

WORDS & DEEDS

Holding Governments Accountable to the Beijing +30 Review Process



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2024 update

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About Equality Now


Since 1992, Equality Now has worked to protect and promote the rights of women and girls around the world by combining grassroots activism with international, regional, and national legal advocacy. We campaign to achieve legal and systemic change that benefits all women and girls and work to ensure that governments enact and enforce laws and policies that uphold their rights. Our campaigns center on four program areas: Achieve Legal Equality, End Sexual Violence, End Harmful Practices, and End Sexual Exploitation, with a cross-cutting focus on the unique needs of adolescent girls.


Our advocacy has resulted in the repeal or amendment of over 50 sex discriminatory laws, including recently in Syria, Switzerland, Lebanon, and Jordan. We have been instrumental in the enactment of laws against all forms of violence against women, including rape, sex trafficking, and harmful practices such as child marriage, “honor” crimes, and female genital mutilation. As a global organization, Equality Now has offices in the USA (New York), Africa (Nairobi), Europe (London), and MENA (Beirut), and partners and members all around the world.


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About Words and Deeds

The 4th UN Conference on Women in 1995 gave birth to The Beijing Platform for Action, the most progressive blueprint ever for advancing women's rights. Governments worldwide pledged to change or remove their existing discriminatory laws and make legal equality a reality. Nearly 30 years later, that goal is far from being realized.

None of the 190 economies surveyed by the World Bank in 2024 had achieved legal equality, and a typical economy only grants women **64%** of the same rights as men. At the current pace of reform, the UN estimates that the world will not enjoy the benefits of legal equality before 2310. The right to equality in the law, however, has been recognized not only as a human right under international law but also as critical to achieving the UN's sustainable development goals (SDGs), to leave no one behind by 2030. We must accelerate progress and prevent further backsliding, including by ensuring "legal frameworks are in place to promote, enforce and monitor equality and non-discrimination on the basis of sex." (SDG indicator 5.1.1).

Economic inequality and gender inequalities are intimately linked, and it's not an exaggeration to say that inequality kills. The relationship between gender inequality in the law and, in practice, world peace and global economics has been well documented over many decades by former members of parliament, well-regarded academics, and civil society.

The impact of environmental destruction, loss of life due to war, and the current global economic model, which focuses on extraction, exploitation, consumerism, and limitless market growth, with the profits accruing to the top 1% of the world's population, at the expense of the wellbeing of all people and the sustainability of our planet, is failing us all, especially women. The fight for control over resources (land, sea, water, oil, minerals, and now data) has resulted in toxic militaristic capitalism, huge investments in the arms industry at the expense of other public spending, the rise of authoritarianism, and a lack of corporate accountability. The result of this for women and girls is increasing gender-based and sexual violence, loss of life, less access to health, education, and other services, the undervaluing of their role in the care economy, inequality in employment, and increasing vulnerability due to all of these exacerbated by the destruction of the environment. The list is endless and represents a stream of human rights violations.

To highlight these issues and in anticipation of the upcoming UN Summit of the Future and the Commission on the Status of Women session on addressing poverty with a call to UN member states to strengthen legal frameworks for gender equality as well as the 30th anniversary of the adoption of the Beijing Platform for Action, this is an updated *Words & Deeds* brief, exploring the impact of sex discrimination in laws related to economic status and what still needs to urgently change.



ECONOMIC STATUS

What is the issue?

Sex discrimination in economic status laws restricts women from being economically independent by limiting access to inheritance and property ownership as well as to employment opportunities, thereby reinforcing gender stereotypes and roles.

According to the [Women, Business and the Law 2024](#) report of the World Bank on 190 economies:

59

COUNTRIES

have laws **preventing women from working in specific jobs** by industry; 45 limit women's work because of their nature, and 20 because of the time of day when they are performed

19

COUNTRIES

have laws that allow husbands to **legally prevent their wives from working**

76

COUNTRIES

surveyed have **at least one constraint on women's property rights**

43

COUNTRIES

do not grant widows the same **inheritance rights** as widowers; and **41** countries prevent daughters from inheriting the same proportion of assets as sons

5

COUNTRIES

countries do not allow women to **register a business** in the same way as men

6

COUNTRIES

do not allow women to **open a bank account** in the same way as men

92

COUNTRIES

do not guarantee **equal pay for equal work**

39

COUNTRIES

have **no laws on sexual harassment in the workplace**

ONLY 55

COUNTRIES

have **paid parental leave, available equally for either parent**

Useful maps and further breakdown of economic data, particularly on how countries deal with sexual harassment, can be found at [WORLD Policy Analysis Center](#).

What is the impact on women and girls?

