

Call for governments worldwide to repeal laws that discriminate against women's economic rights

Sex discriminatory laws that hinder women's economic opportunities and financial independence are making women more vulnerable to human rights violations.

NEW YORK, NEW YORK, USA, February 16, 2023 /EINPresswire.com/ -- Around half of countries still have economic status laws that treat women unequally, impeding their access to employment, equal pay, property ownership, and inheritance. A new policy briefing by women's rights organization [Equality Now](https://www.equalitynow.org/) - Words & Deeds: Holding Governments

Accountable to the Beijing +30 Review Process - [Sex Discrimination in Economic Status Laws](#) - highlights examples of discriminatory laws that governments need to amend urgently.

Sex discriminatory economic status laws are rooted in and perpetuate harmful gender stereotypes. They inhibit women's full social and economic participation by legally restricting their options, and underpin the disproportionate concentration of women in insecure, low-wage jobs. They sustain the gender pay gap, with women commonly receiving less pay than men for the same work, and limit women's access to loans and land ownership. All this traps many women in a cycle of poverty and dependency, and puts them at increased risk of exploitation and abuse by family members, partners, employers, and society at large.

UNITED NATIONS 4TH CONFERENCE ON WOMEN IN BEIJING

In 1995, at the UN's 4th World Conference on Women in Beijing, 189 governments agreed on a comprehensive roadmap to advance rights for women and girls and achieve gender equality. One of the commitments made by States was that they would "revoke any remaining laws that discriminate on the basis of sex."



Photo credit - Equality Now, Ben Ibrahim - Campaigning for equal inheritance rights in Tunisia

More than a quarter of a century on, gender equality remains far from a reality, and progress is slow and inconsistent. Only 12 out of 190 economies surveyed by the [World Bank](#) in 2022 had achieved legal equality, and a typical economy only grants women 75% of the same rights as men.



Equality Now

A just world for women and girls.

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To keep countries accountable to the plan outlined in the Beijing Platform for Action, Equality Now tracks representative laws and conducts periodic reviews on sexist legislation around the world. Our 2020 report found that almost every country is failing to live up to the pledges made to eradicate explicitly sex-discriminatory laws.



Women worldwide are being made more vulnerable to human rights violations by sex discriminatory laws and policies that restrict women's economic activities, financial independence, and opportunities."

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DISCRIMINATORY FAMILY LAWS

Discriminatory family laws governing the rights of women and men entering into marriage, divorce, custody, and guardianship of children, as well as the right of spouses to independently choose their profession and occupation, can have severe economic impacts on women, girls, and their families.

Owning land enables wealth creation and provides social

and economic stability. According to the World Bank, 40% of countries have at least one constraint on women's property rights. Examples include Tunisia and the United Arab Emirates, where the law specifies that sons should inherit twice as much as daughters.

In Chile, there is a legal presumption that husbands head the household and control marital property, as well as property owned by their wives. Cameroon's Civil Code allows a husband to administer and dispose of his wife's property.

Amendment or repeal of discriminatory family laws must be a global priority. To advance this, a coalition of feminist organizations has launched the Global Campaign for Equality in Family Law to advocate for governments to ensure equality for all women and men under the law in every matter relating to the family.

Bringing progress in the Middle East and North Africa (MENA) region are young women activists in the MENA Family Law Network ("Hurra Coalition"). Their campaigns on the fair distribution of

matrimonial wealth in divorce, custody of children by divorced mothers and child marriage in Algeria, Egypt, Iraq, Jordan, Lebanon, Morocco, the State of Palestine, and Tunisia, are recognized by UN Women in the Generation Equality Accountability Report 2022.

SEX DISCRIMINATION IN LABOR LAWS

Numerous countries limit women's rights to freely choose their employment. This includes China, where women are prohibited from engaging in mining and other forms of intense physical labor specified by the State. In Madagascar, women are forbidden from night work except in family establishments, while in Cameroon, the law grants a husband the right to object to his wife's trade.

