

 [@equalitynoworg](https://www.instagram.com/equalitynoworg)