

GLOBAL GENDER EQUALITY
CONSTITUTIONAL
DATABASE BACKGROUND
NOTES AND CODEBOOK



GLOBAL GENDER EQUALITY CONSTITUTIONAL DATABASE BACKGROUND NOTES AND CODEBOOK



**LEADERSHIP AND GOVERNANCE SECTION
UN WOMEN**

New York, January 2020



“The UN Women Constitutional Database is the most in-depth treatment of constitutional provisions on gender available. It is sure to provide a great resource for constitution-makers and national publics engaged in producing fundamental law, and to advance the cause of gender equality.”

— Tom Ginsburg, Spitz Professor of Law, University of Chicago Law School

CONTENTS

| | |
|--|-----------|
| I. BASIC INFORMATION ABOUT CONSTITUTIONS AND THE DATABASE | 1 |
| All-encompassing definition and description of constitutions | 1 |
| Why constitutions are important for the achievement of gender equality | 1 |
| Criteria and methodology used in the design of the database | 2 |
| II. CATEGORIES AND ELEMENTS | 3 |
| III. APPENDIX | 10 |
| Linkages between the Gender Equality Constitutional Database, the provisions of CEDAW, General recommendations of the Committee on the Elimination of Discrimination against Women and Agenda 2030 for Sustainable Development | |

BASIC INFORMATION ABOUT CONSTITUTIONS AND THE DATABASE

I. All-encompassing definition and description of constitutions

A country's constitution is the 'highest law of the land', setting out State operations, governance and accountability. Authorities and responsibilities are allocated and balanced between the executive, the legislature and the judiciary, and between national and sub-national jurisdictions. Modern constitutions also create extensive rights entitlements for individuals, by placing a wide range of demands and restrictions on the use of State power. There is no single template for the specific content of a constitution. Some are highly detailed with comprehensive descriptions of the institutions and offices of all branches of government, specific provisions describing the powers, rights and duties of political officers and citizens, and statements regarding national norms or values. Others contain 'minimal' standards by setting down only the basic structural rules for the functioning of institutions and the operation of government, while leaving the details of legal rights and duties to ordinary laws. Although the definition and protection of fundamental rights is a common function of constitutions, the degree to which this is done varies by constitution. It is not uncommon for countries with relatively few constitutional rights to reflect such commitments through legislation, which may be effectively entrenched or protected from repeal.

The identification of some constitutions can be straightforward because they exist as a written legal instrument or document expressly described as the 'constitution'. Others (e.g. Israel, New Zealand) identify with multiple instruments, which comprise their constitutional text. There are also those that are simply uncoded or 'unwritten' as in the case of the United Kingdom whose constitution, by contrast to a single instrument, is an evolution of

various statutes, conventions, judicial decisions and treaties. Furthermore, many of the world's countries are federations, and, as such, have sub-national constitutions for each of their separate federal regions, as well as national constitutions governing the whole country.

For all these reasons, key legislation and other quasi-constitutional instruments may need to be examined, to identify a country's 'constitution' and for an understanding of how it works.

II. Why constitutions are important for achieving gender equality

Given the power and importance of constitutions, their content and design can have a major impact on women's lives and opportunities—making them a critical target in the quest for gender equality. A well-designed constitution may allow women to recognize and assert their rights, enjoy full and equal citizenship, participate in their country's political decision-making and have access to public roles and offices on an equal footing with men. A constitution may, alternatively, obstruct women's equality and agency, making it difficult for them to enjoy rights and freedoms. Constitutions must also be supplemented by other legal instruments and policies to ensure their efficacy. For example how a constitution is interpreted by the courts is also a critical factor in its actual operation: constitutions can do nothing of their own accord if the courts do not hold public and private persons and entities to account for constitutional violations.

Exploring whether a constitution includes or lacks gender equality commitments, therefore, offers an avenue for pursuing gender equality claims and in asserting women's full entitlements as subjects of rights. Under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW),

State Parties commit “to embody the principle of the equality of men and women in their national constitutions”.¹ Engendering constitutional processes and content are therefore part of a State’s international human rights obligations.

III. Criteria and methodology used in the design of the database

The database serves as an avenue for determining the degree to which constitutions reflect the provisions of CEDAW and other agreed international human rights instruments. The women’s rights agenda is driven by CEDAW (see Appendix), which is premised on the International Bill of Rights (comprising the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights) and supplemented by the Beijing Declaration and Platform for Action.²

Therefore, the nexus to the provisions of CEDAW and the recommendations of the Committee on the Elimination of Discrimination against Women (the Committee) was the basic premise for the selection of the 24 categories and 19 sub categories used in the mapping of constitutional provisions. Given that every single provision in a constitution impacts on gender relations, the criteria, sub criteria and related provisions include those that have a direct gender equality nexus (i.e. those that make explicit reference to women, gender, sex or the he/she pronoun) and those that contribute to the realization of women’s rights e.g. Constitutional Review Bodies and National Human Rights Bodies.

The provisions contained in the database were extracted manually, using key word searches and an

analysis of constitutional provisions. Where a criteria or sub criteria attracted more than one constitutional provision, such provisions were arranged in consecutive order. To avoid over bloating of the database, only relevant parts of constitutional texts were used. For the same reason, the preferred clauses were those that related to substantive rights rather than procedural rights.

