

SDG Indicator 5.1.1, *Whether or not legal frameworks are in place to promote, enforce and monitor equality and nondiscrimination on the basis of sex*

Questions

Area 1: Overarching legal frameworks and public life

Promote

1. If customary law is a valid source of law under the constitution, is it invalid if it violates constitutional provisions on equality or nondiscrimination?
2. If personal law is a valid source of law under the constitution, is it invalid if it violates constitutional provisions on equality or nondiscrimination?
3. Is there a discrimination law that prohibits both direct and indirect discrimination against women?
4. Do women and men enjoy equal rights and access to hold public and political office (legislature, executive, judiciary)?
5. Are there quotas for women (reserved seats) in, or quotas for women in candidate lists for, national parliament?
6. Do women and men have equal rights to confer citizenship to their spouses and their children?

Enforce and monitor

7. Does the law establish a specialized independent body tasked with receiving complaints of discrimination based on gender (e.g., national human rights institution, women's commission, ombudsperson)?
8. Is legal aid mandated in criminal matters?
9. Is legal aid mandated in civil/family matters?

10. Does a woman's testimony carry the same evidentiary weight in court as a man's?
11. Are there laws that explicitly require the production and/or dissemination of gender statistics?
12. Are there sanctions for noncompliance with mandated candidate list quotas, or incentives for political parties to field women candidates in national parliamentary elections?

Area 2: Violence against women

Promote

13. Is there legislation specifically addressing domestic violence?
14. Have provisions exempting perpetrators from facing charges for rape if the perpetrator marries the victim after the crime been removed or never existed in legislation?
15. Have provisions reducing penalties in cases of so-called honour crimes been removed, or never existed in legislation?
16. Are laws on rape based on lack of consent, without requiring proof of physical force or penetration?
17. Does legislation explicitly criminalize marital rape or does legislation entitle a woman to file a complaint for rape against her husband or partner?
18. Is there legislation that specifically addresses sexual harassment?

Enforce and monitor

19. Are there budgetary commitments provided for by government entities for the implementation of legislation addressing violence against women by creating an obligation on government to provide budget or allocation of funding for the implementation of relevant programmes or activities?
20. Are there budgetary commitments provided for by government entities for the implementation of legislation addressing violence against women by allocating a specific budget, funding and/or incentives to support non-governmental organizations for activities to address violence against women?
21. Is there a national action plan or policy to address violence against women that is overseen by a national mechanism with the mandate to monitor and review implementation?

Area 3: Employment and economic benefits

Promote

22. Does the law mandate nondiscrimination on the basis of gender in employment?
23. Does the law mandate equal remuneration for work of equal value?
24. Can women work in jobs deemed hazardous, arduous or morally inappropriate in the same way as men?
25. Are women able to work in the same industries as men?
26. Are women able to perform the same tasks as men?
27. Does the law allow women to work the same night hours as men?
28. Does the law provide for maternity or parental leave available to mothers in accordance with the ILO standards?
29. Does the law provide for paid paternity or parental leave available to fathers or partners?

Enforce and monitor

30. Is there a public entity that can receive complaints on gender discrimination in employment?
31. Is childcare publicly provided or subsidized?

Area 4: Marriage and family

Promote

32. Is the minimum age of marriage at least 18, with no legal exceptions, for both women and men?
33. Do women and men have equal rights to enter marriage (i.e. consent) and initiate divorce?
34. Do women and men have equal rights to be legal guardian of their children during and after marriage?
35. Do women and men have equal rights to be recognized as head of household or head of family?

36. Do women and men have equal rights to choose where to live?
37. Do women and men have equal rights to choose a profession?
38. Do women and men have equal rights to obtain an identity card?
39. Do women and men have equal rights to apply for passports?
40. Do women and men have equal rights to own, access and control marital property including upon divorce?

Enforce and monitor

41. Is marriage under the legal age void or voidable?
42. Are there dedicated and specialized family courts?