

Atlas of Gender and Development

HOW SOCIAL NORMS
AFFECT GENDER EQUALITY
IN NON-OECD COUNTRIES



CENTRE DE DEVELOPPEMENT
DEVELOPPEMENT CENTRE



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EQUALITY IN NON-OECD COUNTRIES



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For an overview of the Centre's activities, please see www.oecd.org/dev.

Foreword

Gender equality is a fundamental human right as well as a key driver for economic growth. It is therefore considered a priority on the development agenda. While there has been significant progress towards achieving gender equality, across the world many women continue to face discrimination with regard to decent employment, access to credit, property or land; their civil liberties are still limited in some parts of the world and they are often victims of violence in times of both war and peace.

Not only is full engagement in economic and social life a human right, it is also essential in combating poverty and driving development. Educated women are healthier, for example, and better able to look after the health of their children, so reducing child mortality. Women who run their own small businesses can greatly increase their families' household income. Gender equality and women's empowerment is thus a crucial Millennium Development Goal that can foster progress across the whole development spectrum.

A critical but often missing element of the debate surrounding gender equality is a better understanding of the underlying reasons behind gender inequality. Conventional indicators of gender equality capture the position of women in society in terms of outcomes – for example, how many women are in education or in high-level positions. However, the linkage between those outcomes and what drives them is rarely made.

In this regard, the “Atlas of Gender and Development: How Social Norms Affect Gender Equality in non-OECD Countries” highlights the role of important social institutions – long-lasting codes of conduct, norms, traditions and informal and formal laws – in determining gender outcomes in education, health, political representation and labour markets.

The Atlas draws on the Social Institutions and Gender Index (SIGI), which was developed by the OECD Development Centre in co-operation with Göttingen University and which was launched on International Women's Day in 2009. The SIGI provides an innovative way of measuring social institutions related to gender discrimination, looking at the root causes of gender inequality rather than their outcomes. It measures social institutions – as mirrored by societal practices and legal norms – that produce inequalities between women and men in non-OECD countries, thereby presenting a wide range of new dimensions and variables that are not considered by other indices. Like the SIGI, the Atlas provides detailed information on the roots of gender equality in 124 developing and transition countries.

The SIGI and the publication of the Atlas are part of the 2009-10 Programme of Work of the OECD Development Centre, which is committed to further analysing the role of women in development. With financial support from the Swedish, Norwegian and Finnish Ministries for Foreign Affairs, many important results have been achieved in the last couple of years: the creation of Wikigender in March 2008 (www.wikigender.org), an interactive Internet platform reaching out to new communities and engaging them in a bottom-up dialogue about gender equality issues; the release of the updated Gender, Institutions and Development Database (GID-DB) in March 2009; and the launch of the SIGI on the www.genderindex.org website, also in March 2009.

Despite these achievements, more remains to be done and it is our hope that the Atlas of Gender and Development – How Social Norms Affect Gender Equality in Non-OECD Countries will serve as the basis for a deep and wide-ranging discussion on how to make further progress. The OECD Development Centre will continue its contribution with the expected release of an updated SIGI in the course of 2011. In the meantime, we hope that the discussion will continue on our platform, www.wikigender.org. Promoting gender equality and women's empowerment together with the creation of stable and sustainable development is critical to achieving fairer and more coherent societies. This is in the interest of both OECD and non-OECD countries and therefore of all citizens of the planet.

*Javier Santiso
Director, OECD Development Centre*

Acknowledgements

This *Atlas of Gender and Development: How Social Norms Affect Gender Equality in non-OECD Countries* is the result of the OECD Development Centre's work on the Social Institutions and Gender Index (SIGI), which was constructed in collaboration with a research team from Göttingen University and under the leadership of Johannes Jütting, Head of the Poverty Reduction and Social Development Unit at the Development Centre. We would like in particular to extend our gratitude to Stephan Klasen, Maria Ziegler and Boris Branisa from Göttingen University.

This *Atlas* has benefited from inputs and comments from colleagues both inside and outside the OECD. To all of them we express our warm thanks. The SIGI is based on 124 detailed country notes which form the basis for the social institutions variables, SIGI scores and ranking. We would like to particularly thank Christian Morrisson, Carina Lindberg and Rémi Bazillier for writing them. We would also like to thank Geske Dijkstra and her team at Erasmus University Rotterdam for providing extensive reviews of the draft country notes and for validating our findings. We extend our thanks to Denis Drechsler, who co-ordinated the online publication of the country notes and initiated the idea of a printed publication of the notes in the form of an *Atlas*, and to Espen Prydz, who developed the www.genderindex.org website in order to feature the SIGI and the country notes.

Finally, we would like to thank our colleagues at the Development Centre: Chris Garroway, Estelle Loiseau and Nejma Bouchama for their help in preparing all the material for the *Atlas*, including maps, graphs, world and regional overviews, for editing the country notes and for ensuring the smooth running of the logistics related to this project. Many thanks also to Karen Barnes, Amalia Johnsson, Martha Baxter and Angela Hariche for their extremely useful comments during the final review process, to Magali Geney for designing the graphics for each regional ranking and the publication cover, and to Michèle Girard for her bibliographical help.

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Abbreviations

ADB	Asian Development Bank
AIDF	Ivorian Association for the Defense of Women
BNDA	Banque Nationale de Développement Agricole
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CFA	African Financial Community
DHS	Demographic and Health Survey
ECHR	European Convention on Human Rights
ECOSOC	United Nations Economic and Social Council
ETB	Ethiopian Birr
GRID	Gender Resource and Information Development Centre
ICRW	International Center for Research on Women
IFAD	International Fund for Agricultural Development
ILO	International Labor Organisation
IPU	Inter-Parliamentary Union
IRIN	Integrated Regional Information Networks
JICA	Japan International Co-operation Agency
LRA	Law Reform Act (Malaysia)
NGO	Non-governmental organisation
OECD	Organisation for Economic Co-operation and Development
PCBS	Palestinian Central Bureau of Statistics
SIDA	Swedish International Development Co-operation Agency
SIGI	Social Institutions and Gender Index
TCE	Transitional Civil Code of Eritrea
UAE	United Arab Emirates
UN	United Nations
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UN FAO	United Nations Food and Agriculture Organisation
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women
UNOCHA	United Nations Office for the Co-ordination of Humanitarian Affairs
UNRISD	United Nations Research Institute for Social Development
USAID	United States Agency for International Development
USD	US dollar
WB	World Bank
WHO	World Health Organization

Introduction

Women and gender equality are critical to global efforts to achieve sustainable development and poverty reduction. Educating and empowering women economically has an impact on the health and wealth of households, and increasing their participation in the labour market could help to drive economic growth around the world. In addition to fulfilling women's human rights, there is also an economic case for promoting gender equality.

Typically, the position of women in society tends to be defined in terms of *outcomes* – how many women are in education, for instance, or in parliament. But we should also look at women's standing from the perspective of *what's driving these outcomes*: What are important social institutions – in other words, long-lasting codes of conduct, norms, traditions, and informal and formal laws – that determine gender outcomes in education, health, political representation and labour markets. This is the idea at the heart of *The Atlas of Gender and Development*, which provides detailed information on the deep determinants of gender equality in 124 developing and transition countries.

This Atlas is based on a composite measure of gender equality, the Social Institutions and Development Index (SIGI), jointly developed by the University of Göttingen and the OECD Development Centre. SIGI was launched on International Women's Day in 2009 and covers 124 non-OECD countries.* The SIGI provides an innovative way of measuring key social institutions related to gender discrimination in all spheres of life. It uses variables from the OECD Gender, Institutions and Development Database (GID-Data Base) to measure gender inequality in five areas (Morrison and Jutting, 2005; Jutting *et al.*, 2008):

- **Family code** measures the factors which influence the decision-making power of women in the household with respect to early marriage, polygamy, parental authority, and inheritance.
- **Physical integrity** comprises different indicators on violence against women and the existence of female genital mutilation.
- **Son preference** reflects the economic valuation of women, based on the variable “missing women”, which measures gender bias in mortality due to sex-selective abortions or insufficient care given to baby girls.
- **Civil liberties** measures women's freedom of social participation through freedom of movement and freedom of dress.
- **Ownership rights** cover women's rights and *de facto* access to several types of property. It includes three variables: women's access to land, to property and to credit.

* The Atlas does not cover OECD countries because the selected variables in the SIGI are in general more relevant for non-OECD countries. This does not mean that social institutions are not of relevance in OECD countries – in fact the current SIGI variables are indeed of relevance in a few OECD countries – but research has not yet come up with measurable and relevant variables that would allow a fair assessment of OECD countries. A simple inclusion based on current variables would lead to a very positive scoring of most countries, sending a wrong signal. Additional research will be required to develop appropriate measures.

How to use this Atlas

Following the introduction, the *Atlas* presents a short set of analytical notes showing how the factors captured by the SIGI shape development outcomes and presenting the methodology behind the SIGI.

The bulk of the *Atlas* features detailed notes on 124 developing and transition countries, broken down into six regions: East Asia and the Pacific, Europe and Central Asia, Latin America and the Caribbean, Middle East and North Africa, South Asia and Sub-Saharan Africa. Due to lack of available data, only 102 of those countries are ranked by the SIGI.

Each regional section is preceded by an overview highlighting issues of particular regional concern, such as son preference or ownership rights. While documenting specific regional problems is useful for prioritizing policy interventions, it is important to understand that there is a great deal of heterogeneity within regions that may be obscured by quick generalizations. The overviews present a short assessment of the general regional situation, key features of positive development, important challenges and an example of one particularly pressing issue.

In the country notes, more specific information is presented, including the country's SIGI score (where available), detailed information about social institutions of concern, as well as select indicators of gender inequality and other general demographic information. All the data presented in the country notes are the latest available values drawn from the OECD Gender Institutions and Development Database (OECD-GID), which is freely accessible online.

On the Internet

The complete SIGI ranking itself, as well as the data underlying its various sub-indices, are available in their entirety on the Internet. The values of the social institution variables for all countries included in the *Atlas* can be found online at the following two sites:

- Social Institutions and Gender Index (SIGI) website: www.genderindex.org.
- OECD Gender, Institutions and Development Database (GID-DB): www.oecd.org/dev/gender/gid.

Additionally, a wide range of OECD Development Centre resources connected to issues of gender equality and development are also available online:

- Gender and development issues at the Development Centre: www.oecd.org/dev/gender.
- Wikigender, a project initiated by the Development Centre to facilitate the exchange and improve the knowledge on gender-related issues around the world: www.wikigender.org.

Why Do we Need a SIGI Index?

Measuring the status and tracking the progress of gender equality is an important undertaking, but a difficult one given the various dimensions along which discrimination against women occurs. The Social Institutions and Development Index (SIGI) focuses on an aspect of gender inequality that is usually neglected by other gender-related measures, which tend to focus on measuring gender inequalities in education, health, economic or political participation and other dimensions. By contrast, the SIGI measures social institutions – as mirrored by societal practices and legal norms – that produce inequalities between women and men in non-OECD countries. The added value of the SIGI is that it presents a wide range of new dimensions and variables that are not considered by other indices. It offers additional information, which complements – as apposed to substitutes – existing measures.

How do social institutions affect development outcomes?

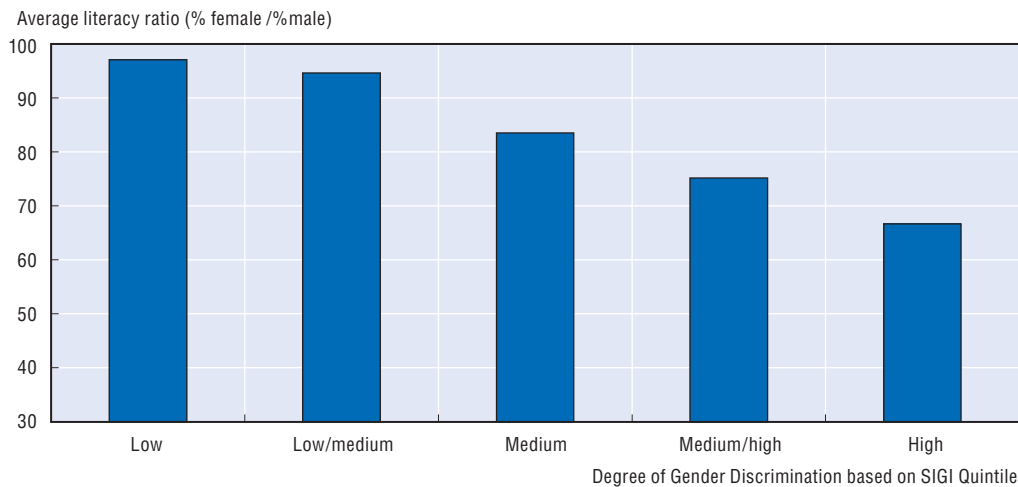
Empirical research documents the relationship between social institutions and development outcomes. Several studies (Morrisson and Jütting 2005; Luci, Jütting and Morrisson 2009; and Branisia, Klasen and Ziegler 2009) find a strong empirical relationship between high SIGI values and low outcomes in other variables. Put simply, high discrimination in social institutions appears to drive low outcomes in key development areas, like women’s education and employment, thus limiting a country’s overall growth prospects. This section looks a little more closely at the relationship between discrimination in social institutions and a number of “outcome” areas – education, labour markets, job quality and fertility rates.

Educational outcomes

When it comes to women’s educational attainment, social institutions seem to have a negative impact on women’s literacy rates relative to men’s. Countries with low SIGI scores show a ratio of female to male literacy of close to 1, indicating gender equality. But in countries where discrimination in social institutions is high the ratio is significantly below 1.