Decisions related to the selection of the provisions were informed by elaborate iterative discussions and on an extensive and thorough quality assurance process involving four team members and external peer reviewers. Reliance on a network of translators from many parts of the world, furthermore, contributed immensely to the ‘linguistic friendly’ base of this product.

On completion of the data collection exercise (after the fact) the team found significant compatibility between the extracted gender equality related constitutional provisions and Agenda 2030 of the Sustainable Development Goals³—affirming the potential influence of constitutions in development discourse and more importantly, in the implementation of this new development framework.

Having said this, the constitutional database does not promise to be exhaustive or comprehensive, nor does it seek to replace the constitutions themselves. Users are therefore encouraged to read the full text of constitutional provisions, including their translated versions, where useful or necessary.

The database is a product of extensive internal and external consultations, particularly with academics, government, Civil Society Organizations and UN constitutional focal points.⁴ The database continues to be revised based on constitutional amendments and revisions taking place all over the world. It is hoped that the database will benefit from partnerships, continued dialogue and expert support, with a view to regular updating and ensuring continued relevance and utilization.

1 UN General Assembly, Convention on the Elimination of All Forms of Discrimination Against Women, 18 December 1979, United Nations, Treaty Series, vol. 1249, Art. 2(a), available at: <http://ohchr.org/en/hrbodies/cedaw/pages/cedawindex.aspx> (last visited 2 March 2016).





2 See <http://www.ohchr.org/EN/ProfessionalInterest/Pages/InternationalLaw.aspx> for the Bill of Rights, <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CoreInstruments.aspx> for the 10 core international human rights treaties and <http://www.un.org/womenwatch/daw/beijing/platform/> (last visited 2 March 2016).





3 <https://sustainabledevelopment.un.org/post2015/transformingourworld>. (Last visited 2 March 2016). See Appendix for details.




4 UN Women hosted an international Expert Group Meeting from 17-18 of February 2015 in Glencove New York, to share, discuss and receive expert opinion and advice on the initial draft categories and sub categories.





CATEGORIES AND ELEMENTS



The matrix below contains the 24 categories and 19 sub categories and their accompanying criteria used in selecting the provisions under those categories. It is to be noted that it was most common to find that several categories and sub categories attracted more than one criteria.






| Category | Criteria |
|--|---|
| Affirmative Action (Broadly)  | <ul style="list-style-type: none"> • Specific mention of women, sex or gender within the context of achieving equality and/or women's empowerment in a range of contexts • Measures to promote equality between men and women in different sectors • Enactment of laws or adoption of policies to facilitate the elimination of inequalities between men and women • Adoption of positive, separate, special, affirmative measures or action to promote or ensure the achievement of equality between women and men or based on broader categories of groups that are left behind • General provisions on political quotas (specific provisions are contained in those of quotas under political participation) • All other quotas except local and national level positions of State • Removal of social, economic, political imbalances if specifically stated as between men and women • Measures to address historical discrimination between men and women • Measures to promote de facto or substantive equality • Exceptions to non-discrimination clauses where the aim is to address discrimination against women. |
| Citizenship and Nationality  | <ul style="list-style-type: none"> • Citizenship as a right, including the right to decide country of nationality and citizenship • Grounds of deprivation of citizenship • Means and acquisition of citizenship or nationality with reference to descent and naturalization • Dual-citizenship • Power of the legislature to regulate citizenship and nationality. |
| Constitutional Review Bodies  | <p>COMPOSITION AND APPOINTMENT</p> <ul style="list-style-type: none"> • Appointments to constitutional bodies and their composition when reference is made to both he and she pronouns, sex, gender and women. <p>JURISDICTION AND ACCESS</p> <ul style="list-style-type: none"> • Names of institutions with powers of constitutional review at all levels (original and appellate) • Broad issues of constitutional interpretation and constitutionality of laws • General constitutional mandates, including human rights protection where specifically included in provisions on such general mandates • Rights of access, requests to, appeals from and appearance before such bodies. |
| Death Penalty  | <ul style="list-style-type: none"> • The specific situation of women with respect to the death penalty. |



| Category | Criteria |
|---|---|
| <p>Education</p>  | <ul style="list-style-type: none"> • State and provincial responsibility to provide education • The right of the individual to receive education of different types and at different levels: pre-school, primary, secondary and tertiary, technical education, vocational training, adult education and functional literacy • Quality and equality of access to education • Purpose/aims of education • State assistance in facilitating access to education including social protection support for the poor • Power of the State to regulate education • The integration of human rights and gender into education curricula and teaching • Parental obligations and choices in relation to the education of their children (including where clauses mention other parental obligations) • Education legislation. |
| <p>Employment Rights and Protection</p>  | <ul style="list-style-type: none"> • Right to work and earn a living including through private enterprise • Right to professional training • Rights to holidays, rest and leisure • Occupational health, maternity protection, safety and compensation • Rights to equal pay and paid leave • Right to a guaranteed minimum wage • Prohibition of discrimination in the work place • Maternity leave and benefits • Social security in reference to employment • Unpaid work, including unpaid care work • Labour legislation. |
| <p>Equality and Non-Discrimination</p>  | <ul style="list-style-type: none"> • Equality as a principle or national aspiration • Equality before the law • Equal protection before the courts and in the application of the law • Equal opportunities (without reference to a specific sector) • Equal rights between men and women in all spheres of life/activity • Prohibited list of characteristics, situations and circumstances that constitute discrimination, including against women • Right of the individual to be protected from discrimination broadly • Duty of the State to protect individuals from discrimination • Exceptions to the application of non-discrimination • Affirmative action in promotion of de facto equality • Express references to types of equality e.g. formal and substantive • Elimination of rank and privileges. |
| <p>Gender Equality Machineries</p>  | <ul style="list-style-type: none"> • Institutions that have primary mandates to promote gender equality and women's rights (popularly known as national machineries). |

