



# Economic and Social Council

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## Commission on the Status of Women

Sixty-fourth session

9–20 March 2020

Follow-up to the Fourth World Conference on Women and to the twenty-third special session of the General Assembly entitled “Women 2000: gender equality, development and peace for the twenty-first century”

### Statement submitted by Equality Now, a non-governmental organization in consultative status with the Economic and Social Council\*

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

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\* The present statement is issued without formal editing.



## Statement

In 1995, more than a lifetime ago for young adults, the Beijing Declaration and Platform for Action adopted in Beijing, 189 governments agreed that laws that discriminate against women and girls undermine equality and pledged to, “revoke any remaining laws that discriminate on the basis of sex”. In 2000, the General Assembly reviewed the Beijing Declaration and Platform for Action and established a target date of 2005 to revoke all discriminatory laws.

While some progress has been made, legal equality still has not been achieved by the vast majority as shown clearly by the women, business and the law project of the World Bank. Some areas, such as family law, have especially proven intractable, particularly where equality in law defers to custom or religious laws and practice, including “male guardianship” systems.

Women and girls across the globe continue to suffer sexual violence and harassment, whilst the perpetrators largely enjoy impunity. Many are subjected to discrimination in the law itself while others find themselves discriminated against when the laws that do exist are never or poorly enforced. As of 2017 according to the World Policy Analysis Center, 23 per cent of countries, including the United States, still did not even guarantee equality for women and girls in their constitutions, the supreme law of the land, even though the Beijing Declaration and Platform for Action also calls on States to “[p]rovide constitutional guarantees to prohibit discrimination on the basis of sex for all women and girls”.

In anticipation of the sixty fourth session of the Commission on the Status of Women’s review of governments’ implementation of the Beijing Declaration and Platform for Action, Equality Now’s updated advocacy report, “Words and Deeds - Holding Governments Accountable in the Beijing +25 Review Process”, highlights a small sampling of these discriminatory laws with regard to violence against women and girls, personal status, economic status, and marital status that still remain in force, denying women and girls the fundamental right to equality.

Many other rights may be violated as well due to legal inequality - violations of the right to be free from sexual exploitation, for example, result from the exploitation of women’s and girl’s vulnerabilities arising from inequality, discrimination and abuse of power, which are often underpinned by patriarchy and discrimination in the law. To help achieve an end to commercial sexual exploitation, States must implement paragraphs 96(a), 230(n) and 283(d) of the Beijing Declaration and Platform for Action, which call for the enactment and enforcement of protective and preventive measures to eliminate all forms of violence against women and girls, including commercial sexual exploitation, trafficking, prostitution, pornography and sex tourism. States must implement paragraphs 232(b) and 232(d) to achieve legal equality, including economic rights, thereby decreasing vulnerability to economic inequality and further sexual exploitation.

With genuine government commitment, the revocation of explicitly sex discriminatory laws, and the strengthening of constitutional protections, can be achieved by 2030. The G7 Gender Equality Advisory Council issued an important report in August 2019 with a call to action, appealing to all governments to guarantee financing to both eliminate discriminatory laws and implement progressive legislative frameworks. This should be implemented. No matter what the source of the law is - codified, constitutional, religious or customary - all member states must uphold and promote the essential principle of equality on the basis of sex for all in the law.

2020 marks both the twentieth anniversary of the adoption of the Beijing Declaration and Platform for Action and the fifth anniversary of the adoption of the

Sustainable Development Goals to eradicate poverty and promote equality globally. Member States must urgently turn words into deeds, and:

1. finally repeal or amend all laws, including family laws, that discriminate on the basis of sex
  2. adopt and enforce provisions which guarantee equality on the basis of sex under the constitution
  3. implement progressive legal frameworks to ensure substantive equality so that all women and girls can enjoy their rights and live as equal partners in their families, communities and society.
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