Among the SIGI indicators, “early marriage” has a particularly strong effect on this relationship. Marriage at a young age, usually as a result of arranged or even forced weddings, limits women’s access to education and discourages them from pursuing a professional career. This is not only detrimental for women but has negative consequences for a country’s overall economic development.

SIGI and educational outcomes



In countries with low SIGI scores the ratio of female to male literacy is close to 1, hence equality. By contrast, the literacy ratio is significantly lower – indicating higher literacy rates for men than women in countries with high gender discrimination in social institutions.

Source: OECD Gender, Institutions, and Development Database.

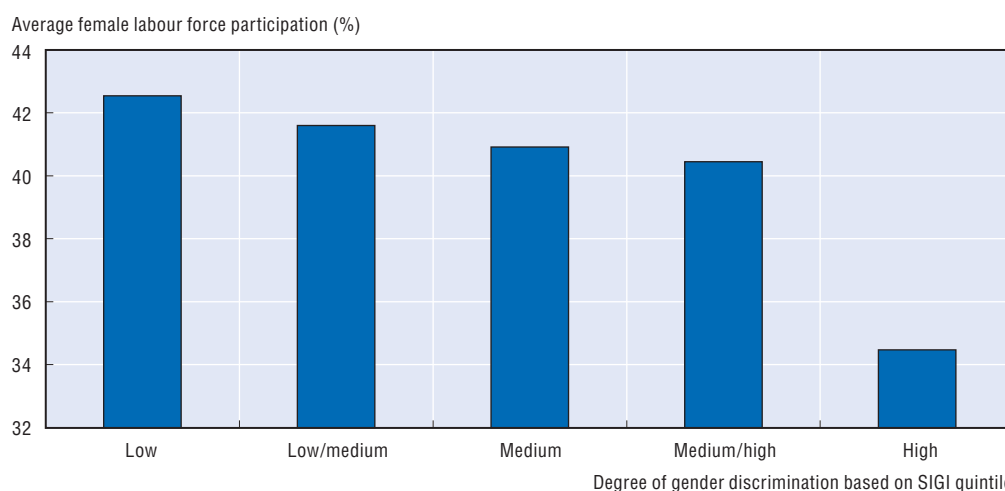
Several studies find that gender differences in education weaken a country's economic growth potential as lower education for girls reduces the talent pool in a country's labour force. Persistent gender gaps in education also lower women's skills, social competencies, health and life expectancy (Klasen, 2002; Knowles, Lorgelly and Owen, 2002), which not only diminish women's quality of life but the welfare of the entire economy in an inter-generational context.

Labour market outcomes

Another strong correlation can be observed between social institutions and women's participation in non-agricultural wage employment, which was identified as a key element of women's economic empowerment in the Millennium Development Goals. Specifically, women's participation in such employment is lowest in countries with high social discrimination. Among the countries that score low in the SIGI ranking (i.e. low discrimination in social institutions), labour force participation is close to half; in countries that show high social discrimination, the average rate of women's participation falls to just above a fifth.

Women's participation in non-agricultural wage employment is particularly low in countries with high discrimination in the family context (SIGI variables: parental authority, inheritance rights, early marriage and polygamy). Again, women's access to paid jobs is not only crucial for their own personal well-being but an important driver for a country's overall economic development. For example, the additional income of an employed woman can increase savings and stimulate consumption. Apart from positively affecting a country's output level, female wage employment also raises women's bargaining power within the household, with positive repercussions on children's education and health (Galor and Weil, 1996).

SIGI and labour market outcomes



Countries that score low in the SIGI also do well when it comes to women's labour force participation, which is close to 50%; in countries with high discrimination in social institutions, the participation rate falls to just above 20%.

Source: OECD Gender, Institutions, and Development Database and World Bank World Development Indicators Database.

Job quality

SIGI scores also have a bearing on women's job quality in the agricultural sector, where traditional attitudes and mindsets predominate. This impact appears to be particularly strong in Asian countries and the Middle East and North Africa region. The lower the level of discrimination in social institutions, the higher the proportion of women in paid employment, which is a cornerstone of financial independence and a self-determined life. Moreover, the lower the number of women who have access to land and credit (both sub-indices of the SIGI), the greater the likelihood of their working as contributing family workers (rather than employees), which frequently subjects them to the orders of male relatives and traps them in poor working conditions without income and social protection.

Fertility rates

Finally, a strong relationship also exists between the SIGI scores and fertility rates. In particular, violence against women and the prevalence of female genital mutilation (both SIGI variables) are associated with women having more children. High fertility, in turn, has negative implications for women's access to education and economic opportunities (Galor and Weil, 1996), which also dampens a country's economic development. Indeed, growth rates appear to be lower in regions where social institutions discriminate against women.

A note on methodology

To conclude this section, a brief look at the sub-indices that make up the SIGI and at the statistical methodology used to compile the overall index is presented below.

Sub-indices

SIGI is based on five sub-indices: family code, civil liberties, physical integrity, son preference and ownership rights. These cross-country composite measures cover between 102 and 124 developing countries and are built out of twelve variables from the OECD Gender, Institutions and Development Database. These variables proxy social institutions through prevalence rates, legal indicators or indicators of social practices.

Family code: This dimension refers to institutions that influence the decision making power of women and men in the household. The following variables are included:

- Parental authority measures whether women have the right to be a legal guardian of a child during a marriage, and whether women have custody rights over a child after divorce.
- Inheritance is based on formal inheritance rights of spouses.
- Early marriage measures the percentage of girls married between 15 and 19 years of age.
- Polygamy measures the acceptance of men having multiple wives. Countries where this information is not available are assigned scores based on the legality of polygamy.

Civil liberties: This dimension captures the freedom of social participation of women and includes the following variables:

- Freedom of movement indicates the extent to which women are free to move outside the home.
- Freedom of dress measures the extent to which women are obliged to follow a certain dress code, for example by covering their face or body in public.

Physical integrity: This dimension comprises different indicators on violence against women:

- Violence against women indicates the existence of laws against domestic violence, sexual assault or rape, and sexual harassment.
- Female genital mutilation (FGM) is the percentage of women who have undergone female genital mutilation.

Ownership rights: This covers the access of women to several types of property.

- Women's access to land indicates whether women are allowed to own land.
- Women's access to bank loans measures whether women are allowed to access credit.
- Women's access to property other than land covers mainly access to real property, such as houses as well any other property.

Son preference: This sub-index reflects mainly the economic valuation of women. It has only one component.

- Missing women measures gender bias in mortality, in other words the extent to which men outnumber women as a result of sex-selective abortion, female infanticide and unequal access to food and healthcare. Countries were coded by Stephan Klasen based on estimates of gender bias in mortality for a sample of countries (Klasen and Wink, 2003) and on sex ratios of young people and adults.

Statistical methodology

In all cases, the variables are between 0 and 1. The value 0 means no or very low discrimination and the value 1 indicates high inequality. For presentation's sake, the current *Atlas* shows scores for SIGI and its sub-indices rounded off to two-decimal places. The full values for each variable can be obtained online from the OECD-GID database.

The SIGI combines the five sub-indices into a multidimensional measure of discrimination against women in a country using polychoric Principal Component Analysis. It is inspired by the Foster-Greer-Thorbecke poverty measures (Foster, Greer and Thorbecke, 1984) and aggregates gender inequality in several dimensions measured by the sub-indices. The underlying methodology of construction leads to penalization of high inequality in each dimension and allows only for partial compensation between dimensions.

As noted earlier, the main shortcoming of these indices is that they cover only developing countries. This is due to the fact that the variables used as inputs do not measure relevant social institutions related to gender inequalities in OECD countries. Further research is required to develop appropriate measures for developed countries.

The country notes in this Atlas were drafted between 2005 and 2008 and may not necessarily reflect recent changes in laws, reforms and the political situations of some countries. Recent accession procedures to the OECD, undertaken at the time of production may also not be taken into account. Any such changes will be included in updated notes to accompany a new version of the Social Institution and Gender Index (SIGI) planned for 2011. In the meantime, the notes are also available on Wikigender (www.wikigender.org), a collaborative platform on gender equality that allows any registered user to create new content or edit existing articles, including this Atlas's country notes.

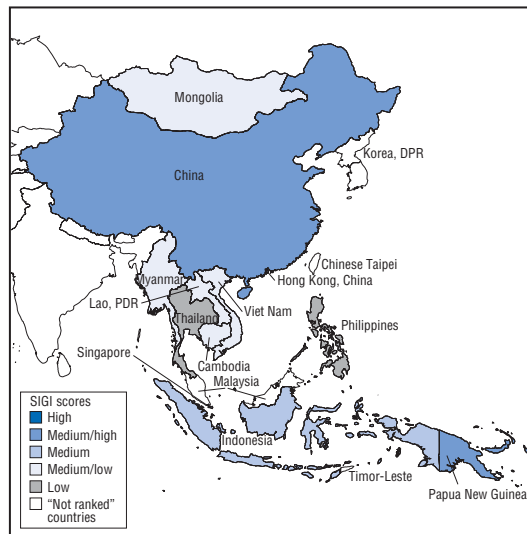
WORLD OVERVIEW

Gender discrimination in social institutions spans the world – from highly developed countries such as the Gulf States to low income countries in Sub-Saharan Africa and South Asia. Overall, the regions of the world fall into two main groups: On the one hand is South Asia, Sub-Saharan Africa and the Middle East and North Africa, where on average gender discrimination as measured on the SIGI is high to very high; on the other is East Asia and Pacific, Latin America and the Caribbean and Europe and Central Asia, a grouping characterised by lower levels of gender inequality.

This overall pattern is a useful starting point for understanding the main differences across regions, but it is also necessary to look at each country individually. Within each region and within countries there are huge differences in gender equality, reflecting factors such as culture and religion, the rural-urban divide, the level of development and the political system. Nonetheless, some striking discriminatory features in different regions can be highlighted: the high incidence of son preference in Asia; the prevalence of early marriage in some Asian and African countries; land ownership, rarely accessible by women, especially in Asia and Africa; restrictions on freedom of movement and of dress, mostly in the Middle East and North Africa; and domestic violence, for example in Latin America and Europe and Central Asia.

While the overall picture of gender inequality portrayed in this Atlas is rather worrying, not everything is bleak. Progress has been made in many areas: women's job opportunities have expanded in East Asia and Pacific in the last decades, mainly in the services and manufacturing industries; a plethora of micro-credit programmes and initiatives have flourished across all continents, and women are increasingly becoming active in starting up and running their own businesses, notably in the Middle East and North Africa; and governments in Asia are involving more women in local decision-making, which is an essential element for progress.

Overall, this Atlas shows that socio-cultural practices can evolve regardless of income level, religious affiliations and political systems. In order to achieve the Millennium Development Goal of gender equality by 2015, we must understand the conditions that enable changes in discriminatory social institutions, and enforce existing laws that help drive this process. The stakes are high, the challenge enormous; but as research has shown, the rewards will not only give what Amartya Sen calls the “freedom of choice” to women and men all over the world but will also unlock the potential for fairer and stronger growth.



East Asia and Pacific

Gender discrimination in social institutions is fairly low across the 17 countries of the East Asia and Pacific region, but there are exceptions: China, Papua New Guinea and Indonesia all figure in the bottom half of the SIGI ranking and display high inequalities in terms of son preference and women's physical integrity. It should be noted that gender equality can vary greatly not just between countries in this region but within them. This is largely due to a rural-urban divide, and often high levels of social diversity and ethnic fragmentation.

Discrimination in labour markets, education and political participation is an issue for women in many parts of the region, especially in rural areas. Many women still work in the agricultural or informal sector, and have a lower standard of living than men. Division of labour by gender is still common, for example in the electronics industry in the Philippines, where women are often relegated to low-skilled positions.

On the positive side, there has been significant progress in improving girls' educational attainment and in providing women with better job opportunities: newly created jobs, especially in the export manufacturing sector, have lifted many women out of poverty. This has had a positive impact on early marriage, which has declined in countries like China, Myanmar, or Singapore. It is also worth noting that in Chinese Taipei, the portrayal of traditional gender roles has been removed from school textbooks, a major achievement that contributes to positive socio-cultural change.

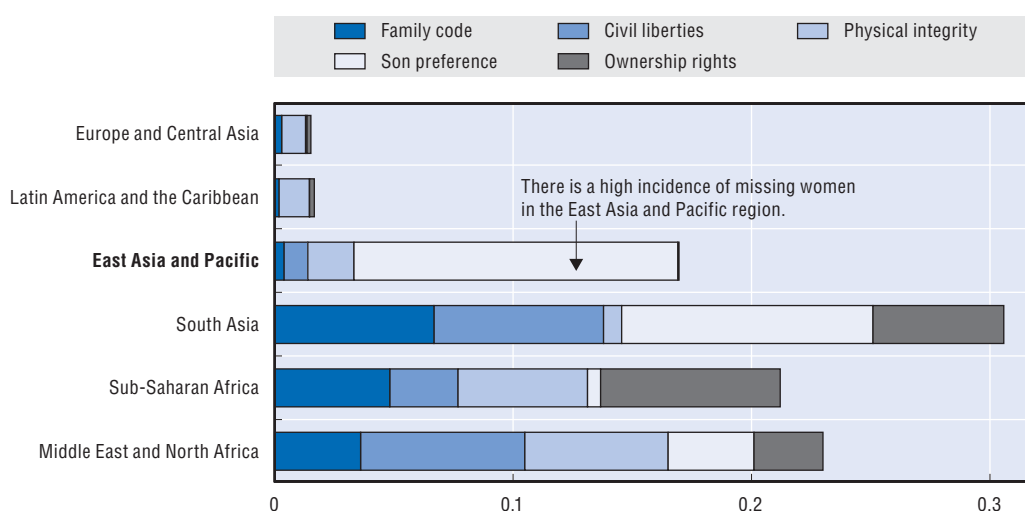
Note of SIGI ranking: Not included in the overall SIGI ranking: Korea DPR, Malaysia, Chinese Taipei and Timor-Leste.