| Category | Criteria |
|--|---|
| <p>Human Rights Guarantees</p>  | <p>OBLIGATIONS OF THE STATE</p> <ul style="list-style-type: none"> • Duty and responsibility of the State to respect, fulfil and protect general fundamental human rights, including those which are not expressly mentioned in the Constitution • Commitment to specific or general International Human Rights obligations and treaties • Equality of rights and non-discrimination when combined with guarantees of human rights by the State • Respect for human rights as fundamental values of society and critical for the development of the personality of the individual • Constitutional principles regarding rights and freedoms, which are binding upon public entities • Liability of State organs/agents for human rights violations • Entrenchment of human rights provisions • State duties to educate populace on human rights • State power to regulate the observance of human rights • General principles guiding the interpretation of human rights provisions generally. <p>OBLIGATIONS OF PRIVATE PARTIES</p> <ul style="list-style-type: none"> • Applicability of human rights provisions to private parties (individuals and legal persons/ corporate bodies) • Direct and indirect references to individual and corporate body's obligations to be aware of, respect and observe human rights in relation to others. <p>JUDICIAL PROTECTION</p> <ul style="list-style-type: none"> • Recognition of the right to set national and international judicial processes in motion for human rights enforcement/protection • Right of individuals or institutions to seek remedies for human rights violations in a judicial forum • Identification of judicial bodies that have powers to review such claims or adjudicate such cases • Constitutional review bodies whose jurisdiction (original/appellate) encompass issues affecting human rights • Judicial principles guiding judicial interpretation of human rights clauses. <p>NATIONAL HUMAN RIGHTS BODIES</p> <ul style="list-style-type: none"> • Bodies possessing specific mandates to monitor, enforce and educate on human rights even if part of this mandate is of an administrative nature • Appointments to such bodies and composition • Details of such mandates • Access to such institutions. |
| <p>Indigenous Peoples</p>  | <ul style="list-style-type: none"> • References to indigenous peoples autonomous communities and individuals, original inhabitants (including by specific names of indigenous peoples concerned) • Specific and general social, economic, cultural, linguistic and political rights of such indigenous communities and individuals including the right to education, health, employment and participation in decision making at all levels. |
| <p>Limitations and/or Derogations</p>  | <ul style="list-style-type: none"> • Combined limitations, derogation and/or non-derogations clauses • Standalone limitations clauses, including those in reference to human rights • Standalone derogation clauses • Standalone non-derogations clauses • Restrictions on ability of public or private persons or entities to restrict or limit individual human rights • Suspension of rights during states of emergency. |

| Category | Criteria |
|---|---|
| <p>Marriage and Family Life</p>  | <ul style="list-style-type: none"> • General right to marry and divorce • Specific requirements for marriage and divorce • The nature of marriage as being between free consenting adults, or as a union between a man and a woman • References to child/early marriage • Ceremonies and registration of marriages and their dissolution (including their legislative, religious and traditional dimensions) • Position, status and role of the family • The protection of the family broadly, including social and economic support from the State • Creation of facilities e.g. day care centers and nurseries to support women's participation in various spheres • Responsibility of parents towards children, including in situations where State support is needed for their welfare and upbringing • Responsibility of children towards parents, including caring for them • Protection of motherhood, maternity and pregnancy • Protection of privacy of the family • Protection of children born out of wedlock • State power to enact family and marriage laws and matrimonial regimes • Parental responsibilities and choices in the education of their children. |
| <p>Minorities</p>  | <ul style="list-style-type: none"> • Rights of ethnic, religious, racial or other minorities/groups and communities (including by name) • Specific and general social, economic, cultural, linguistic and political rights of such communities and individuals. |
| <p>Participation in Public Life and Institutions</p>  | <ul style="list-style-type: none"> • General provisions on the right of citizens to take part in public affairs/public life and decision-making affecting the social, economic and political development of their societies, whether directly or indirectly • Equal opportunities to be appointed to public offices and statutory bodies other than political bodies and institutions • Compulsory civic/national service • Recruitment rules that are gender specific (e.g. mandatory military conscription of men and women) • Equality between men and women in society/all spheres of social, economic and cultural life • Affirmative action (generally) or specific quotas for women in appointment to specific public institutions (other than political institutions). |
| <p>Political Participation</p>  | <p>POLITICAL RIGHTS AND ASSOCIATION</p> <ul style="list-style-type: none"> • General rights of association (including where part of right to assembly) • Right to create and participate in political associations including political parties • Right to participate in the political affairs of the State—whether directly or indirectly through freely elected representatives • The right to nominate and vote, adult suffrage and voter registration • General provision on political rights of women/equal enjoyment of political rights • General affirmative action related to appointment to political institutions. <p>QUOTAS</p> <p>National level</p> <ul style="list-style-type: none"> • Parity, numerical and/or proportionate representation of women in national executive and legislative bodies. <p>Subnational levels</p> <ul style="list-style-type: none"> • Parity, numerical and/or proportionate representation of women in decentralized executive and legislative bodies. |