In the Russian Federation, the law was amended in July 2019 to lift restrictions that prohibited women from doing some jobs, but there remain 100 types of works and positions that women are still not legally allowed to engage in.

In the United States of America, in January, 2021, by Executive Order President Biden effectively reversed a directive introduced in March 2019 banning transgender persons from serving in the military - excluding them from employment opportunities and stigmatizing their identity.

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) would prohibit the denial of equality of rights under the law on account of sex, making it harder to institute discriminatory directives such as the one on transgender people in the military, and would help protect women and girls from violence and discrimination. The ERA 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.

Governments must address the whole ecosystem of legal protections to ensure women are not relegated to the lowest-paid or unregulated jobs, or effectively forced to leave the workforce to take up caring responsibilities - often unpaid - and then denied equal access to pensions on the same basis as men. Furthermore, progressive laws such as equal pay for equal work require robust implementation by States.

To participate fully in our modern world, everyone requires equal access to the internet and digital technologies. But around 327 million fewer women than men have a smartphone and access to mobile internet.

The Alliance for Universal Digital Rights (AUDRi) has created a set of feminist digital principles to advance all people's rights to freely and safely participate in the digital realm. To achieve this,

States must recognize and address existing gender and intersectional inequalities in the physical world and online, and enact laws and policies that promote universal and equal internet access. States will have an opportunity to tackle this together in March 2023 when they gather at the United Nations Commission on the Status of Women (CSW67).

COVID-19 PANDEMIC'S DISPROPORTIONATE IMPACT ON WOMEN

From record rates of unemployment to disrupted supply chains and reduced demand for goods and services, the COVID-19 pandemic battered the global economy. The ensuing financial and social crisis disproportionately impacted women by compounding deep-rooted gender inequalities in the home and workplace.

Millions of women lost their livelihoods and shouldered a greater burden of unpaid caregiving of children, the sick, and elderly. Lockdown measures coupled with a lack of financial independence trapped women in abusive home situations, resulting in an alarming increase in domestic violence. Economic hardship also made women more vulnerable to sexual exploitation and trafficking.

To reverse the damage caused by the pandemic, States must prioritize gender and income equality by removing all sex discriminatory laws and introducing progressive policies such as support for child and elder care and equal parental leave.

Antonia Kirkland, a human rights lawyer and Equality Now's Global Lead on Legal Equality, explains: "Discriminatory laws make equality for all women and men impossible. Prior to the 30th anniversary of the Beijing Platform for Action in 2025, Equality Now is calling on States to review national laws, including customary laws and legal practices in the areas of family, civil, penal, labor, and commercial law."

"Any laws that discriminate on the basis of sex must be revoked, and women's economic rights and independence - including access to employment, appropriate working conditions, and control over all kinds of economic resources - need to be promoted."

NOTES TO EDITORS

According to the Women, Business and the Law 2022 report of the World Bank on 190 economies:

- 86 countries have laws preventing women from working in specific jobs because of their nature, or time of day when they are performed;
- 95 countries do not guarantee equal pay for equal work;
- 46 countries have no laws on sexual harassment in the workplace;
- 18 countries have laws that allow husbands to legally prevent their wives from working;
- 76, close to 40 percent of countries surveyed, have at least one constraint on women's

property rights;

□ 50 countries only have paid parental leave;

□ 43 countries do not grant widows the same inheritance rights as widowers; and 42 countries prevent daughters from inheriting the same proportion of assets as sons.

About: Equality Now is an international human rights organization that works to protect and promote the rights of women and girls around the world by combining activism with international, regional, and national legal advocacy. With our international network of lawyers, activists, and supporters, we achieve legal and systemic change by providing governments with support, and holding them responsible for enacting and enforcing laws and policies relating to our four program areas: Legal Equality, End Sexual Violence, End Harmful Practices, and End Sexual Exploitation, with a cross-cutting focus on the unique needs of adolescent girls. For more details, go to www.equalitynow.org, Facebook @equalitynoworg, and Twitter @equalitynow.

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