Key challenges in the region relate to women’s empowerment. Not only do women look after the household, but they often perform most of the agricultural work. Despite this, their chances of obtaining land in their own names are limited, since men are traditionally perceived as heads of households. Another regional challenge is sex trafficking and domestic violence. Legal frameworks exist to protect women’s physical integrity, but women are rarely fully informed of their rights.

Key issue: Missing women

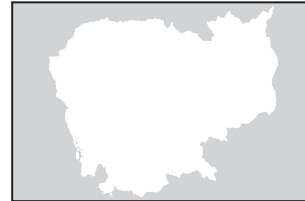
“Missing women”, a term coined by Nobel-laureate Amartya Sen, refers to gender bias in mortality. His work suggests that the preference for sons over daughters has led to some 100 million “missing women” in South Asia, East Asia and the Middle East and North Africa. This is a result of sex-selective abortion, poorer access for girls and women to nutrition and healthcare and abandonment of female infants. It is an issue in some parts of this region, including Papua New Guinea; Chinese Taipei; Hong Kong, China; Mongolia; and Myanmar. China is the most telling example: With more than 40 million “missing women” in 2000, it is the bottom ranking country in the region.

Average SIGI score by region (population-weighted)



Cambodia

Population	14 446 056
Female population (as % of total population)	51.3
Women's life expectancy (in years)	61.9
Men's life expectancy (in years)	57.3
Fertility rate (average births per female)	3.2



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Cambodia's 1993 Constitution guarantees equal rights to men and women in all areas of society, and the country has ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). But despite additional national laws and government initiatives that promote the well-being and empowerment of women, their implementation remains poor.

The massacres during the Khmer Rouge regime (1975-79) left many women widowed: an estimated 25% of Cambodian households are headed by lone women and, as a result, are particularly vulnerable to poverty. Female employment is relatively high, but concentrated in the agricultural or informal sectors. Women generally have less access than men to education and health care services.

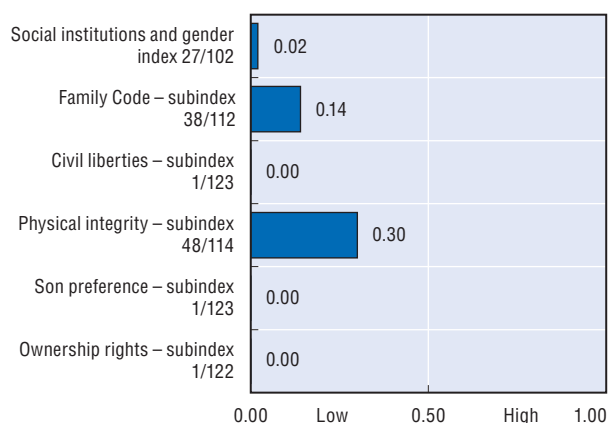
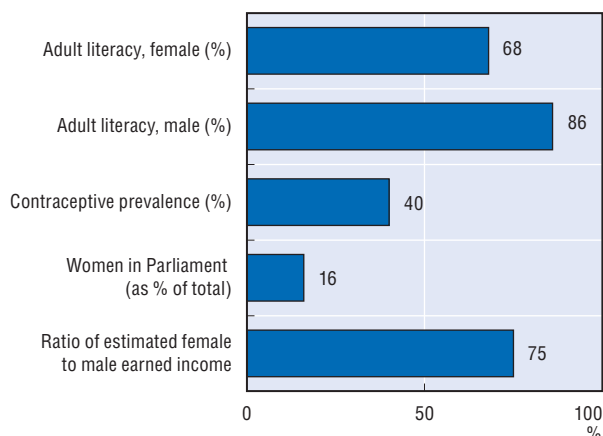
Family code

Cambodian law grants women equal rights within the family context. The Law on Marriage and Family stipulates that all marriages shall be based on mutual consent, and sets the legal marriage age to 20 years for men and 18 years for women. With regards to early marriage, a 2004 United Nations report estimated that 12% of girls between 15 and 19 years of age were married, divorced or widowed.

Although monogamous marriages are the only legally recognised form of union, polygamy is prevalent in Cambodia: some men have a principal wife (who is the mother of his children) and a second wife or mistress (who is not legally recognised). According to the Mony report, the disproportionate killing of men during the Khmer Rouge regime still forces many widows and single women to accept relationships with partners who are already married.

Cambodian law grants men and women equal rights in terms of parental authority. Both have a say in the raising of their children, although the mother typically plays a greater role in day-to-day practical matters. In the event of divorce, the law stipulates that the child's best interest should be the basis for determining custody. Like men, women can pass on their nationality to their children.

The Constitution of Cambodia guarantees equal inheritance rights to men and women, although women often have little or no knowledge of those rights.

SIGI ranking**Select indicators of gender equality****Physical integrity**

Cambodia is taking steps to protect the physical integrity of women. In 2005, policy makers introduced a law against domestic violence. However, the country still faces many challenges and violence against women remains widespread. The US Department of State reports that Cambodian women are frequently victims of sex tourism and prostitution, as well as trafficking and kidnapping for purposes of sexual exploitation.

Domestic violence is not discussed publicly and incidents of spousal abuse are rarely reported, even though a 2005 Demographic and Health Survey reveals that 22% of women who have been or are married (aged 15-49) have experienced physical violence, most often by a current or previous husband. There is no evidence that the country has ever practised female genital mutilation and there are no concerns about missing women.

Ownership rights

Cambodian women have the right to financial autonomy and enjoy the same legal and economic rights and opportunities as men. They have access to land and are entitled access to property other than land.

At present, these rights are governed by provisions in the Law on Marriage and Family, which makes a distinction between joint property (i.e. that acquired or bought during the marriage) and separate property (i.e. that owned by either spouse before the marriage). Separate property can be managed and disposed of independently by its owner; decisions over joint property require agreement of both spouses. Many women choose to leave their husbands in charge of most matters related to property ownership. A USAID study reports that limited awareness of their rights and poor access to legal aid and advice makes women more vulnerable in contractual affairs, including when others make claims on their land.

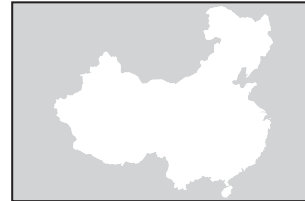
There is no discrimination in terms of women's access to bank loans. However, limited access to information often makes it difficult for women to benefit from existing micro-credit programmes.

Civil liberties

Legally, women in Cambodia are not restricted in their freedom of movement: they enjoy the same right as men to independently apply for passports. However women are less likely than men to leave the local village on a regular basis because of domestic responsibilities and/or home-based employment. There are no restrictions on freedom of dress.

China

Population	1 318 000 000
Female population (as % of total population)	48.3
Women's life expectancy	74.8
Men's life expectancy	71.3
Fertility rate (average births per female)	1.7



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The situation of women in China has improved significantly since the government established a gender equality policy in 1949, and the country has ratified CEDAW. Education and labour force participation of women have since increased, while harmful practices (such as foot-binding of young girls) have been abolished and patriarchal norms have weakened.

However, there is growing concern that the gap between men and women is widening again in the wake of China's rapidly changing economic, social and political conditions. Large regional disparities are apparent, as rural women face more challenges than their urban counterparts. Women appear to be over-represented among the country's poor, they are often discriminated against in the labour market and their political participation remains low.

Family code

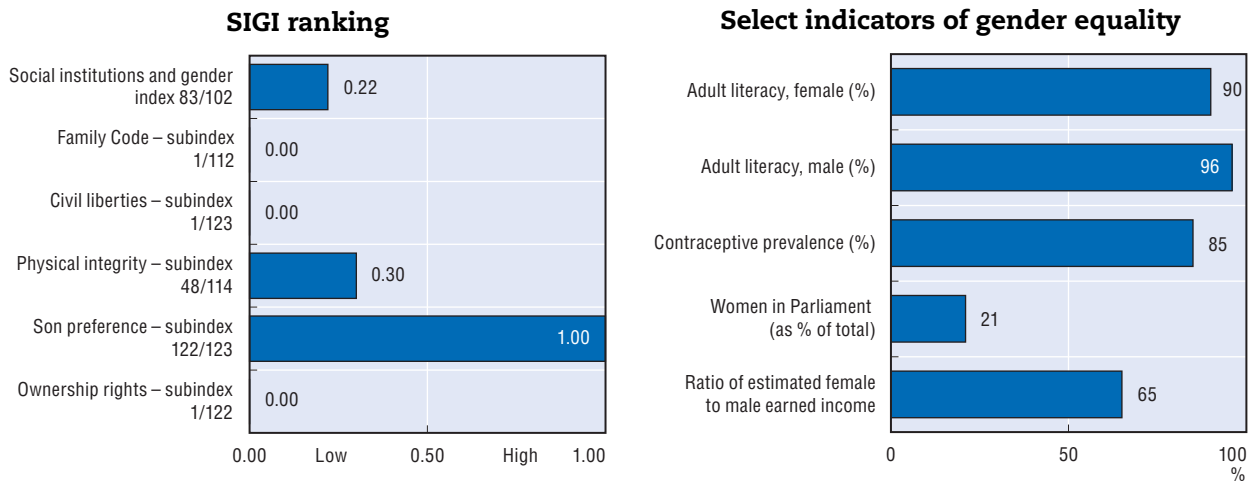
Overall, women's rights in the family context are well protected within the legal framework of the Marriage Law as amended in 2001. Early marriages are increasingly uncommon: a 2004 United Nations report estimated that only 1% of Chinese girls between 15 and 19 years of age were married, divorced or widowed. The legal age of marriage is 20 years for women and 22 years for men, and the law stipulates that all marriages should be based on mutual consent. Still, traditions of arranged and patri-local marriages – meaning that the couple usually lives near or with the husband's family – remain common in much of rural China.

In contrast to traditional norms, in which the father held absolute authority in the family, men and women today have the same legal status and are subject to the same rules and regulations. Women have the same right as men to pass on their nationality to their children.

Unlike in the past, women today are guaranteed equal inheritance rights under the Inheritance Law. However, there is still a significant gap between legislation and reality in northern rural China where daughters lose their statutory rights to their brothers.

Physical integrity

Chinese women have strong legal support for the protection of their physical integrity, although some issues require further attention. In 2001, amendments to the Marriage Law incorporated provisions that explicitly prohibit domestic violence. In reality, low public awareness of the law limits its effectiveness and spousal abuse remains largely unreported.



Prostitution and related trafficking put tens of thousands of Chinese women at risk of physical and psychological abuse. New provisions recently introduced in the Criminal Code aim to combat abduction and forced prostitution of women and young girls, although the wide scope of the problem makes it difficult to implement and enforce these provisions.

China has an abnormally high ratio of men to women in its population, indicating that the occurrence of missing women is widespread. Census data show that more than 40 million Chinese women were missing in 2000. This is primarily the result of son preference, which leads to female sex-selective abortions, female infanticide or general neglect of girls in early childhood.

Ownership rights

Legal frameworks in China provide women with a high level of ownership rights. Women were only given legal access to land in 1950. Subsequently, the Marriage Law gave women the right to land within the household unit and the Agrarian Reform Law granted men and women equal right to land in general. Customary practices, which consider sons the natural heirs of land, are still prevalent in much of rural China.

With regards to property other than land, marital property is governed by the Marriage Law. Following the 2001 amendments, this law allows for separate property but also stipulates that husbands and wives have equal rights to manage and dispose of property that is owned jointly. In the event of divorce, it is common for women in rural areas to be forced to forfeit both their land and property rights to their husbands.

There are no legal provisions that discriminate against women in terms of access to bank loans. An increasing number of credit institutions and organisations target women clients, some by helping unemployed women start their own businesses, others by providing benefits to women farmers.

Civil liberties

Supported by relevant legal frameworks, civil liberties of Chinese women have improved in recent decades. The literature does not report any legal restrictions associated with freedom of movement and freedom of dress, although women (and men) belonging to ethnic minorities may choose to wear traditional clothing.

Fiji

Population	834 278
Female population (as % of total population)	49.3
Women's life expectancy	71.1
Men's life expectancy	66.6
Fertility rate (average births per female)	2.8



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Fiji ratified CEDAW in 1995, but progress has been limited in incorporating and implementing its provisions. According to a report by Fiji Women's Rights Movement (FWRM), women gained more rights with the introduction of the 1997 Constitution. However, they experienced a severe setback as a result of the attempted coup d'état in May 2000 and the ensuing political instability.

The population is culturally diverse, comprising Fijians (55%), Indians (37%) and others (8%), with a religious make-up of Christians (53%), Hindus (34%), Muslims (7%) and others (6%). An underlying patriarchal nature is common to most of these ethnic groups, which has an impact on the situation of women in Fiji. Key areas of concern to women in Fiji include poverty, discrimination in the labour market and gender-based violence.