| Category | Criteria |
|---|--|
| Political Participation (continued) | <p>POLITICAL PARTIES</p> <ul style="list-style-type: none"> • Creation and membership of a political party or parties • Mandates and restrictions of political parties e.g. ethics, membership and financing • Powers of the State to pass legislation on the formation and operations of political parties. <hr/> <p>ELECTORAL BODIES</p> <ul style="list-style-type: none"> • Mandate of body responsible for the conduct and monitoring of elections • Membership of such bodies when women or sex is mentioned. <hr/> <p>POLITICAL INSTITUTIONS:</p> <p>Head of State</p> <ul style="list-style-type: none"> • General functions • Eligibility criteria • Appointment and/or general election rules (including term of office if part of these provisions) • Roles related to enforcement of the constitution and international treaties. <p>Vice-President</p> <ul style="list-style-type: none"> • General functions • Eligibility criteria • Appointment and/or general election rules (including when they are similar to those of the President) • Roles related to enforcement of the constitution and international treaties. <p>Government</p> <ul style="list-style-type: none"> • General functions • Eligibility criteria of member of government/cabinet (including provisions on the appointment of prime ministers and term of office for government/cabinet members if part of these provisions) • Formation of government/cabinet and appointment of Prime minister and other members of government/cabinet • Roles related to enforcement of the constitution and international treaties. <p>Legislature</p> <ul style="list-style-type: none"> • General functions • Eligibility criteria (including term of office if part of these provisions) • Composition • General rules of election • Roles related to enforcement of the constitution and international treaties. |
| Property, Inheritance and Land Tenure  | <ul style="list-style-type: none"> • Right to, and protection of, private and community property, either separately or in combination with other rights • Land tenure (different interests in land e.g. user rights) • Land distribution and land use • Recognition and the right to inherit • Legislative powers to enact land and inheritance laws • General land and agrarian reforms. |
| Protection from Violence  | <ul style="list-style-type: none"> • Personal security and integrity of the individual or guarantees on inviolability and/or security of the person • General protection from different forms of violence, including potential acts of violence or acts which can lead to violence e.g. incitement to violence and hatred, genocide • Acts of torture, inhumane, degrading treatment or punishment • Violence against, and abuse, exploitation of children • Forced labor, child labor, slavery, human trafficking and exploitation in general • Domestic/intimate partner violence • Inviolability of dwelling house and right to privacy if in reference to violence. |

| Category | Criteria |
|---|--|
| <p>Public Institutions and Services</p>  | <ul style="list-style-type: none"> • Public institutions other than Gender Equality Machineries and National Human Rights Bodies whose mandates bear on or include gender equality • State fulfillment of social, economic and cultural rights through the provision of a range of services (i.e. more than one type of service) • State fulfillment of one type of service (other than education) which is directed towards women e.g. maternal health • Specific obligations of public institutions to broadly consider gender equality, equality or equity in their functioning and delivery • State assistance/services to women (including maternity and motherhood) and the family (including the breadwinner) more broadly • Broad provisions on social security • Equitable distribution of resources (including distribution of wealth and income) • Equality in budgets and expenditure. |
| <p>Sexual and Reproductive Rights</p>  | <ul style="list-style-type: none"> • Access to reproductive services, information, family planning • Reproductive rights • Protection of fetus and conception • A woman's choice in reproductive decisions, including abortion and the number and spacing of desired children. |
| <p>Sexual Orientation and Gender Identity</p>  | <ul style="list-style-type: none"> • Prohibition/recognition of same sex marriage • Protection of choice of sexual orientation and gender identity • Discrimination on grounds of sexual orientation and gender identity. |
| <p>Status of the Constitution</p>  | <ul style="list-style-type: none"> • Status of constitutions in relation to duties, expectations, laws (including, customary and religious laws and formal laws that were promulgated prior to the promulgation of the constitution) • Actions of private and public bodies in relation to the constitution • Status of constitutions in relation to international human rights treaties, including as declared by Constitutional Review Bodies • The effect of decisions of Constitutional Review Bodies where they impact on the status of constitutions. |
| <p>Status of International Law</p>  | <ul style="list-style-type: none"> • Respect for/commitment to domestic effect of international and regional treaties, including application in courts of law • Jurisdiction of regional and global courts e.g. International Criminal Court • The relationship between constitutions and treaty obligations, constitutionality of international treaties, including the status of international treaties that were ratified before the adoption of the Constitution • Delegation of State sovereignty or powers to a regional or international body under a treaty framework when such a body is specifically mentioned (e.g. European Union) • Mandate of human rights bodies to ensure compliance with international human rights law • Duty of the State to educate populace about international human rights • Review of constitutionality of international treaties by Constitutional Review Bodies and the effect of such decisions • The status of human right treaties in relation to human rights limitations, derogation and/or non-derogations clauses • The stage at which international treaties "take effect." • The status of customary international law and general principles of international law in the domestic legal order. |