Violence

Sex-discriminatory labor laws (e.g., banning women from certain types of jobs and hours) and property, inheritance, retirement, and parental leave laws inhibit women's full social and economic participation and opportunities, hurting them - including by making them more vulnerable to exploitation - their families, communities, the earth, and society as a whole. And if women and girls are required under the law to "obey" their husbands and/or male guardians, they may be subjected to **domestic violence**, including marital rape and have less legal recourse, and be prevented from leaving the home, working, choosing where to live, and making their own reproductive choices. Such inequality prevents women's economic participation and well-being.

Economic vulnerability and perpetuation of gender stereotypes

In addition to sexist inheritance and marital property laws, other discriminatory family laws - dealing with the rights of women and men entering into marriage, divorce, custody, guardianship of children, the right of a spouse to choose their profession and occupation, independent of the other - also have a severe economic impact on women, girls, and their families. Conversely, [researchers have found](#) that "egalitarian reform of family law may be the most crucial precondition to empower women economically," benefiting everyone.

Globally, if only **53** countries have paid parental leave laws available to either parent, it is that much harder for women to enter or re-enter the labor force, let alone start or run

a business, as unpaid care of children falls exclusively or almost exclusively on the mother with women performing unpaid care work 2.8x as much as men. Paternity leave is often shorter than maternity leave, and gender stereotypes may prevent men from utilizing it if not obligatory. In the United States, one of the biggest economies in the world, there is no universal paid maternity leave so women with young children are at a disadvantage, particularly in times of crisis, as we witnessed during the COVID-19 pandemic, which they may never recover from.

The ceiling shattering, 2023 Nobel Prize winner in Economics, Claudia Goldin, has shown that even when children grow up, women's earnings do not catch up to men's. Indeed, fathers enjoy a "premium", whether it's because they work harder to provide after children arrive, wait to become fathers until they are earning more, or are simply rewarded by employers' stereotypes about men being the head of the household. In fact, fathers do better economically even than women without children.

What needs to change?

Really deliver on the Beijing Platform for Action by 2030

The Beijing Platform for Action, agreed to by 189 UN member states in 1995, clearly lays out what all governments must do to ensure equality and non-discrimination under the law and promote women's economic rights.

These actions are still relevant today and will also result in progress towards achieving the UN Sustainable Development Goals (SDGs) by 2030 to ensure that "no one is left behind."

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;

Discrimination in the family

Discriminatory family laws reinforce negative gender stereotypes, including in the care economy, and inhibit everyone from living their lives freely on an equal basis. Gender stereotypes and the undervaluing of the care economy also result in women's poverty in terms of both time and income, as many have noted. 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.*" It 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.

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**.

In terms of rights under the law to the economic resource of **new technology**, as the United Nations undertakes the development of an international Global Digital Compact by September 2024 as part of the Pact of the Future, The Alliance for Universal Digital Rights (AUDRI) and its allies, have proposed ten intersectional, feminist digital principles to secure our human rights, including:

10. Re-shape the participation and role of women in accessing and using digital technology. And address its potential impacts on labour and entrepreneurship.

*Ensure that intersectional assessments are undertaken to understand how the processes of digitalisation are impacting different segments of the population, particularly considering the negative impacts on women in all their diversity and people facing multiple and intersecting forms of discrimination. On the basis of this research, **develop policies and programmes to close gender gaps and build economic resilience** to changes due to technology, including displacement in the job ecosystem, which is disproportionately affecting women-dominated sectors. Furthermore, ensure that measures are in place to encourage and support women and girls studying and working in the fields of science, technology, engineering, and mathematics (STEM) and make sure that they have **access to safe working conditions, are supported by stronger labour movements, and are provided with access to working environments that encourage feminist economic approaches** such as collectives and cooperatives as alternative models of digital innovation and entrepreneurship.*

The above builds on the feminist principle below on Digital Access for All proposed by AUDRI in 2022 and the subsequent adoption of the Agreed Conclusions of the Commission on the Status of Women (CSW67) in March 2023, Human Rights Council resolutions, and civil society consultations.

Digital Access for All - Everyone has a right to access the digital realm and to be free to participate in digital life.

*The full realization of human potential requires universal rights to education, to freedom of expression and information, to assembly and association, and to **full participation in and enjoyment of economic, social, cultural, civil, and political life.***

To participate fully in the modern world, everyone requires equal access to the internet and digital technologies.

However, around 3.7 billion people – comprising nearly half of the world's population – do not enjoy such access. People living in rural and remote areas are less likely to use the internet than those in more urban areas, and people who face

intersectional inequalities are more likely to be excluded from using digital technologies and services.