Family code

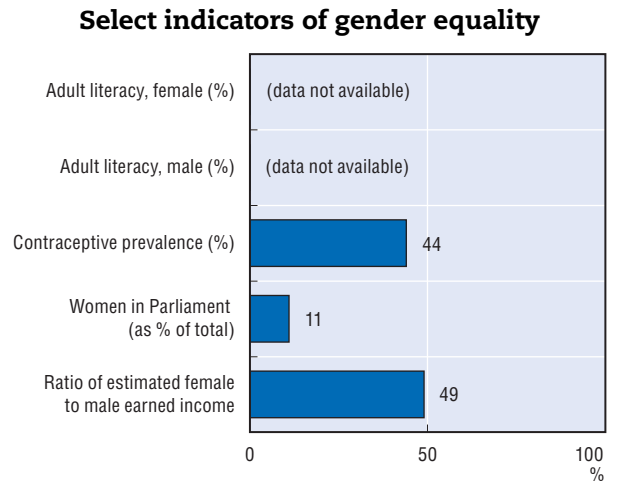
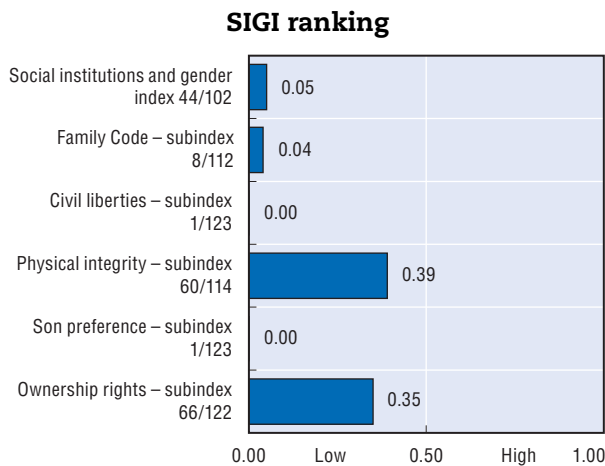
Women in Fiji have a relatively high level of protection within the family. The Marriage Act sets the minimum age of marriage to 16 years for women and 18 years for men, but parental consent is required if either party is younger than 21 years. However, the incidence of early marriage is relatively high: a United Nations report estimated that 10% of all Fijian girls between 15 and 19 years of age were married, divorced or widowed.

Traditionally, Fijians practised polygamy for both political and personal reasons. Such marriages established or strengthened clan alliances, and multiple wives were an indication of a man's wealth and power. Today, polygamy is illegal in Fiji.

Legislation grants parental authority to both parents with regards to the upbringing of their children. In the event of divorce, both parents have equal right to custody. Legally, men and women have equal rights to inheritance. A CEDAW study shows, however, that tradition favours male heirs over their female counterparts.

Physical integrity

The physical integrity of Fijian women is frequently not protected sufficiently, often because the law is not applied consistently. Violence against women is common and includes domestic violence, rape and indecent assault. The US Department of State reports that relatively mild penalties fail to provide disincentives against gender-based violence. In



some cases, the courts feel it is sufficient that the victim’s father accepts an apology from the perpetrator. Women’s rights movements are pressing for stricter punishments, such as criminalisation of spousal rape.

Awareness about domestic violence is rising in Fiji and more women are reporting such incidents. Nonetheless, many women still feel restricted by cultural and social pressures. Noting that a high number of complaints were subsequently withdrawn by the victims, the government introduced a “no-drop” policy in 1995, which aims to ensure that all reported cases receive due legal attention.

A gender-profiling study available on the UNIFEM Women War Peace Portal reports statistics that reflect the situation of women in Fiji. Along with their Samoan neighbours, Fijian women have the highest suicide rate in the world. In 1992, an estimated 41% of suicides were related to domestic violence.

There is no evidence to suggest that female genital mutilation is practised in the country, nor that it is a country of concern in relation to missing women.

Ownership rights

Women in Fiji have full ownership rights, including the same legal rights as men in access to land and access to property other than land. However, the CEDAW Committee reports that women have relatively limited knowledge of these rights. The US Department of State concludes that Fijian women also tend to be excluded from the decision-making process on disposition of communal land.

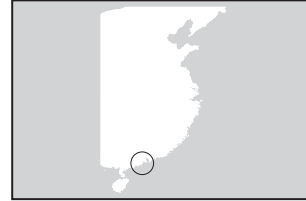
Fijian law provides men and women with the same access to bank loans and credit. In reality, access is biased towards men as they are better positioned to provide collateral and/or an initial deposit. The CEDAW Committee reports that the Fiji Development Bank and the Ministry of Women are taking steps to improve the situation by creating special credit schemes for women.

Civil liberties

Women have unlimited freedom of movement and freedom of dress. Women do not need the consent of a male family member to apply for and hold a passport, although they may be restricted from employment in traditionally male-dominated occupations (such as mining).

Hong Kong, China

Population	6 925 900
Female population (as % of total population)	52.0
Women's life expectancy	85.4
Men's life expectancy	79.3
Fertility rate (average births per female)	0.966



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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In 1997, Hong Kong, China, enacted a Sex Discrimination Ordinance that prohibits discrimination on the grounds of sex, marital status or pregnancy. While people acknowledge that gender stereotyping still exists, the popular belief is that it is not a particularly serious problem.

Nonetheless, a survey by the US Department of State shows that almost 80% of female workers in Hong Kong believe that they are discriminated against, that they have lower salaries than men and that they have fewer promotion opportunities. This is significant as women comprise about 45% of the labour force.

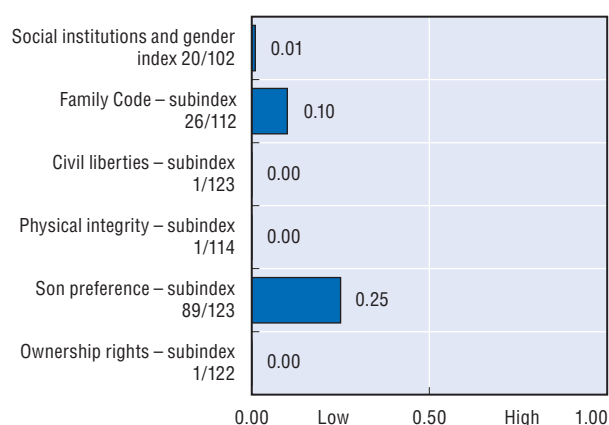
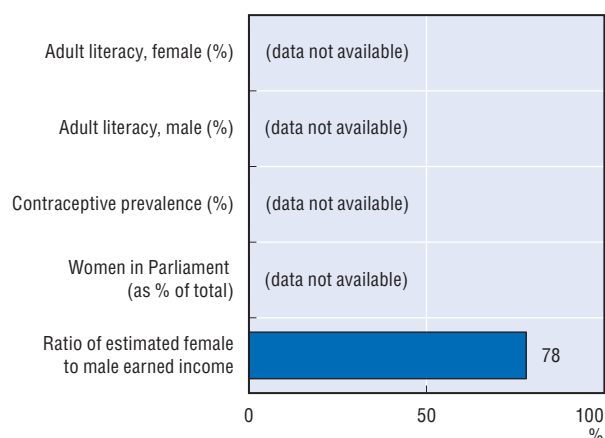
Family code

Women in Hong Kong are well protected in relation to family matters. The Marriage Ordinance sets the minimum age of marriage at 16 for both sexes, but parental consent is required for persons younger than 21. Early marriage is quite rare: a 2004 United Nations report estimated that only 2% of girls between 15 and 19 years old were married, divorced or widowed. In fact, Hong Kong has the highest female mean age of marriage (29 years) in the East Asia/Pacific region.

Polygamy was permitted by law in Hong Kong until 1971 when it was rendered illegal under the Offences against the Person Ordinance. Despite these developments, polygamy still occurs as a cross-border phenomenon, with many Hong Kong businessmen maintaining concubines in mainland China.

Parental authority in Hong Kong is shared by both parents; the Guardianship of Minors Ordinance ensures that men and women have the same rights and obligations towards their children. The CEDAW Committee reports that in the event of divorce, a court will determine custody. The guardian, be it the mother or the father, has the right to apply for maintenance payments from the other parent.

Although daughters and sons have equal legal rights to inheritance, in accordance with traditional Chinese practice, property is typically divided among sons, especially in the case of a family business. Prior to the 1994 implementation of the New Territories Ordinance, women were not allowed to inherit any land or property.

SIGI ranking**Select indicators of gender equality****Physical integrity**

Hong Kong offers a high level of protection for the physical integrity of women. Violence against women is prohibited under three legal frameworks: the Crimes Ordinance; the Offences against the Person Ordinance; and the Domestic Violence Ordinance. Spousal rape is recognised as a crime. In general, the government supports the principle of “zero tolerance of domestic violence”, but it has been criticised for failing to adequately address the problem. As reported by the US Department of State, a 2005 University of Hong Kong survey found that one in five families have experienced some form of domestic violence. Women’s advocates are proposing that the Domestic Violence Ordinance be strengthened in three areas: by expanding the scope of coverage to include ex-spouses and ex-cohabiters; by including psychological harm as a valid criterion for attaching power of arrest to an injunction; and by lengthening the duration of injunction orders.

There is no evidence that female genital mutilation is practised.

Ownership rights

Women in Hong Kong have strong support for economic independence. The law grants women and men above the age of 18 years equal access to land and access to property other than land. Women may also freely enter into contracts and apply for access to bank loans and other types of credit.

Civil liberties

Women in Hong Kong are not restricted regarding their civil liberties: they have freedom of movement and freedom of dress.

Indonesia

Population	225 600 000
Female population (as % of total population)	50.0
Women's life expectancy	72.7
Men's life expectancy	68.7
Fertility rate (average births per female)	2.2



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Indonesia is the most populous Muslim country in the world: more than 85% of its 235 million citizens are Muslims. Much of Indonesian legislation emphasises the importance of equal opportunities for men and women, but secular laws co-exist with Islamic principles and traditional customs that affect the lives of Indonesian women.

The situation of Indonesian women varies between regions and ethnic groups. Gender stereotypes and roles prevail in rural areas, where men are perceived as the bread winners and women as mothers and wives. Although 50% of Indonesian women are economically active, their level of protection within the economy remains limited: outside the agricultural sector, they constitute only 30% of salaried employees.

Family code

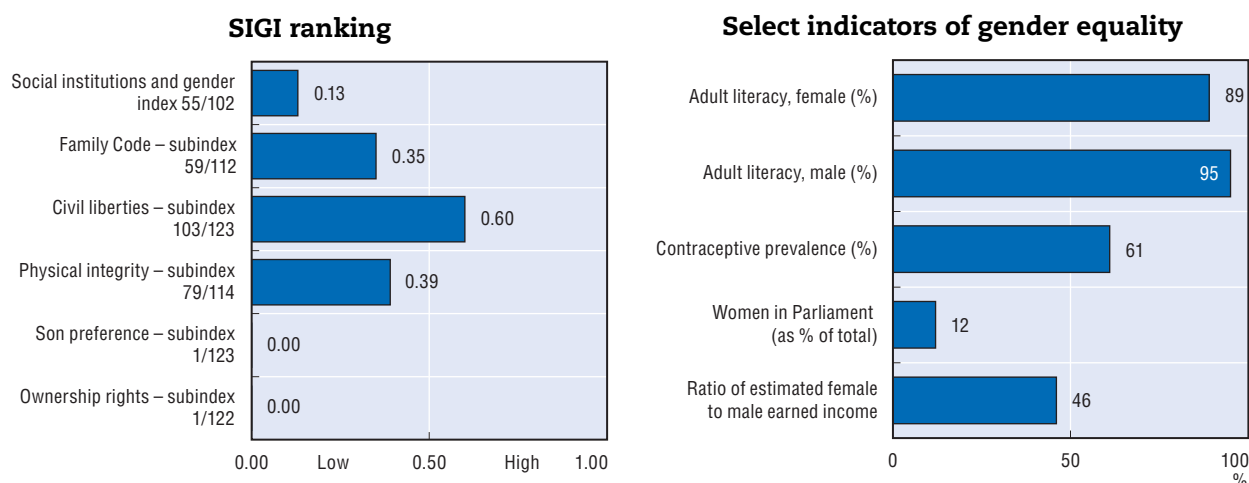
The situation of Indonesian women within the family context is difficult. The legal age of marriage is 16 years for women and 18 years for men. Although marriage patterns vary between regions and ethnic groups, early marriage is prevalent in rural areas. A 2004 United Nations report estimated that 13% of all Indonesian girls between 15 and 19 years of age were married, divorced or widowed.

As Islamic law allows for polygamy, a Muslim man in Indonesia may take as many as four wives, provided that he treats them fairly and can provide adequate financial support. The Marriage Law of 1974 states that permission to have multiple wives can be granted if a man can provide evidence that his first wife is unable to carry out her responsibilities as a wife, is suffering from a physical disability or falls victim to an incurable disease, or is unable to bear children. Indonesia's Marriage Law considers men to be the head of the house but parental authority is shared equally by men and women.

Inheritance practices vary between different regions and ethnic groups. Islamic law and many traditional customs tend to favour male heirs over female heirs, whereas a recent study by Cunningham shows that some groups pass down land rights from mothers to daughters.

Physical integrity

Indonesia has established various laws to protect the physical integrity of women, but these are not always enforced. Domestic violence is considered a private matter and



incidents are rarely reported. In April 2006, the Ministry of Health banned the practice of female genital mutilation, making it illegal for doctors and nurses to perform the procedure. However, FGM is still practised in some parts of the country by groups claiming the act is largely symbolic and not a real threat to women's health. Rape is a punishable offence in Indonesia but legislation does not recognise spousal rape.

Trafficking and prostitution pose serious threats to Indonesian girls and women, particularly those who are poor and lack education. As reported by the US Department of State, a study conducted by the Indonesian Ministry of Health in 2004 found that 90% of women (and 25% of men) claimed to have been subjected to some form of sexual harassment in the workplace.

There is no evidence to suggest that Indonesia is a country of concern in relation to missing women.

Ownership rights

Indonesia's Civil Code stipulates that men and women have equal ownership rights. Women have full rights concerning access to land. Despite this, a study by the UN FAO shows that it is common for patriarchal traditions and norms to limit women's access to productive resources.