| Category | Criteria |
|---|--|
| <p data-bbox="232 306 423 386">Status of Religious/ Customary Law and Institutions</p>  | <p data-bbox="548 306 688 327">RELIGIOUS LAW</p> <ul data-bbox="557 338 1360 478" style="list-style-type: none"> • Status of religion vis-à-vis the State (State religion or separation of State and church or secular nature of the State) • Religious institutions and offices that interpret/enforce religious law • Religious ceremonies related to marriage • Application of religious personal status laws to individuals in courts of law. <p data-bbox="548 512 704 533">CUSTOMARY LAW</p> <ul data-bbox="557 543 1382 709" style="list-style-type: none"> • Customary/traditional institutions and offices - functions and rules of selection • Status of customary law vis-à-vis State law • Application of customary personal status laws to individuals in courts of law • Customary norms and practices e.g. related to land, family life and marriage and harmful practices • Harmful customary or traditional practices. |
| <p data-bbox="232 739 391 760">Women's Rights</p>  | <ul data-bbox="557 739 1365 852" style="list-style-type: none"> • Standalone women's rights clauses • Comprehensive reference to women's rights (at least a combination of social, economic and political). • A provision on women's rights which does not fit any category or sub category. |

APPENDIX



Linkages between the Gender Equality Constitutional Database, the provisions of CEDAW, General recommendations of the Committee on the Elimination of Discrimination against Women and Agenda 2030 for Sustainable Development



| Category | CEDAW Articles | General Recommendations of the CEDAW Committee ⁵ | Agenda 2030 Sustainable Development Goals and Targets ⁶ |
|--|--|--|---|
| Affirmative Action (Broadly)  | 1, 2, 3, 4 | <ul style="list-style-type: none"> • General recommendation No. 5: Temporary special measures • General recommendation No. 25: Article 4, paragraph 1, of the Convention (temporary special measures) | <ul style="list-style-type: none"> • 5.5. Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life. • 16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels. |
| Citizenship and Nationality  | 9 | <ul style="list-style-type: none"> • General recommendation No. 32 on the gender related dimensions of refugee status, asylum, nationality and statelessness of women | <ul style="list-style-type: none"> • 5.1 End all forms of discrimination against all women and girls everywhere. • 5.6 Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels. • 16.9. By 2030, provide legal identity for all, including birth registration. |
| Constitutional Review Bodies  | COMPOSITION AND APPOINTMENT | | |
| | 7 | <ul style="list-style-type: none"> • General recommendation No. 8: Implementation of article 8 of the Convention • General recommendation No. 23: Political and public life | <ul style="list-style-type: none"> • 5.5. Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life. • 16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels. |
| | JURISDICTION AND ACCESS | | |
| 2 | <ul style="list-style-type: none"> • General recommendation No. 33 on women's access to justice | <ul style="list-style-type: none"> • 16.3 Promote the rule of law at the national and international levels and ensure equal access to justice for all. • 16.6 Develop effective, accountable and transparent institutions at all levels. | |




5 <http://ohchr.org/en/hrbodies/cedaw/pages/cedawindex.aspx> (last visited 2 March 2016).




6 <https://sustainabledevelopment.un.org/post2015/transformingourworld> (last visited 2 March 2016).

| Category | CEDAW Articles | General Recommendations of the CEDAW Committee | Agenda 2030 Sustainable Development Goals and Targets |
|---|--------------------|--|---|
| Death Penalty  | | <ul style="list-style-type: none"> • General recommendation No. 33 on women's access to justice | <ul style="list-style-type: none"> • 16.3 Promote the rule of law at the national and international levels and ensure equal access to justice for all. |
| Education  | 10 | <ul style="list-style-type: none"> • General recommendation No. 36 on the right of girls and women to education | <ul style="list-style-type: none"> • 4.1 By 2030, ensure that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes. • 4.2 By 2030, ensure that all girls and boys have access to quality early childhood development, care and pre-primary education so that they are ready for primary education. • 4.3 By 2030, ensure equal access for all women and men to affordable and quality technical, vocational and tertiary education, including university. • 4.5 By 2030, eliminate gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations. • 4.6 By 2030, ensure that all youth and a substantial proportion of adults, both men and women, achieve literacy and numeracy. • 4.7 By 2030, ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable development. • 4.8 Build and upgrade education facilities that are child, disability and gender sensitive and provide safe, non-violent, inclusive and effective learning environments for all. |

| Category | CEDAW Articles | General Recommendations of the CEDAW Committee | Agenda 2030 Sustainable Development Goals and Targets |
|--|-----------------------------|--|--|
| Employment Rights and Protection  | 11 | <ul style="list-style-type: none"> • General recommendation No. 13: Equal remuneration for work of equal value • General recommendation No. 16: Unpaid women workers in rural and urban family enterprises • General recommendation No. 17: Measurement and quantification of the unremunerated domestic activities of women and their recognition in the gross national product • General recommendation No. 36 (2017) on the right of girls and women to education | <ul style="list-style-type: none"> • 5.4 Recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate. • 8.5 By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value. • 8.8 Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment. |
| Equality and Non-Discrimination  | 1, 2, 3, 15 | <ul style="list-style-type: none"> • General recommendation No. 28 on the core obligations of States parties under article 2 of the Convention on the Elimination of All Forms of Discrimination against Women | <ul style="list-style-type: none"> • We reaffirm the importance of the UDHR, as well as other international instruments relating to human rights and international law. We emphasize the responsibilities of all States, in conformity with the Charter of the United Nations, to respect, protect and promote human rights and fundamental freedoms for all, without distinction of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, disability or other status. (Declaration, Paragraph 19) • 5.1 End all forms of discrimination against all women and girls everywhere. • 5.6 Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels. • 10.2 By 2030, empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status. • 10.3 Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard. • 16.b Promote and enforce non-discriminatory laws and policies for sustainable development. |




