

STATEMENT OF THE INTERNATIONAL DEVELOPMENT LAW ORGANIZATION

32ND SESSION OF THE HUMAN RIGHTS COUNCIL: ANNUAL FULL-DAY DISCUSSION ON THE
HUMAN RIGHTS OF WOMEN

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The International Development Law Organization (IDLO) greatly appreciates this opportunity to address the Human Rights Council.

IDLO welcomes the inclusion of peace, justice and the rule of law in the heart of the new development agenda through the adoption of SDG 16. In doing so, Agenda 2030 recognizes the important synergies between SDG 16, SDG 5, and other development goals.

The law is a powerful tool for promoting and protecting the human rights of women and girls. It is essential for the achievement of gender equality and women's empowerment. Almost all countries have ratified the Convention for the Elimination of Discrimination Against Women (CEDAW) and many have constitutional, legislative or policy guarantees on equality.

In many countries, however, the law is used as a tool for the subordination of women and girls. In 155 countries of the world laws discriminate against women on a range of issues, such as travelling outside the home, obtaining an identity card, registering a business, owning property, doing the same job as men, having the same inheritance rights, or being head of household.¹

Challenges also lie in the implementation of the law and the political will to achieve substantive gender equality. Even in situations where the formal legal system and state policies provide for equality, such as on equal land rights, women, especially rural, indigenous, divorced and widowed women, may be particularly vulnerable to rights violations and dispossession of land and other property under customary or other social practices.

A major challenge to the empowerment of women and girls around the world is sexual and gender based violence. There are still 18 countries in the world that provide no legal protection against domestic violence or sexual harassment. Many countries are failing in adequately prosecuting sexual and gender based crimes or providing satisfactory redress and support for women and girl survivors of violence.

Women continue to struggle in accessing justice, whether through formal, informal or hybrid institutions, due to costs, illiteracy, distance, limited social support, stereotypes or violence. These challenges are exacerbated in situations of conflict and fragility, where

¹ World Bank, Women, Business and the Law 2016: Getting to Equal.

legal and justice mechanisms that protect women's rights have been eroded or delegitimized, and legal and justice actors have very limited capacity, political will or even power to usher real change for women.

Just as discriminatory laws and practices can erode women's human rights, fair, equitable and gender-responsive ones can bring about gender equality and empowerment. Justice institutions, if they are sensitive and responsive to the real problems facing women, can protect women's human rights and provide adequate redress.

Access to justice for women and girls is a major part of the work of the International Development Law Organization. IDLO has been integrating gender equality and the empowerment of women and girls in its rule of law work by: (a) supporting the strengthening of gender-responsive legal, policy and institutional frameworks and the elimination of discriminatory ones; (b) enhancing women's access to justice; and (c) enabling women's legal empowerment in sustainable development and economic opportunities.

For example,

- in Afghanistan, IDLO is working to improve access to justice through programs targeting legal aid, prosecution of crimes of violence against women, women's protection centers and shelters, and public legal awareness;
- in Honduras, IDLO is strengthening the capacity of justice providers and increasing legal awareness of communities on domestic and intra-familial violence;
- in Kenya, IDLO is working with the government to advance implementation of gender equality principles and provisions contained in the Constitution;
- in Liberia, IDLO is focusing on enhancing the efficiency, transparency and accountability of the courts to deal with sexual offenses and on improving access to justice and protection mechanisms for victims of sexual and gender-based violence;
- in Mongolia, IDLO is working to combat domestic violence through improved mechanisms, coordination and capacities of justice sector and other relevant actors; and
- in Tunisia, IDLO is working on enhancing the effective participation of women justice professionals.

IDLO is committed to share its experiences from its work on the ground and to cooperate with the Council as it works to protect and fulfill the rights of women and girls in countries and communities around the world.

Thank you.

The International Development Law Organization (IDLO) enables governments and empowers people to reform laws and strengthen institutions to promote peace, justice, sustainable development and economic opportunity.