Women in Indonesia have legal rights to access to property other than land. In the event of divorce, both spouses retain whatever property they owned individually prior to the marriage and must equally divide any joint property. Women also have access to bank loans and credit, and have the right to independently conclude contracts.

Civil liberties

In theory, legislation in Indonesia fully protects women's civil liberties. Women have freedom of movement in general, but Islamic Sharia law imposes restrictions in certain areas. There are no national restrictions on women's freedom of dress, but some regions impose dress codes. In West Sumatra, female civil servants are required to wear headscarves regardless of religious affiliation.

Korea, Democratic People's Republic

Population	23 782 802
Female population (as % of total population)	50.7
Women's life expectancy	69.3
Men's life expectancy	65.1
Fertility rate (average births per female)	1.9



Throughout Korea's Choson Dynasty (1392-1910), women had few social, economic and political opportunities, and their access to formal education was limited. The social status of women changed in 1945, following the establishment of the Democratic People's Republic of Korea (commonly known as North Korea). The principle of equality between men and women is stipulated in a number of laws, including the Constitution.

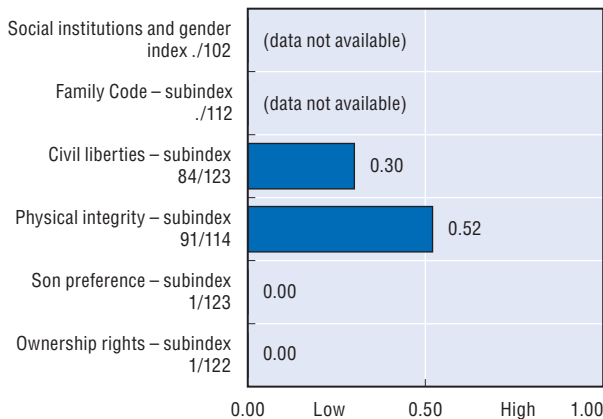
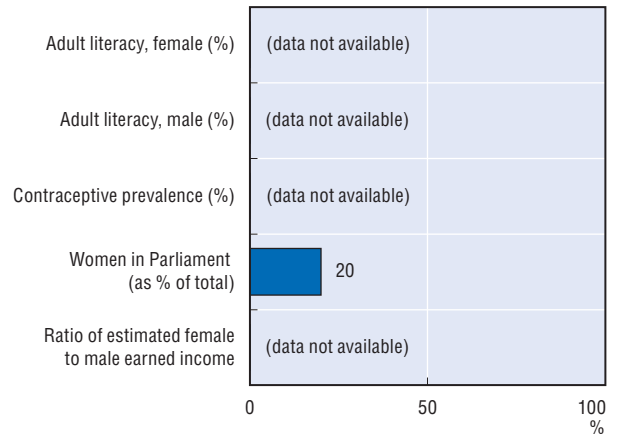
Officially, women in North Korea now have the same legal rights as men but their situation remains difficult as a result of the country's generally poor conditions following decades of dictatorship and economic isolation. Women are expected to work as many hours as men, but they also shoulder most of the responsibility for household chores.

While the following information is believed to be accurate, readers should note that information from NGOs and women's rights activists in North Korea is scarce.

Family code

Women in North Korea appear to be fairly well protected within the family context. The 1946 Law on Sex Equality set the minimum age of marriage at 17 years for women and 18 years for men. It also states that marriages are to be based upon the free will and mutual consent of both parties. Compatibility of class origins is a primary consideration in marriage and most young people marry only if they have the approval of their parents. According to defectors, the government does not promote early marriage and encourages young people instead to devote more time to work for the country and its people. Radio Free Asia reports that women in North Korea tend to marry at the age of 28 or 29, while men wait until they are 30 or 31 years old.

Article 7 of the Law on Sex Equality criminalises polygamy. The 1990 Family Law grants men and women equal parental authority. In the event of divorce, custody of children is decided by mutual agreement or by a court. The CEDAW Committee reports that custody of children younger than three years of age is usually awarded to the mother. No evidence is reported regarding legal discrimination against women in the area of inheritance, but information on actual practices is limited.

SIGI ranking**Select indicators of gender equality****Physical integrity**

Lack of data makes it difficult to assess the degree to which North Korea protects the physical integrity of women. For example, the country recorded only two cases of rape in 2003 and only one in 2004. However, violence against women is believed to be quite common. Independent sources, including the UN Special Rapporteur on Violence against Women, report that women in prison camps are subject to sexual abuse and forced abortions. The US Department of State provides evidence of the trafficking of women and young girls into China.

There is no empirical evidence that North Korea practises female genital mutilation or that it is a country of concern regarding missing women. However, according to CEDAW, grandparents have been known (on rare occasions) to demand continued childbirth until their own children deliver a grandson.

Ownership rights

Women in North Korea are not subject to gender-based discrimination in the realm of financial autonomy. The CEDAW Committee reports that individual property rights in North Korea derive from socialist distribution according to work carried out, and that the law makes no distinction between men and women in this respect. Within marriage, both spouses have equal rights to access to land and to property other than land: they separately own and control property of a personal nature or, alternatively, share joint ownership of any family property.

Women can have independent control over their finances and are able to conclude various contracts. At present, no information is available regarding women's access to bank loans.

Civil liberties

North Korea has no legal restrictions against freedom of movement for women. However, certain regulations prevent women from "dangerous and harmful labour" and prohibit pregnant women or women with infants from working at night. A report by Lankov states that women have been subject to bans that forbid smoking, driving and riding a bicycle.

Similarly, female modesty has always been encouraged and this extends to how women are expected to dress. The Lankov report also shows that for many years, women in Pyongyang and other major cities were not allowed to wear trousers, other than at work.

Lao, People's Democratic Republic

Population	5 859 890
Female population (as % of total population)	50.2
Women's life expectancy	65.8
Men's life expectancy	63.0
Fertility rate (average births per female)	3.2



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The 1991 Constitution of the Lao People's Democratic Republic (Lao PDR, commonly known as Laos) guarantees the principle of gender equality. Although equality is promoted further in a number of specific laws, legal awareness remains low, partly because more women than men are illiterate.

Laos is one of the world's most ethnically diverse countries. According to the Gender Resource and Information Development Centre (GRID), the country has 49 official ethnicities that can be grouped into four broad language families: the Lao-Tai (66.7%) in lowland areas; the Mon Khmer (20.6%) and the Hmong-lu Mien (8.4%) in midland areas; and the Chine-Tibet (3.3%) in highland areas. Hence, cultural differences play a large role in determining the role of women in this predominantly Buddhist country (65% of the population are Buddhists; 33% are Animists; 1% are Christians).

All Lao cultures place great emphasis on family units and social structures. Although over 50% of Lao women are economically active, usually in the agricultural or informal sectors, women still experience a lower standard of living than men.

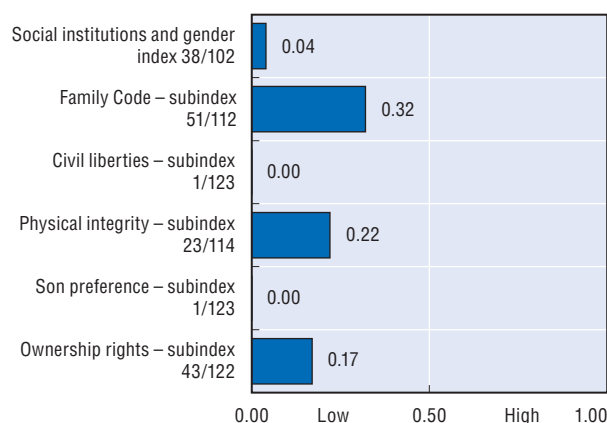
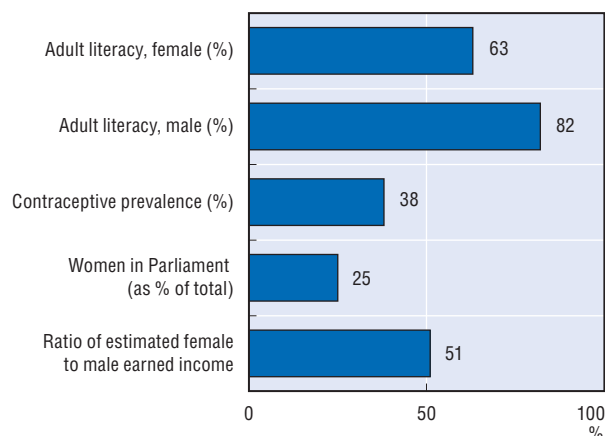
Family code

Marriage is of great importance to Lao people. The 1990 Family Law sets the legal marriage age at 18 years, but also states that this age can be lowered to 15 years "if appropriate". Early marriage is common, particularly for girls in rural areas who often marry at the age of 16 or 17 years. In some remote midland villages, Lao girls are sometimes married before they reach the age of 14 years. A 2004 United Nations report estimated that almost 27% of women between 15 and 19 years of age were married, divorced or widowed.

Article 4 in the Family Law holds monogamy as the governing principle of marriage. However, the Japan International Co-operation Agency (JICA) reports that polygamy remains customary among some Hmong mountain tribes.

Parental authority is granted to both parents, and men and women have the same right to be appointed guardian of their children. In the event of divorce, the courts award custody rights based upon the best interests of the children.

Men and women are treated equally under the 1990 Inheritance Law. There is still some discrimination in inheritance rights in that land inheritance tends to follow customary practices, which vary between ethnic groups.

SIGI ranking**Select indicators of gender equality****Physical integrity**

In 2006, Laos took a significant step forward by issuing a decree to make the Law on Women's Development and Protection fully enforceable. Despite this major achievement, violence against women remains common and especially domestic violence, perceived as a private matter. The 1992 Criminal Law does not specifically address domestic violence, and current legislation does not recognise spousal rape.

Female genital mutilation is not practised in Laos and there is no evidence to suggest that it is a country of concern in relation to missing women.

Ownership rights

The law grants men and women equal access to land but tends to be of less significance than customary traditions, most notably in terms of inheritance patterns. The majority Lao-Tai group applies matrilineal inheritance principles; among the Mon Khmer, Hmong-lu Mien and Chine-Tibet groups, inheritance typically follows patrilineal principles.

Both men and women have the legal right of access to property other than land. Property in the form of the family home generally follows the same inheritance patterns as land.

Similarly, men and women have equal access to bank loans. However, many women depend on their husbands to manage these affairs, or turn instead to more informal credit schemes. Responsibility for household finances is determined largely by ethnic customs.

In the event of divorce, pre-marital assets remain with their original owner while assets acquired during the marriage are divided equally between the spouses.

Civil liberties

Lao women generally have freedom of movement, although in rural areas traditional customs may prevent them from working far from the local village. Women also have freedom of dress but tend to dress modestly. Both women and men belonging to ethnic minorities often choose to wear traditional attire.

Malaysia

Population	26 549 518
Female population (as % of total population)	49.2
Women's life expectancy	76.7
Men's life expectancy	72.0
Fertility rate (average births per female)	2.6



The situation for women in Malaysia is improving over time as the government continues to implement legal amendments designed to eliminate discrimination. Much of this progress can be attributed to increased access to education for women and greater awareness of their constitutional rights.

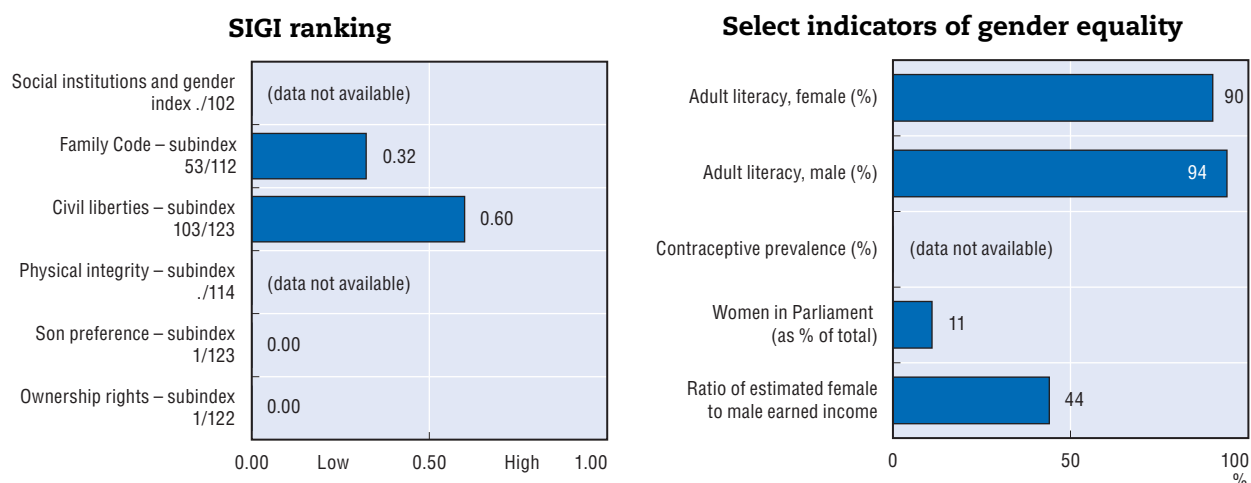
Still, many customary and traditional practices continue to discriminate between the sexes. The CEDAW Committee reports that each ethnic group in Malaysia is influenced by values that determine the role of women in the domestic/private sphere, while men dominate the public sphere.