| Category | CEDAW Articles | General Recommendations of the CEDAW Committee | Agenda 2030 Sustainable Development Goals and Targets |
|---|---------------------------------------|--|--|
| Gender Equality Machineries  | 18, 24 | <ul style="list-style-type: none"> • General recommendation No. 6: Effective national machinery and publicity | <ul style="list-style-type: none"> • We will work for a significant increase in investments to close the gender gap and strengthen support for institutions in relation to gender equality and the empowerment of women at the global, regional and national levels. • The new Agenda recognizes the need to build peaceful, just and inclusive societies that provide equal access to justice and that are based on respect for human rights (including the right to development), on effective rule of law and good governance at all levels and on transparent, effective and accountable institutions. (Preamble) • Governments and public institutions will also work closely on implementation with regional and local authorities... (Declaration, Paragraphs 20, 35, 45) • 16.6 Develop effective, accountable and transparent institutions at all levels. |
| Human Rights Guarantees  | OBLIGATIONS OF THE STATE | | |
| | 2, 3 | | <ul style="list-style-type: none"> • They seek to realize the human rights of all and to achieve gender equality and the empowerment of all women and girls. ... (Preamble) • The new Agenda is guided by the purposes and principles of the Charter of the United Nations, including full respect for international law. It is grounded in the Universal Declaration of Human Rights, international human rights treaties. ... (Declaration, Paragraph 10) |
| | OBLIGATIONS OF PRIVATE PARTIES | | |
| | 2, 3 | | <ul style="list-style-type: none"> • The new Agenda is guided by the purposes and principles of the Charter of the United Nations, including full respect for international law. It is grounded in the Universal Declaration of Human Rights, international human rights treaties. ... (Declaration, Paragraph 10) |
| JUDICIAL PROTECTION | | | |
| 3 | | <ul style="list-style-type: none"> • General recommendation No. 33 on women's access to justice | <ul style="list-style-type: none"> • 16.3 Promote the rule of law at the national and international levels and ensure equal access to justice for all. • 16.6 Develop effective, accountable and transparent institutions at all levels. |

| Category | CEDAW Articles | General Recommendations of the CEDAW Committee | Agenda 2030 Sustainable Development Goals and Targets |
|--|-------------------------------------|--|--|
| Human Rights Guarantees (continued) | NATIONAL HUMAN RIGHTS BODIES | | |
| | 18, 24 | | <ul style="list-style-type: none"> The new Agenda recognizes the need to build peaceful, just and inclusive societies that provide equal access to justice and that are based on respect for human rights (including the right to development), on effective rule of law and good governance at all levels and on transparent, effective and accountable institutions. (Preamble) 16.6 Develop effective, accountable and transparent institutions at all levels. |
| Indigenous Peoples  | 1, 14 | <ul style="list-style-type: none"> General recommendation No. 28 on the core obligations of States parties under article 2 of CEDAW General recommendation No. 34 on the rights of rural women General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19 General recommendation No. 36 on the right of girls and women to education | <ul style="list-style-type: none"> As we embark on this collective journey, we pledge that no one will be left behind. (Preamble) 2.3 By 2030, double the agricultural productivity and incomes of small-scale food producers, in particular women, indigenous peoples, family farmers, pastoralists and fishers, including through secure and equal access to land, other productive resources and inputs, knowledge, financial services, markets and opportunities for value addition and non-farm employment. 4.5 By 2030, eliminate gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations. |
| Limitations and/or Derogations  | 23 | | <ul style="list-style-type: none"> The new Agenda is guided by the purposes and principles of the Charter of the United Nations, including full respect for international law. It is grounded in the Universal Declaration of Human Rights, international human rights treaties. ... (Declaration, Paragraph 10) |
| Marriage and Family Life  | 13, 16 | <ul style="list-style-type: none"> General recommendation No. 21: Equality in marriage and family relations General recommendation No. 29 on article 16 of CEDAW: economic consequences of marriage, family relations and their dissolution | <ul style="list-style-type: none"> 5.4 Recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate. |