*This is an issue that particularly affects women, girls, and other discriminated-against groups and marginalized people, who are more vulnerable to coercive control and unequal power relationships. **On average, women's access to digital and mobile technology is about 85% of the level for men, while globally, about 327 million fewer women than men have a smartphone and access to mobile internet.***

The ability to freely engage with the digital world is negatively affected by factors including misogyny, hate speech, identity theft, defamation, online sexual exploitation and harassment – all of which disproportionately affect women, girls, and other discriminated-against groups and marginalized people.

- *Everyone has the right to participate in the digital realm and to access, regardless of their geographical location, universally available internet services and digital technology at an affordable price.*
- **States should enact policies promoting universal and equal access to the internet, including recognizing and addressing existing gender and intersectional inequalities.**
- *States should enact policies prohibiting the arbitrary and deliberate slowing and/or cutting off of the internet on any grounds, including public order or national security grounds.*
- *Interfaces, content, and applications must be designed inclusively to ensure accessibility for all, including people with physical, sensory, or cognitive disabilities, people who are not literate, and people who speak minority languages. The principle of inclusive design and the use of assistive technologies must be promoted and supported to allow persons with disabilities to benefit fully and on equal terms.*



Photo: Chris Yang / Unsplash

Additional Actions

There is enormous underrepresentation of women in politics and as lawmakers, with average female participation in parliaments around the world at only 26.5%. With greater representation, greater legal equality is more likely, as shown by the World Bank's *Women, Business and the Law 2021 report*. Governments must enact and implement protective measures to ensure that women and other marginalized groups are protected from misogyny and cyberbullying, both while they are campaigning for office and once they are elected.

Governments should also **ratify and implement international and regional instruments** such as the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, also known as the Maputo Protocol, which recognizes economic harm as a form of Violence against Women and has a very progressive article on women's economic and social welfare rights. Article 13 calls not just for equal pay for equal work but also calls on governments to prevent sexual harassment in the workplace and stop the exploitation of women in advertising. Finally, all **national constitutions must have gender equality provisions without exception**, including without exception for discriminatory personal status or family laws.

Although legal equality will not automatically result in greater economic participation by women or equal numbers of women entrepreneurs, and there needs to be a shift to positive societal norms that encourage women and girls to realize their full potential, non-discriminatory laws are an essential foundation in triggering social norm change. This will not just impact women and girls but society as a whole as we strive for **economic wellbeing for all**.

Fiscal policy must address the need for economic, social, and environmental well-being and shift away from the use of GDP (gross domestic product) as a measure of success. GDP only measures what passes through the marketplace; it does not include subsistence production, domestic work or unpaid care work. Changes in family law and the way the world measures success are needed to achieve equality. As the UN Secretary-General has noted, "[O]ur economic models and measurements overlook many aspects that sustain life and contribute to human well-being while perversely placing disproportionate value on activities that deplete the planet." The 2030 Agenda Sustainable Development Goals (SDGs) "and their indicators are the most comprehensive '**Beyond GDP**' framework agreed to

and measured today." Governments are called on to:

- 1) renew political commitment to accurately "**value what counts**" for people, the planet and the future anchored in the SDGs;
- 2) create a UN value dashboard of a limited number of key indicators that go beyond GDP;
- 3) support a major capacity-building and resourcing initiative to enable Member States to use the new framework effectively.

The **transformational change** made possible through the work of the MENA Family Law Network ("Hurra Coalition"), including young women activists, who have launched campaigns on the fair distribution of matrimonial wealth in divorce, custody of children by divorced mothers and child marriage in Egypt, Iraq, Jordan, Lebanon, Morocco, the State of Palestine and Tunisia has been recognized by UN Women in the Generation Equality Accountability Report 2022.

States, the private sector, and others should also support the Global Campaign for Equality in Family Law, which is calling for the amendment or repeal of all discriminatory family laws to be a **global priority** and advocates 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. 2024 is the 30th anniversary of the International Year of the Family - let's make legal equality in the home and the public sphere a reality including through the reform of all discriminatory laws.

Governments must address the whole ecosystem of legal protections to make sure women are not the ones who end up in the lowest-paid or unregulated jobs or are effectively forced to leave the workforce to take up (unpaid) caring responsibilities and then do not have equal access to pensions on the same basis as men. As countries continue to focus on rebuilding in the wake of the COVID-19 pandemic and fueling and responding to wars and other conflicts, reforming or repealing all types of sex-discriminatory laws, and putting in place positive policy measures such as support for child and elder care and equal parental leave, access to divorce, and financial rights following divorce, must not take a backseat if we want to build a peaceful and prosperous future. Once progressive laws, such as equal pay for equal work, are adopted, governments must then robustly implement them.

