

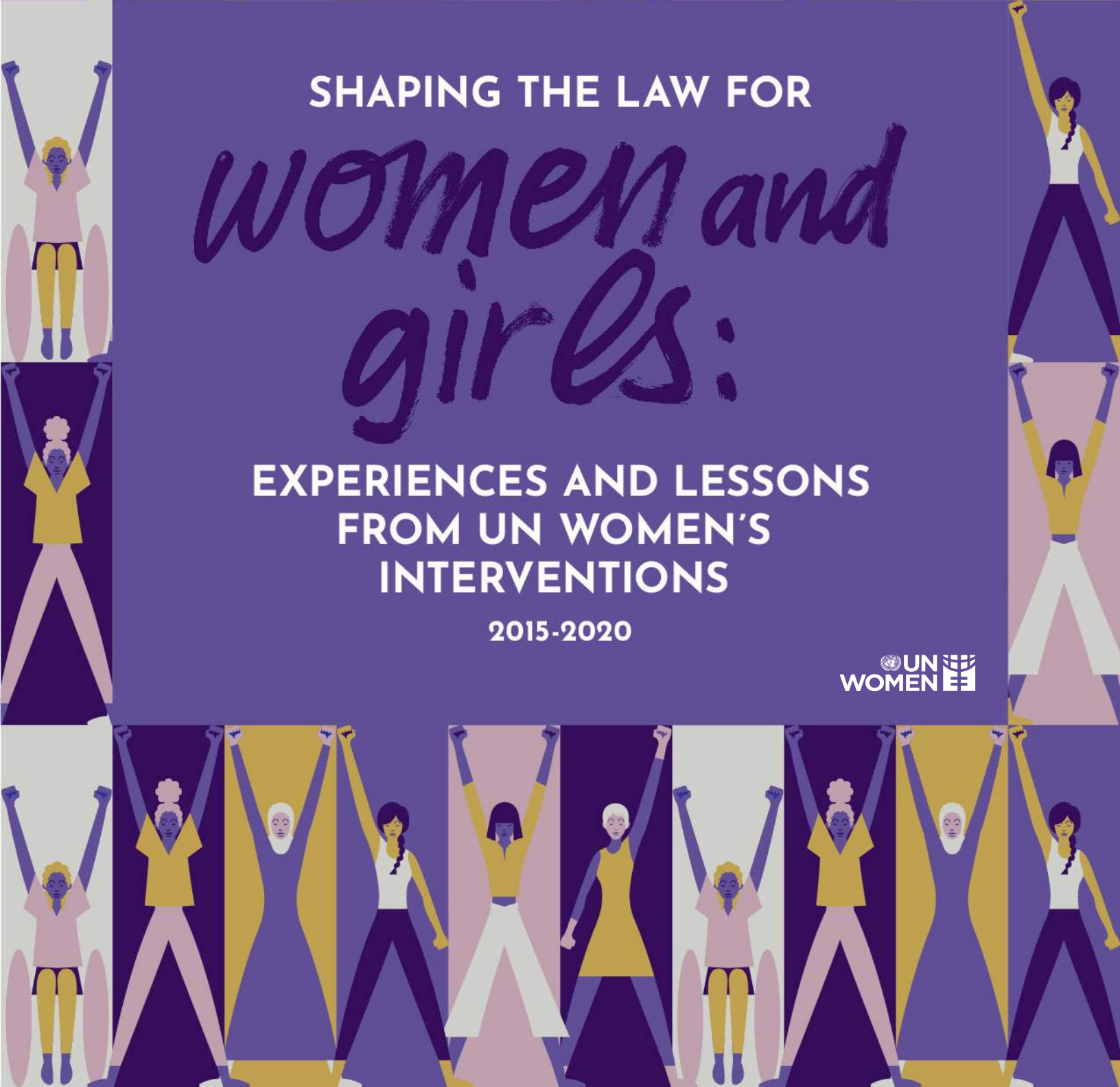


SHAPING THE LAW FOR

women and girls:

EXPERIENCES AND LESSONS
FROM UN WOMEN'S
INTERVENTIONS

2015-2020



Authors: Jeni Klugman and Beatrice Duncan

Substantive research, data analysis and chapter reviews: Claire Mathellié

Substantive research: Suriani Kempe and Nayda Almodovar-Reteguis

Design and layout: Blossom

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ACRONYMS

ACRWC	African Charter on the Rights and Welfare of the Child
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CDA	Constitutional Drafting Assembly (Libya)
CSO	Civil society organization
ESCWA	United Nations Economic and Social Commission for Western Asia
ILO	International Labour Organization
NGO	Non-governmental organization
OECD	Organisation for Economic Co-operation and Development
SDG	Sustainable Development Goals
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNODC	United Nations Office on Drugs and Crime
UNOHCHR	United Nations Office of the Higher Commissioner on Human Rights
UN Women	United Nations Entity for Gender Equality and Women's Empowerment
UWOPA	Uganda Parliamentary Women's Association
WBL	Women, Business and the Law
WGDAW	Working Group on discrimination against women and girls
WHO	World Health Organization

