

**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, March 2016



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Category	Criteria
<p data-bbox="232 306 423 390">Status of Religious/ Customary Law and Institutions</p> 	<p data-bbox="548 306 688 327">RELIGIOUS LAW</p> <ul data-bbox="557 338 1308 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 1325 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 1357 821" 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).

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
<p>Death Penalty</p> 		<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.
<p>Education</p> 	<p>10</p>		<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
<p>Employment Rights and Protection</p> 	<p>11</p>	<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. 	<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.
<p>Equality and Non-Discrimination</p> 	<p>1, 2, 3, 15</p>	<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. 	<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 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. 	<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. 	<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. 	<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
<p>Public Institutions and Services (continued)</p>			<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. 	<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. • Joint General recommendation No. 31 of CEDAW/General Comment No. 18 of the Committee on the Rights of the Child on harmful practices. 	<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. • Joint General recommendation No. 31 of CEDAW/General Comment No. 18 of the Committee on the Rights of the Child on harmful practices. 	<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.