| Category | CEDAW Articles | General Recommendations of the CEDAW Committee | Agenda 2030 Sustainable Development Goals and Targets |
|---|---|--|--|
| Minorities  | 1, 14 | <ul style="list-style-type: none"> • General recommendation No. 28 on the core obligations of States parties under article 2 of CEDAW • General recommendation No. 34 on the rights of rural women • General recommendation No. 36 on the right of girls and women to education | <ul style="list-style-type: none"> • As we embark on this collective journey, we pledge that no one will be left behind. (Preamble) • 2.3 By 2030, double the agricultural productivity and incomes of small-scale food producers, in particular women, indigenous peoples, family farmers, pastoralists and fishers, including through secure and equal access to land, other productive resources and inputs, knowledge, financial services, markets and opportunities for value addition and non-farm employment. |
| Participation in Public Life and Institutions  | 7, 8 | <ul style="list-style-type: none"> • General recommendation No. 8: Implementation of article 8 of the Convention • General recommendation No. 23: Political and public life | <ul style="list-style-type: none"> • 5.5. Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life. • 16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels. |
| Political Participation  | POLITICAL RIGHTS AND ASSOCIATION | | |
| | 7 | <ul style="list-style-type: none"> • General recommendation No. 23: Political and public life | <ul style="list-style-type: none"> • 5.5. Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life. • 16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels. |
| | QUOTAS | | |
| | National level | | |
| | 1, 2, 3, 4 | <ul style="list-style-type: none"> • General recommendation No. 5: Temporary special measures • General recommendation No. 25: Article 4, paragraph 1, of the Convention (temporary special measures) | <ul style="list-style-type: none"> • 5.5. Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life. • 16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels. |



| Category | CEDAW Articles | General Recommendations of the CEDAW Committee | Agenda 2030 Sustainable Development Goals and Targets |
|-------------------------------------|--|---|--|
| Political Participation (continued) | QUOTAS (continued) | | |
| | Subnational levels | | |
| | 1, 2, 3, 4 | <ul style="list-style-type: none"> • General recommendation No. 5: Temporary special measures • General recommendation No. 25: Article 4, paragraph 1, of the Convention (temporary special measures) | <ul style="list-style-type: none"> • 5.5. Ensure women’s full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life. • 16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels. |
| | POLITICAL PARTIES | | |
| | 7 | <ul style="list-style-type: none"> • General recommendation No. 23: Political and public life | <ul style="list-style-type: none"> • 16.6 Develop effective, accountable and transparent institutions at all levels. • 16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels. |
| | ELECTORAL BODIES | | |
| | 7 | <ul style="list-style-type: none"> • General recommendation No. 23: Political and public life | <ul style="list-style-type: none"> • 5.5. Ensure women’s full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life. • 6.6 Develop effective, accountable and transparent institutions at all levels. • 16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels. |
| | POLITICAL INSTITUTIONS | | |
| Head of State | | | |
| 7 | <ul style="list-style-type: none"> • General recommendation No. 23: Political and public life | <ul style="list-style-type: none"> • 5.5. Ensure women’s full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life. • 16.6 Develop effective, accountable and transparent institutions at all levels. • 16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels. | |

| Category | CEDAW Articles | General Recommendations of the CEDAW Committee | Agenda 2030 Sustainable Development Goals and Targets |
|--|--|---|---|
| Political Participation (continued) | POLITICAL INSTITUTIONS (continued) | | |
| | Vice-President | | |
| | 7 | <ul style="list-style-type: none"> • General recommendation No. 23: Political and public life | <ul style="list-style-type: none"> • 5.5. Ensure women’s full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life. • 16.6 Develop effective, accountable and transparent institutions at all levels. • 16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels. |
| | Government | | |
| | 7 | <ul style="list-style-type: none"> • General recommendation No. 23: Political and public life | <ul style="list-style-type: none"> • 5.5. Ensure women’s full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life. • 16.6 Develop effective, accountable and transparent institutions at all levels. • 16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels. |
| Legislature | | | |
| 7 | <ul style="list-style-type: none"> • General recommendation No. 23: Political and public life | <ul style="list-style-type: none"> • 5.5. Ensure women’s full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life. • 16.6 Develop effective, accountable and transparent institutions at all levels. • 16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels. | |

| Category | CEDAW Articles | General Recommendations of the CEDAW Committee | Agenda 2030 Sustainable Development Goals and Targets |
|---|--------------------------------|--|--|
| Property, Inheritance and Land Tenure  | 13, 14, 15 | <ul style="list-style-type: none"> • General recommendation No. 21: Equality in marriage and family relations • General recommendation No. 29 on article 16 of CEDAW: economic consequences of marriage, family relations and their dissolution • General recommendation No. 33 on women's access to justice • General recommendation No. 34 on the rights of rural women | <ul style="list-style-type: none"> • 2.3 By 2030, double the agricultural productivity and incomes of small-scale food producers, in particular women, indigenous peoples, family farmers, pastoralists and fishers, including through secure and equal access to land, other productive resources and inputs, knowledge, financial services, markets and opportunities for value addition and non-farm employment. • 5.a Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws. |
| Protection from Violence  | 6 | <ul style="list-style-type: none"> • General recommendation No. 12: Violence against women • General recommendation No. 14: Female circumcision • General recommendation No. 19: Violence against women • General recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations • Joint General recommendation No. 31 of CEDAW/General Comment No. 18 of the Committee on the Rights of the Child on harmful practices • General recommendation No. 33 on women's access to justice • General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19 | <ul style="list-style-type: none"> • 5.2. Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation. • 5.3 Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation. • 16.1 Significantly reduce all forms of violence and related death rates everywhere. • 16.2 End abuse, exploitation, trafficking and all forms of violence against and torture of children. |
| Public Institutions and Services  | 10, 11, 12, 13 | <ul style="list-style-type: none"> • General recommendation No. 24: Article 12 of the Convention (women and health) | <ul style="list-style-type: none"> • 1.2 By 2030, reduce at least by half the proportion of men, women and children of all ages living in poverty in all its dimensions according to national definitions. • 1.4 By 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance. |