Family code

Women in Malaysia have a moderate level of protection with regards to family matters, which are governed by a combination of civil, customary (Adat) and Islamic Sharia law. The civil Law Reform Act (LRA) entered into force in 1982 and set the legal minimum age of marriage to 16 years for women and 18 years for men. Early marriage is relatively infrequent in Malaysia: a 2004 report by the United Nations estimated that 5% of Malaysian girls between 15 and 19 years of age were married, divorced or widowed. The LRA states that all marriages shall be based upon mutual consent. However, the Islamic Family Law Act of 1984 stipulates that marriages are not fully recognised without the consent of a woman's male guardian (a *wali*).

Polygamy is illegal under the LRA, but Islamic law allows Muslim men to take as many as four wives, provided they can support all wives financially and agree to treat them fairly.

In 1999, Malaysia amended the Infants Act, thereby granting equal parental authority to both spouses. A subsequent cabinet directive in 2000 allowed all mothers, irrespective of religion, to sign any documents related to their children. In the event of divorce, the LRA gives men and women the same right to custody. Inheritance for non-Muslims is governed by the Inheritance (Family Provision) Act of 1971 and the Distribution Act of 1958. Before 1997, the Distribution Act discriminated against women in that when men died without leaving a will, their wives were entitled to only one-third of the property if the couple had children and one-half if they were childless. By contrast, when women died without leaving a will, all of their property was awarded to the husbands, irrespective of whether the marriage had produced



any children. Today, inheritance laws are more gender-neutral, although women are generally entitled to a smaller share than men. This is commonly justified by the argument that women have no financial responsibility towards their husbands and children.

Physical integrity

In theory, Malaysian legislation protects the physical integrity of women to a certain degree. However, violence against women is quite common. Despite the Domestic Violence Act of 1994, the law does not yet recognise the concept of spousal rape.

There is no clear picture of the prevalence of female genital mutilation in Malaysia. A study by Isa reports that it is uncertain whether FGM in Malaysia involves symbolic non-cutting rituals, similar to those found in Indonesia, or a form of clitoridectomy.

Despite an elevated sex ratio at birth in favour of males, Malaysia does not seem to be a country of concern in relation to missing women.

Ownership rights

The Constitution gives men and women equal access to land and to property other than land. Married men and women may own separate property, but any assets acquired during the marriage are considered joint property and, as such, divided equally in the event of divorce. Muslim women can claim one-third (in some cases one-half) of the value of jointly owned land and property in the case of divorce or upon the death of a husband.

Malaysian women have the legal right to access bank loans and to engage in contractual relationships. Access to credit typically depends on the level of income, and poverty is more prevalent amongst women than men.

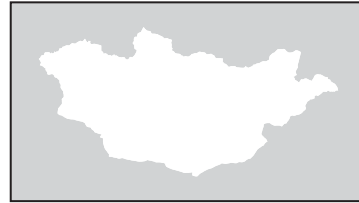
Civil liberties

Women's civil liberties in Malaysia are protected by law, but often hampered by social norms and traditions. Legally, women have freedom of movement, but locally imposed restrictions based on Sharia may apply in certain areas.

Similarly, there are no national restrictions on women's freedom of dress, but local authorities in Kelantan impose by-laws that force Muslim women to wear headscarves and impose fines for violators.

Mongolia

Population	2 608 413
Female population (as % of total population)	50.1
Women's life expectancy	69.9
Men's life expectancy	63.9
Fertility rate (average births per female)	1.9



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Mongolian Constitution of 1992 prohibits all forms of discrimination, stating that “no person may be discriminated against on the basis of ethnic origin, language, race, age, sex, social origin or status, property or post, religion, opinion, or education”.

In 1981 Mongolia ratified CEDAW – one of the first countries to do so. However, reports show that the country has yet to address several important articles. For example, no information is provided on sex roles and stereotyping, equality before the law and in civil matters, and equality in marriage and family law. As a result, official information on these issues is scarce. What is known, however, is that women in Mongolia are more likely than men to be unemployed and to suffer from poverty.

Family code

Mongolian women are relatively well protected within the family context. The legal age of marriage is 18 years for both sexes and all marriages are to be based on free and mutual consent. Cases of early marriage do exist but are increasingly rare. A 2004 United Nations report estimated that 6% of girls between 15 and 19 years of age were married, divorced or widowed. Increasingly, both men and women are marrying at a later age: a study by the Population Council covering the period 1989 to 2000 shows that the mean age at first marriage for women increased from 21.1 to 23.7 years, while the mean age for men rose from 23.3 to 25.7 years.

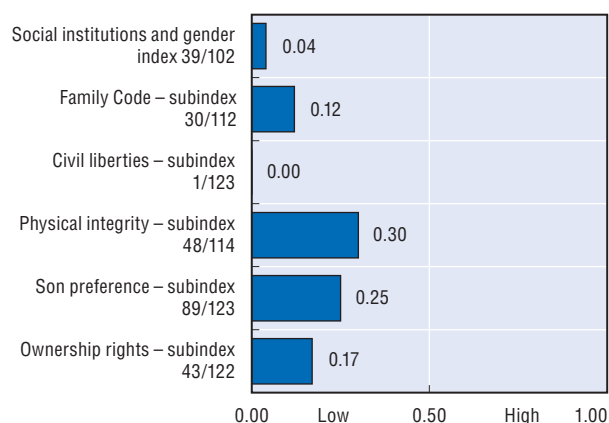
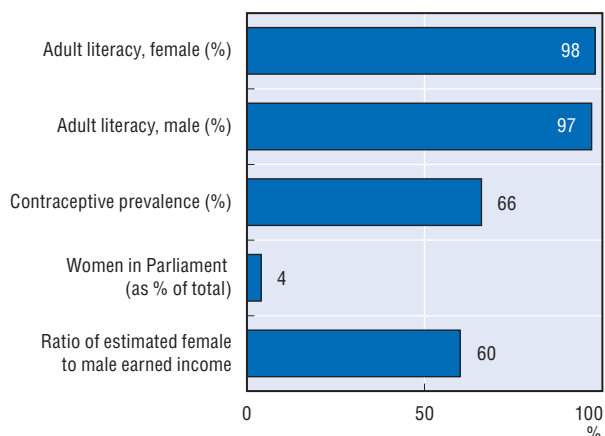
Polygamy reportedly exists in some regions of Mongolia, though no specific data on prevalence are available.

Mongolia's 1992 Family Law provides for equal parental authority and spousal rights. In practice, the responsibility of family and childcare falls almost exclusively on women.

Women and men also have the same legal rights in the area of inheritance.

Physical integrity

Legislation provides a high level of protection for the physical integrity of women in Mongolia. However, violence against women is a serious problem that has only recently received adequate attention. Provisions in the Criminal Code address violence against

SIGI ranking**Select indicators of gender equality**

women, but it has proven difficult to implement and enforce laws protecting women's rights. In 2005, the government passed a new law that specifically addresses domestic violence. It has also established a number of women's shelters.

There is no evidence that female genital mutilation is practised in Mongolia. The sex ratio at birth is slightly tilted in favour of males, suggesting that Mongolia is a country of concern regarding missing women.

Ownership rights

Legislation in Mongolia provides women with ownership rights. Women and men have equal rights to access land and property other than land. However, recent analysis by the Asian Development Bank (ADB) and the World Bank (WB) shows that new government regulations do not proactively support gender equality in access to, or control over, newly allocated land. For example, when registering land, the names of all adult household members must appear on the title, but an individual can waive this right. This raises concerns that land allotment may follow the trend of previous phases of privatisation – in which 46% of the properties (mostly rural livestock and urban housing) were allocated solely to male heads of households. The ADB and WB analysis reports that only 30% of titles were registered jointly to husbands and wives, and only 16% to wives alone.

The law in Mongolia does not differentiate between men and women with regards to access to bank loans and credit. The ADB and WB reported that women's share of the XAS Bank's small business loans was 57% in 2003 and 54% in the first quarter of 2004.

Civil liberties

Women in Mongolia do not face restrictions to their civil liberties; they have a high degree of freedom of movement and freedom of dress.

Myanmar

Population	48 782 825
Female population (as % of total population)	50.5
Women's life expectancy	65.3
Men's life expectancy	59.1
Fertility rate (average births per female)	2.1



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Myanmar is a multicultural society comprising some 135 ethnic groups, with Bamar, Chin, Kachin, Kayah, Kayin, Mon, Rakhine and Shan being the largest communities. Women's equal rights are safeguarded in national legislation, as well as in traditions and *dhammathats* (customary laws). Despite this legislation, there is a gender-based division of labour: in addition to performing 80% of all agricultural labour, women carry the main burden of household work.

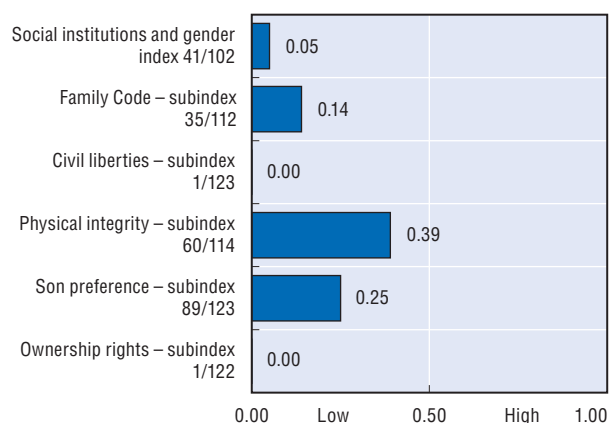
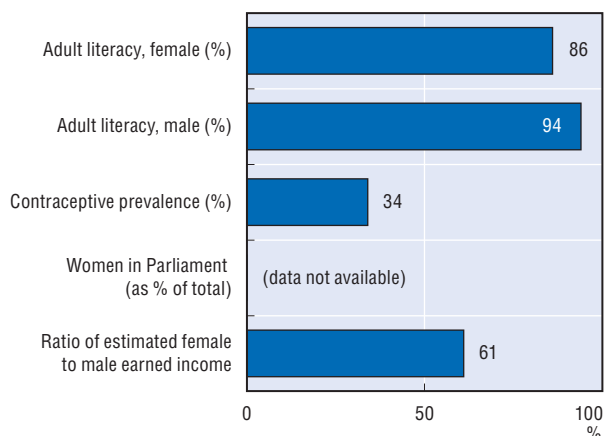
Family code

Women in Myanmar are well protected in some, but not all, aspects of family life. The country's customary law sets the legal age of marriage at 20 years for women. However, early marriage is still an issue of some concern. A United Nations report published in 2004 estimated that 11% of girls between 15 and 19 years old were married, divorced or widowed. Thanks to improved access to education and increased participation in the labour force, age at first marriage is gradually rising. In addition, the law states that all marriages shall be based on mutual consent. Polygamy is permitted under Myanmar customary law, but is socially frowned upon and generally unpopular. With regards to parental authority, fathers are perceived as the head of the household and have the duty of providing for their wives and children. Mothers carry out the majority of household-related work, including child-rearing, and may sometimes control the household finances. In the event of divorce, it is common that custody of boys is awarded to the father and of girls to the mother, but the children may be consulted in the decision-making process.

Both ancient *dhammathats* and present-day customary law grant men and women equal rights to inheritance. However, the CEDAW Committee reports that customary law does not recognise wills; any joint property held by a couple transfers automatically to the surviving spouse.

Physical integrity

Women in Myanmar have a moderate degree of protection for their physical integrity. The weakest area is that of violence against women, often closely linked to the country's national instability. Violent acts include political imprisonment, forced labour and systematic sexual abuse of minority women by armed forces. To date, there is no specific law against domestic violence and the government does not maintain related statistics,

SIGI ranking**Select indicators of gender equality**

which makes it difficult to judge the extent of the issue. However, as married women often live in households with extended families, social pressure provides some degree of protection against spousal abuse. Spousal rape is not considered a crime unless the wife is younger than 14 years.

Female genital mutilation is not practiced in Myanmar. However, there is some evidence to suggest that Myanmar is a country of concern in relation to missing women.

Ownership rights

Legislation in Myanmar generally supports the financial independence of women. They have the same legal rights as men in regards to access to land and to property other than land. In marriage, husbands and wives are considered co-owners. Women and men have equal legal rights to apply for bank loans and engage in other types of contracts. The Myanmar Women's Affairs Federation operates a micro-credit scheme that specifically targets women. In 2006, this scheme provided temporary loans of MMK 72.4 million (USD 11.2 million) to a total of 8 608 women. The CEDAW Committee reports that a similar programme run by the Myanmar Maternal and Child Welfare Association has provided loans totalling close to MMK 180 million (USD 28 million) to more than 45 000 women with a desire to manage small-scale businesses or breed livestock.

Civil liberties

Civil liberties are quite restricted in Myanmar, but this is true for all citizens and not specifically discriminatory against women. Freedom of movement is very limited. All citizens need three documents to travel outside the country: a passport from the Ministry of Home Affairs; a revenue clearance from the Ministry of Finance and Revenue; and a departure form from the Ministry of Immigration and Population. The government frequently hinders or restricts international travel for young women, in part to address the problem of human trafficking.

Women enjoy freedom of dress, but are expected to wear modest apparel in Buddhist pagodas and monasteries.

Papua New Guinea

Population	6 324 097
Female population (as % of total population)	49.2
Women's life expectancy	60.4
Men's life expectancy	54.6
Fertility rate (average births per female)	3.8



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Papua New Guinea is home to a number of different clans and tribes whose kinship ties determine the manner of relations between people. In general, women lack equal access to education and lag behind men in terms of employment opportunities. Violence against women is common, and is exacerbated by widespread poverty.

Family code

Legislation in Papua New Guinea provides women with a relatively high level of protection in relation to family matters. However, populations living in the country's many remote and isolated villages remain unaware of national laws governing marriage and family life, and are instead governed by ancient traditions and customs.