EXECUTIVE SUMMARY

“Equality in law is crucial to gender equality, as women and girls look to the laws of their State to protect, fulfill and enforce their rights. Laws that discriminate and deny them equal rights with men and boys betray their trust in society and signal that gender discrimination is acceptable, normal and expected.”

UN Women, *Equality in law for women and girls by 2030: A multistakeholder strategy for accelerated action* (2019)¹

Laws that discriminate against women and girls entrench gender inequality are a major barrier to the realization of women's human rights. The most recent data available points to an estimated 3.7 billion women and girls currently living in countries where discriminatory laws are in place or key protections are lacking.²

Since its foundation in 2011, UN Women has prioritized supporting legislative efforts to advance gender equality and eliminate discriminatory laws. Following the adoption of the 2030 Agenda, UN Women collaborated with the World Bank Group and OECD Development Centre to develop the methodology for data collection for SDG indicator 5.1.1, *“Whether or not legal frameworks are in place to promote, enforce and monitor equality and non-discrimination on the basis of sex”*. Based on this it was agreed that a wide range of laws, including on violence against women, employment and economic benefits, marriage, and family, should be assessed to monitor gender equality in law.

On the tenth anniversary of UN Women's establishment, this report brings together research and evidence from state and non-state actors to demonstrate how laws around the world treat women and girls, using trends since 2015 which highlight both gains and ongoing challenges, and examples of UN Women interventions to make legislation more gender responsive.

The review shows that UN Women, working with governments and a broad range of stakeholders and partners, can support change that is consistent with the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and other international commitments. UN Women is often the most impactful when it works in concert with women's rights organizations and movements on legislative reforms.

Important advances have been made in reforming constitutions, especially to increase standalone clauses on women's rights, women's political representation and secure sexual and reproductive rights. Yet gaps remain. While 192 constitutions guarantee equality and non-discrimination, 12 constitutions do not apply this guarantee in matters of adoption, marriage, divorce and inheritance. Of the 44 constitutional monarchies in existence, 27 are strictly patrilineal.³

In many countries legal protections have been put in place to secure gender equality in the workplace. Major gaps however persist in several fields such as, equality in parenthood as well as in efforts to address child marriage: In 146 countries, the legal standard currently falls short of 18 years of age without exception for both men and women in line with international standards.⁴ The gaps are prominent in Africa and the Americas and the Caribbean where 41 out of 54 countries and 24 out of 34 countries are yet to reform their legal minimum age of marriage standards. More than 30

countries still lack laws prohibiting domestic violence, and an estimated 18 countries exempt perpetrators from prosecution from rape if they marry the survivor. These and other major legal gaps documented in Section III underline that there is clearly still much to be done to ensure gender equality in law.

The *Equality in law for women and girls by 2030: A multistakeholder strategy for accelerated action*⁵ launched by UN Women, in partnership with the African Union, the Commonwealth, Inter-Parliamentary Union, Organisation Internationale de la Francophonie, and Secretaría General Ibero-Americana, in 2019, aims to accelerate reform in 100 countries and address the legal needs of over 50 million women and girls around the world.

During the period under review, UN Women supported some 509 legal initiatives to advance constitutional and comprehensive legal reforms across 90 countries. Approximately half of these sought to repeal discriminatory laws and half advanced the design of gender-responsive, inclusive of constitutional reforms. Out of 509 initiatives, 206 resulted in bills signed into law by the executive, representing a success rate of 40 percent. The breakdowns of the successful initiatives by thematic areas are shown in Table 1. Across these thematic areas, 24 attempts were made to prevent the enactment of legislation which would have resulted in the reversal of gains to the gender equality agenda. Of these, four were successfully prevented.

TABLE 1 UN WOMEN'S SUCCESSFUL LEGAL REFORM INITIATIVES BY THEMATIC AREA, 2015 TO 2020

Thematic Area	Successful initiatives
Violence against women	66
Equality in political and public life	35
Other laws ⁶	35
Economic empowerment	25
Comprehensive reforms	16
Minimum age of marriage	14
Equality in family relations	11
Nationality rights	2
Sexual and Reproductive Health and Rights	2

Source: UN Women's internal assessment of annual reports from 2015 to 2020, compiled in April 2021

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