ECONOMIC STATUS LAWS - RIPE FOR REFORM

In addition to adopting positive, new laws guaranteeing economic rights, below are **examples** of laws that remain to be amended or repealed since highlighted as non-compliant with international law in our 2020 report, *Words & Deeds: Holding Governments Accountable in the Beijing +25 Review Process*.

Additional examples of laws ripe for reform that have an economic impact on women, girls, and their families can be found in our *Words & Deeds: Sex Discrimination in Marital Status Laws* (Oct. 2022); *Words & Deeds: Sex Discrimination in Violence Laws* (Nov. 2022); and our *Words & Deeds: Sex Discrimination in Personal Status Laws* (May 2023) policy briefs.

Inheritance and Property



CAMEROON: Articles 1421 and 1428 of the Civil Code allow the husband to administer and dispose of his wife's property.



CHILE: Article 1749 of Chile's Civil Code establishes the legal presumption that husbands head the household and control marital property, as well as property owned by their wives. When same-sex marriage was finally legalized in December 2021, [Law No. 21.400](#) (Art. 135) specifically exempted same-sex marriages from this unequal control of marital property. Unfortunately, however, it did not simultaneously update the Civil Code to ensure equality for all with regard to marital property.



SRI LANKA: Section 6 of Sri Lanka's Matrimonial Rights and Inheritance Ordinance (Jaffna), Ordinance No. 1 of 1911, restricts a married woman from disposing of and dealing with her own immovable property, such as land, without the written consent of her husband.



TUNISIA: Section 103 of Tunisia's Personal Status Code limits daughters' inheritance rights and provides that any sons inherit twice as much as daughters.



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 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.

Inheritance Law - Halima's story

In Tunisia, [Halima struggles to feed her children and sick husband](#) while her brothers use her father's inheritance for vacations. Initially, she'd received half, but in a common practice, was pressured by her family to give up her smaller share entirely. As she told the press, "I feel helpless and bitter. After receiving all our father's inheritance, my brothers only care about their own families. They travel. And they've forgotten they have sisters."

Sex discrimination in inheritance laws threatens women and their families around the world.

Employment



BRAZIL: Article 51 of Brazil's Law No. 8213 of July 24, 1991, providing for the Social Security Benefit Plans and other measures, has a lower compulsory retirement age for women as opposed to men.



CAMEROON: Article 74 of Cameroon's Civil Status Registration provides that a husband may object to his wife's exercise of a trade different from him in the interest of their marriage or children.



CHINA: Chapter VII, Section 59 of China's Labor Act (1994) automatically bars all women from engaging in mining, other forms of intense physical labor that the State specifies, or other work that female workers "should avoid."



IRELAND: 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.



MADAGASCAR: Article 85 of Madagascar's Labor Code (Law No. 2003-44 of 28 July 2004) forbids the employment of women in night work except in family establishments.



RUSSIAN FEDERATION: Amended – 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. Many former Soviet Union countries, which inherited such lists, have abandoned them over time. However, **Kyrgyzstan**, for example, also still maintains Articles 218 and 303 of the Labour Code of the Kyrgyz Republic and Resolution of the Government of the Kyrgyz Republic "On the List of industries, jobs, professions and positions with harmful and (or) dangerous working conditions in which the use of women's labour is prohibited." Although the Constitutional Court of Kyrgyzstan recently ruled that the list was not unconstitutional, it directed the Cabinet of Ministers to systematically review the issue.



SWITZERLAND: Progress! 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."* Switzerland's Federal Law supplementing the Swiss Civil Code of 30 March 1911 provided that women were entitled to 14 weeks of paid maternity leave, but there was no requirement to provide paternity leave for men.



UNITED STATES OF AMERICA: Reversed! On 25 January 2021, President Biden effectively reversed this directive by Executive Order. The United States' Department of Defense Directive-type Memorandum (DTM)-19-004 – Military Service by Transgender Persons and Persons with Gender Dysphoria, dated March 12, 2019, banned transgender persons from serving in the military. This law discriminated against transgender persons, excluding them from employment opportunities within the military and stigmatizing their very identity.

Note: 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.

The Equal Rights Amendment (ERA), which prohibits the denial of equality of rights under the law on account of sex, was passed by the United States Congress in 1972 and ratified by the requisite number of states in 2020 but is yet to be incorporated into the Constitution, in violation of international law. In November 2023, the UN Human Rights Committee made strong recommendations to the US Government to “guarantee protections against sex and gender-based discrimination in its Constitution,” including through incorporation of the Equal Rights Amendment (“ERA”) and ratification of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Take Action.

Links to the full texts of the laws mentioned above can be found on our Website, www.equalitynow.org

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