The legal age of marriage in Papua New Guinea is 16 years for women and 18 years for men. Many parents and communities accept the concept of early marriage at ages as low as 14 or 15 years. A 2004 United Nations report estimated that 21% of girls between 15 and 19 years of age were married, divorced or widowed. As people are expected to marry outside of their clan, the choice of partner is rarely left to individuals.

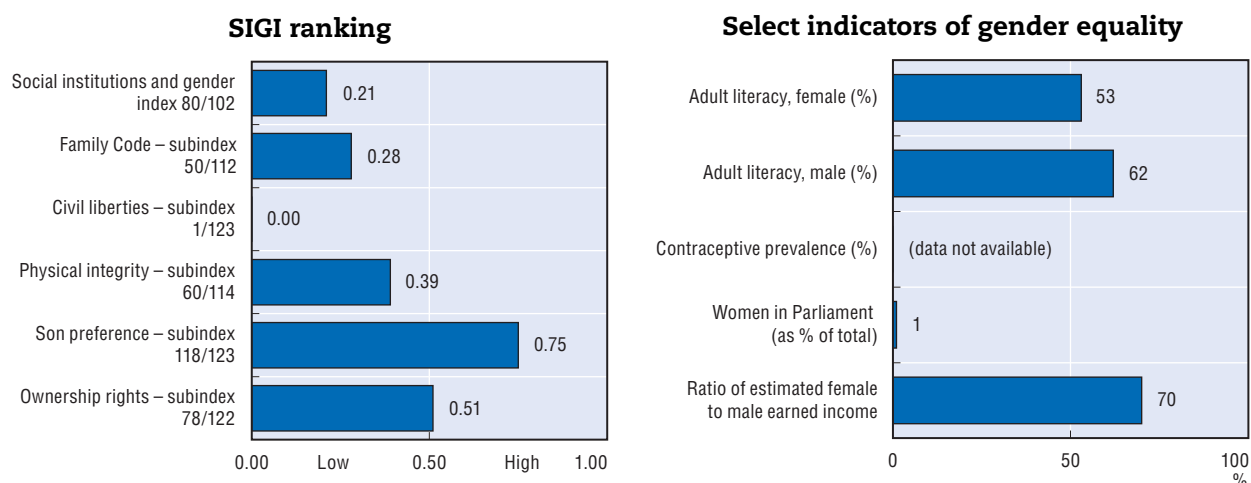
The practice of polygamy is widespread, particularly in the Highlands where tradition allows men to take as many as five or six wives. This tradition stems in part from practical considerations: having more than one wife ensured that the family workload would be shared among more people. A recent study by Fagon indicates that polygamy remains prevalent, although less common, and is practised primarily as a means to flaunt wealth.

The law in Papua New Guinea grants parental authority to both spouses, who share responsibilities towards their children.

Women have the right to inheritance. Land and property rights are generally passed from parents to children or from uncles to nieces and nephews.

Physical integrity

Legislation protects women's physical integrity but violence against women is common in Papua New Guinea. Some sources report that the authorities often ignore complaints, and that victims also run the risk of experiencing additional assault at the hands of the police. Domestic violence is a criminal offence, yet is viewed as a private matter and rarely addressed. According to a study by Garap, the tradition of paying a "bride



price” reinforces the view that women are “property”, and therefore is a major contributor to domestic abuse. Rape is punishable with imprisonment but the US Department of State reports that the crime is difficult to combat because some communities prefer to settle incidents of rape through material compensation rather than criminal prosecution. Female genital mutilation is not a general practice in Papua New Guinea. However, evidence seems to suggest that the country is of major concern in relation to missing women.

Ownership rights

It is difficult for women in Papua New Guinea to achieve financial independence for several reasons. Their access to land and to property other than land is limited by customary law that determines ownership of about 90% of land and by the fact that men determine most (if not all) decisions pertaining to land use. Land ownership follows matrilineal principles in some regions, but even then decisions are likely to be made by a brother (or other male relative) of the female land owner. By contrast, ADB data show that women’s access to bank loans is improving. Their participation in the micro-finance sector is high and they are more likely than men to translate their loans into benefits for their families. Nonetheless, any earnings from female investments typically remain under the control or influence of their families and clans.

Civil liberties

Women in Papua New Guinea have a high degree of civil liberty. There are no legal restrictions on freedom of movement or freedom of dress.

Philippines

Population	87 892 094
Female population (as % of total population)	49.6
Women's life expectancy	73.9
Men's life expectancy	69.5
Fertility rate (average births per female)	3.2



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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In 1987, the government of the Philippines introduced a Constitution that affirms equality for all citizens. Still, significant gender imbalances remain. Customary laws that discriminate against women prevail, particularly in rural areas where girls and boys have unequal access to education, and men and women have different employment opportunities. In the cities, government agencies are slowly recognising women's rights and granting them legal authority to exercise those rights, especially in concluding contracts, and owning land or property.

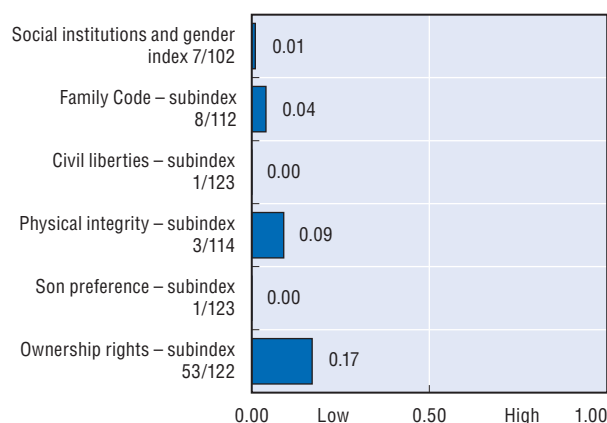
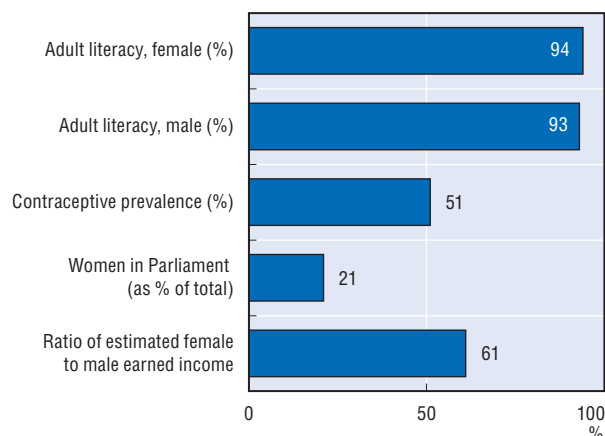
Family code

Women in the Philippines have a relatively high degree of protection within the family context. The 1997 Family Code removed several discriminatory provisions under the Civil Code. The family code set the legal age of marriage at 18 years for both men and women. Still, the incidence of early marriage is somewhat elevated: a 2004 United Nations report estimated that 10% of girls between 15 and 19 years of age were married, divorced or widowed. Polygamy is illegal for non-Muslim citizens (about 95% of the population) and arranged marriages are not part of Filipino tradition. Filipino law does not provide for divorce, although if one spouse is a foreign national, the courts generally recognise the legality of divorces obtained in other countries.

Within the Constitution, men and women are granted equal parental authority and shared responsibility for raising their children. In cases of marriage annulment, illegitimacy or divorce in another country, the family code provides that children under the age of seven are placed with the mother, unless there is a court order to the contrary. There is no legal discrimination between men and women in the area of inheritance.

Physical integrity

The Philippines is taking steps to better protect the physical integrity of women. Violence against women does occur but legal protection is more readily available since the adoption (in 2004) of the Anti-Violence against Women Act. This Act criminalises physical, sexual, and psychological harm or abuse to women and their children committed by their spouses or partners (or fathers, in the case of children). Incidents of such abuse are believed to be underreported. Female genital mutilation is not a general practice in the Philippines, but reportedly exists among some Muslim groups.

SIGI ranking**Select indicators of gender equality****Ownership rights**

In theory, men and women now have equal legal access to land and to property other than land. However, men are still the primary property owners, despite several initiatives to institute land reform.

The Comprehensive Agrarian Reform Law states that all qualified women members of the agricultural labour force must be guaranteed equal rights to ownership of land, equal share of farm produce, and equal representation within advisory or other decision-making bodies that represent agrarian reform beneficiaries. In turn, in 2002 the Environment and Natural Resources Department amended its regulations on alienable and disposable public lands, thereby granting women equal rights to apply for the purchase or lease of public lands.

Legally, women have equal access to bank loans, but customary traditions inhibit their financial independence. Having the greater share of property ownership, men are better able to provide collateral for larger loans, whereas women's access to credit is limited to smaller amounts. Similarly, although women have the legal right to independently enter into contracts, many financial institutions still demand that the male partner co-sign any financial contracts. In 1995, the congress gave the government a mandate to assist Filipino women in their pursuit of owning, operating and managing small business enterprises. The CEDAW Committee reports that this mandate included provision that all women certified to have received appropriate training (at any government or government-accredited training institution) are eligible to obtain loans from government financing institutions.

Civil liberties

The vast majority of Filipino women have a high level of civil liberty. There are no legal restrictions on women's freedom of movement, although some Muslim women are restricted in their mobility outside the home. Similarly, there are no legal restrictions on women's freedom of dress, but Muslim women might veil themselves or cover their hair.

Singapore

Population	4 588 600
Female population (as % of total population)	49.7
Women's life expectancy	82.9
Men's life expectancy	78.2
Fertility rate (average births per female)	1.3



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Singapore Constitution provides men and women with equal political, economic and social rights. Negative stereotypes of women have been eliminated over time, largely due to increased levels of education and better job opportunities for women.

Family code

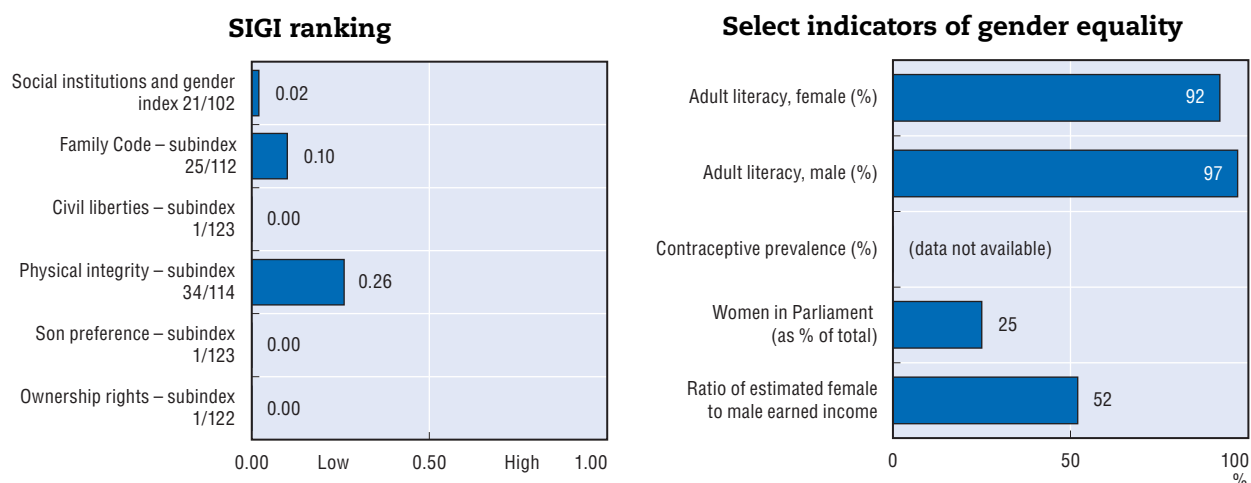
Women in Singapore are fairly well protected within the family context and family matters are governed by two distinct legislative systems: the civil Women's Charter and Islamic Sharia law.

The Women's Charter governs all civil marriages in Singapore and fixes the minimum legal age of marriage to 18 years, with parental consent. Persons younger than 18 years who wish to marry must first apply for a Special Marriage License from the Ministry of Community Development, Youth and Sports. The average age at first marriage has risen in recent years and early marriage is increasingly rare: a 2004 United Nations report estimated that only 1% of girls between 15 and 19 years of age were married, divorced or widowed.

Following Sharia law, Singapore allows Muslim men to practise polygamy. Men may take as many as four wives, but only if the first wife consents and if permission has been granted by the religious authorities. A study by the US Department of State shows that in 2006 the authorities approved only 13 out of 44 applications for polygamous marriages.

Parental authority is exercised jointly. In the event of divorce, custody is granted according to the best interests of the children, although religious and customary practices may be considered. The Constitution was amended in 2004 to allow children born overseas to acquire Singapore citizenship by descent from their Singaporean mother. Previously, only fathers could pass Singapore citizenship to foreign-born children.

Differences between civil law and Sharia are most evident in matters related to inheritance. Traditionally, across all cultures in Singapore, sons inherited family assets while daughters were expected to marry into another family. This pattern is less common today, as civil law grants equal rights to male and female heirs. By contrast, Islamic law typically continues to favour male heirs.



Physical integrity

The physical integrity of women in Singapore is, for the most part, well protected. Singapore law prohibits violence against women, including domestic violence and sexual or physical harassment. Rape is illegal in Singapore, although spousal rape is not yet criminalised. However, husbands who force their wives to have sexual intercourse can be prosecuted for assault. According to a report from the US Department of State, 1 627 women applied for personal protection orders against their husbands in 2005.

Several recent government and NGO initiatives provide protection and assistance to abused women. For example, the Family Violence Dialogue Group – a consortium comprising the Ministry of Health, the Ministry of Education, the National Council of Social Service, courts and prisons, and social service agencies – was established to facilitate dialogue between agencies, co-ordinate public education efforts and develop new areas for collaboration on family violence issues.