| Category | CEDAW Articles | General Recommendations of the CEDAW Committee | Agenda 2030 Sustainable Development Goals and Targets |
|--|----------------|--|---|
| Public Institutions and Services (continued) | | | <ul style="list-style-type: none"> • 2.2 By 2030, end all forms of malnutrition, including achieving, by 2025, the internationally agreed targets on stunting and wasting in children under five years of age, and address the nutritional needs of adolescent girls, pregnant and lactating women and older persons. • 2.3 By 2030, double the agricultural productivity and incomes of small-scale food producers, in particular women, indigenous peoples, family farmers, pastoralists and fishers, including through secure and equal access to land, other productive resources and inputs, knowledge, financial services, markets and opportunities for value addition and non-farm employment. • 3.1 By 2030, reduce the global maternal mortality ratio to less than 70 per 100,000 live births. • 3.7 By 2030, ensure universal access to sexual and reproductive healthcare services, including for family planning, information and education, and the integration of reproductive health into national strategies and programmes. • 5.4 Recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate. • 11.2 By 2030, provide access to safe, affordable, accessible and sustainable transport systems for all, improving road safety, notably by expanding public transport, with special attention to the needs of those in vulnerable situations, women, children, persons with disabilities and older persons. • 11.7 By 2030, provide universal access to safe, inclusive and accessible, green and public spaces, in particular for women and children, older persons and persons with disabilities. • 16.6 Develop effective, accountable and transparent institutions at all levels. |

| Category | CEDAW Articles | General Recommendations of the CEDAW Committee | Agenda 2030 Sustainable Development Goals and Targets |
|---|---|---|---|
| Sexual and Reproductive Rights  | 12 | <ul style="list-style-type: none"> • General recommendation No. 24: Article 12 of the Convention (women and health) | <ul style="list-style-type: none"> • 3.1 By 2030, reduce the global maternal mortality ratio to less than 70 per 100,000 live births. • 3.7 By 2030, ensure universal access to sexual and reproductive healthcare services, including for family planning, information and education, and the integration of reproductive health into national strategies and programmes. • 5.6 Ensure universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action and the outcome documents of their review conferences. |
| Sexual Orientation and Gender Identity  | 1 | <ul style="list-style-type: none"> • General recommendation No. 19: Violence against women. • General recommendation No. 28 on the core obligations of States parties under article 2 of CEDAW. • General recommendation No. 33 on women's access to justice • General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19 | <ul style="list-style-type: none"> • As we embark on this collective journey, we pledge that no one will be left behind. (Preamble) • 5.1 End all forms of discrimination against all women and girls everywhere. • 16.b Promote and enforce non-discriminatory laws and policies for sustainable development. |
| Status of the Constitution  | 2 , 3 , 24 , 25 | <ul style="list-style-type: none"> • General recommendation No. 28 on the core obligations of States parties under article 2 of CEDAW | <ul style="list-style-type: none"> • 5.1 End all forms of discrimination against all women and girls everywhere. • 5.6 Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels. |
| Status of International Law  | 24 , 25 , 28 | <ul style="list-style-type: none"> • General recommendation No. 4: Reservations • General recommendation No. 28 on the core obligations of States parties under article 2 of CEDAW | <ul style="list-style-type: none"> • The new Agenda is guided by the purposes and principles of the Charter of the United Nations, including full respect for international law. It is grounded in the Universal Declaration of Human Rights, international human rights treaties. ... (Declaration, Paragraph 10) |

| Category | CEDAW Articles | General Recommendations of the CEDAW Committee | Agenda 2030 Sustainable Development Goals and Targets |
|---|------------------------------|--|---|
| Status of Religious/ Customary Law and Institutions  | RELIGIOUS LAW | | |
| | 5 | <ul style="list-style-type: none"> • General recommendation No. 14: Female circumcision • General recommendation No. 19: Violence against women • General recommendation No. 21: Equality in marriage and family relations • General recommendation No. 29 on Article 16 - Economic consequences of marriage, family relations and their dissolution • Joint General recommendation No. 31 of CEDAW/General Comment No. 18 of the Committee on the Rights of the Child on harmful practices • General recommendation No. 33 on women's access to justice • General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19 | <ul style="list-style-type: none"> • 16.6 Develop effective, accountable and transparent institutions at all levels. • 16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels. |
| | CUSTOMARY LAW | | |
| | 5 | <ul style="list-style-type: none"> • General recommendation No. 14: Female circumcision • General recommendation No. 19: Violence against women • General recommendation No. 21: Equality in marriage and family relations • General recommendation No. 29 on Article 16 - Economic consequences of marriage, family relations and their dissolution • Joint General recommendation No. 31 of CEDAW/General Comment No. 18 of the Committee on the Rights of the Child on harmful practices • General recommendation No. 33 on women's access to justice • General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19 | <ul style="list-style-type: none"> • 16.6 Develop effective, accountable and transparent institutions at all levels. • 16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels. |
| Women's Rights  | All Articles | • All recommendations | • All Goals and Targets. |