There is no evidence to suggest that female genital mutilation is a general practice. However, it is believed that some Muslim communities continue to carry out a symbolic ceremony for young girls, but do not perform any cutting or excision.

There is no evidence to suggest that Singapore is a country of concern in relation to missing women.

Ownership rights

Legislation in Singapore supports financial independence for women. The Women's Charter gives women access to land and to property other than land. Women also have equal access to bank loans and other forms of credit, and the right to enter into legal contracts independently.

Civil liberties

Women in Singapore enjoy a high level of civil liberty, with freedom of movement and freedom of dress.

Chinese Taipei

Population	Data not available
Female population (as % of total population)	Data not available
Women's life expectancy	82.0
Men's life expectancy	75.0
Fertility rate (average births per female)	1.0



Over the past century, Chinese Taipei has adopted a Western civil legal system. Despite these developments, its Civil Code retains strong paternal characteristics. A comparative study by Chen suggests that legislation in the People's Republic of China is better at upholding the principle of gender equality.

Thanks to the initiatives and efforts of private organisations, awareness of women's rights issues in Chinese Taipei is increasing. In the past decade, the government has implemented various legal amendments that aim to protect women's interests. One example of positive progress concerns education: the portrayal of traditional gender roles in school textbooks has been eradicated.

Family code

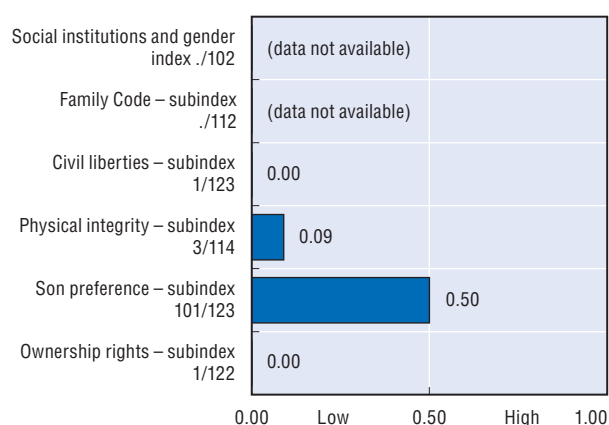
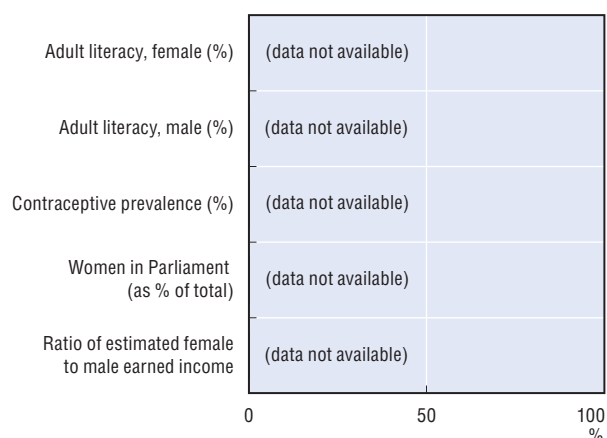
Legal frameworks in Chinese Taipei provide women with a high degree of protection in family matters. Early marriage appears to be uncommon. The legal marriage age is 16 years for women and 18 years for men, but a 2006 study by the Ministry of Interior reports that the national averages are much higher: 28.5 years for women and 32.5 years for men. Officially, polygamy is illegal in Chinese Taipei. However, it is not uncommon for wealthy Taiwanese men to have concubines or second wives in the People's Republic of China.

Recent revisions to the Civil Code in Chinese Taipei grant men and women equal rights with regards to parental authority. However, women are still defined largely by their roles as mothers, wives and homemakers and were only granted equal custody rights in 2002. Prior to that time, fathers were automatically granted custody of the children, even in the event of divorce by mutual consent.

The law does not discriminate between men and women in the area of inheritance. However, an article by Gao in the Taiwan Review reports that daughters are often expected to forego their rights in deference to their brothers.

Physical integrity

The protection of the physical integrity of women in Chinese Taipei is quite high and continues to improve. The government recently introduced new laws to protect women from gender-based violence: the 1997 Sexual Assault Prevention Act criminalises all sexual violence against women, including spousal rape; the 1999 Domestic Violence Prevention Act

SIGI ranking**Select indicators of gender equality**

gives police and government officials the authority to take action in domestic conflicts, even in the absence of a formal lawsuit by the victim; and the 2006 Sexual Harassment Prevention Act extended legal protection for women to include verbal and psychological harassment.

Enforcement of these laws varies between regions and domestic violence remains a problem. There appears to be a particularly high rate of domestic violence in cross-border marriages, many of which are arranged by international brokers. According to a US Department of State study, more than 61 000 cases of domestic violence were reported between January and November of 2006 – representing a projected 9% increase over cases reported in 2005. The Ministry of Interior cites this as evidence of women's increased willingness to report incidents.

There is no evidence to suggest that female genital mutilation is practised in Chinese Taipei.

The sex ratio at birth in Chinese Taipei is slightly in favour of boys, which suggests some incidence of missing women.

Ownership rights

Recent legal reforms have served to provide better protection of women's ownership rights. Until the Civil Code was revised in 2002, women in Chinese Taipei were deprived of managing their matrimonial property, including access to land and to property other than land. Today, men and women have equal legal rights to property registered under their respective names.

Legal provisions do not discriminate against women in their rights to access to bank loans and other forms of credit. Female entrepreneurs benefit from various micro-credit schemes, but are still out-numbered by male borrowers. A study on the framework for integrating Chinese Taipei into the Asia-Pacific Economic Co-operation (APEC) group shows that in the first quarter of 2003 more than 1 200 women received micro-entrepreneurship loans, representing almost 25% of successful applicants.

Civil liberties

Women in Chinese Taipei have a high degree of civil liberty. They do not face any legal restrictions on their freedom of movement and freedom of dress.

Thailand

Population	63 832 135
Female population (as % of total population)	51.2
Women's life expectancy	75.0
Men's life expectancy	66.5
Fertility rate (average births per female)	1.9



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The 1997 Constitution provides women and men in Thailand with equal rights. Nevertheless, gender inequality is manifest in violence against women, discrimination and human trafficking for prostitution.

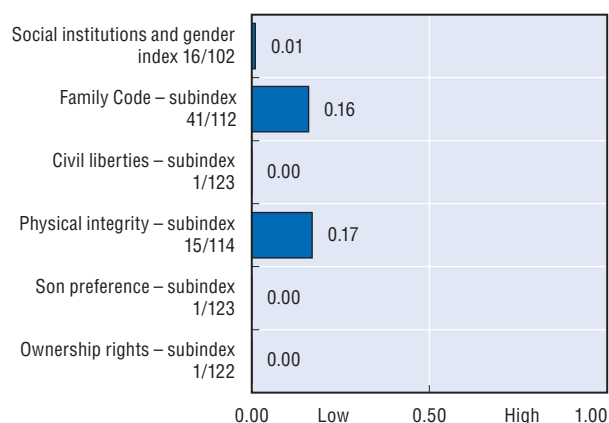
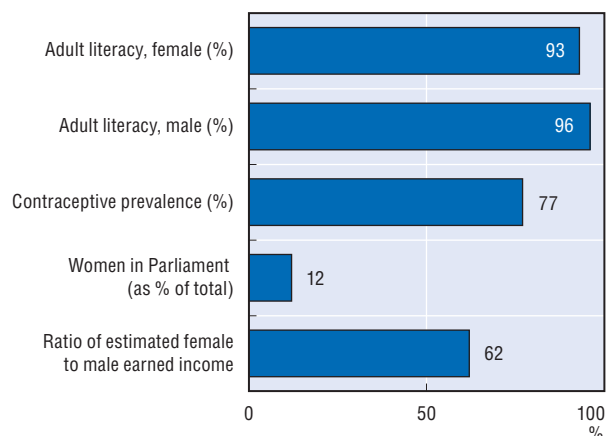
Women make up just over 40% of the Thai labour force and employers are required to provide them the same wages and benefits as men. Despite the fact that more than half of the country's university graduates are female, women are still concentrated in low-paying jobs. Stereotypical attitudes tend to limit perceptions of women's physical and psychological abilities and restrict the range of jobs that women enter into. Police and military academies, for example, do not accept female students.

Family code

Legislation in Thailand grants women a fairly high level of protection within the family context. The legal age for marriage is 17 years for both men and women, and individuals normally marry their partner of choice. With regards to early marriage, a 2004 United Nations report estimated that 15% of girls between 15 and 19 years of age were married, divorced or widowed. Polygamy was common among the country's elite in the past but is now rare: modern cases involve wealthy men who sometimes have a *de facto* second wife, known as the "minor wife". Family Law does not outlaw polygamy, but according to a report published by the CEDAW Committee, a man who engages in a second marriage is considered to have committed perjury, and can be fined or imprisoned for up to six months.

Women have equal legal rights to exercise parental authority in the family, but traditionally men are seen as the head of the household. In the event of divorce in which the parents cannot agree upon custody rights, it is quite common for judges to grant custody to fathers.

Thai law does not distinguish between men and women with regards to inheritance. According to a CEDAW Committee report, the right to inheritance is instead attributed in the following order: i) descendants; ii) parents; iii) siblings who share the same father and mother; iv) siblings who share one parent; v) paternal and maternal grandparents; and vi) aunts and uncles. The youngest daughter of a family is often expected to care for the parents in their old age, in which case she usually inherits the family home.

SIGI ranking**Select indicators of gender equality****Physical integrity**

Legal frameworks in Thailand provide women with a high degree of protection for their physical integrity, but problems remain. Violence against women is a criminal offense, with penalties depending on the age of the victim, the type of assault, and the physical and mental condition of the victim after the assault. However, the social perception is that violence against women is a private matter. Many incidents remain unreported and reliable statistics on domestic violence are difficult to obtain. Rape is illegal in Thailand, but the law does not address the issue of spousal rape. Human trafficking and the commercial sex trade is also a significant problem in Thailand.

Female genital mutilation is not practised in Thailand, and there is no evidence to suggest it is a country of concern in relation to missing women.

Ownership rights

In theory, women in Thailand have the same legal access to land as men. However, the law allows that only the head of the household may acquire land and the Ministry of Interior routinely registers men as the heads of households. This negatively affects women's ability to obtain land in their own names.

Women and men also have equal access to property other than land. Conjugal property is either managed jointly or by one spouse who has been given consent to do so by the other spouse. A CEDAW Committee report states that if either spouse enters into any legal contract independently or without the consent of the other spouse, the latter may apply to a court to have the contract revoked.

Women in Thailand have access to bank loans and other forms of credit.

Civil liberties

Laws and customs in Thailand support a high degree of civil liberty for women: there are no legal restrictions to their freedom of movement or freedom of dress.

Timor-Leste

Population	1 061 129
Female population (as % of total population)	49.3
Women's life expectancy	61.7
Men's life expectancy	60.0
Fertility rate (average births per female)	6.5



The Constitution of the Democratic Republic of East Timor supports freedom from gender-based discrimination. Following 25 years of brutal civil war, both women and men struggle with widespread poverty, unemployment and general poor health. Particularly vulnerable groups include war widows, women stigmatised because they have mothered children of Indonesian soldiers, and internally displaced women and children.

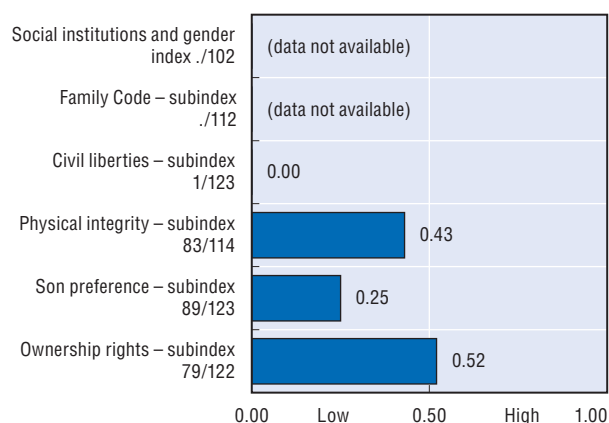
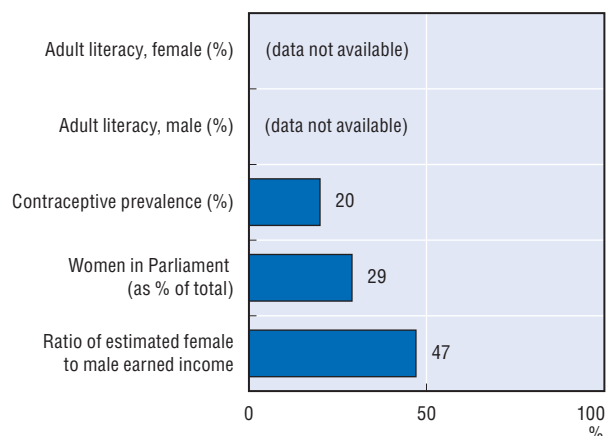
Although East Timor has made significant progress in relation to women's rights since independence in 2002, a USAID study indicates that several factors are impeding further advances. The gender division of labour at the community level is relatively rigid, and women's low levels of literacy and education are often cited as reasons for excluding them from community processes. Approximately 98% of the population are Roman Catholic and tend to remain conservative on social and gender issues at a national level.

Family code

Various traditional customs hinder the rights of East Timorese women within the family context. Although exact statistics are not available, early marriage does not appear to be a serious problem. In fact, more than 65% of women marry between the ages of 20 to 24 years and the median age at first marriage is 20.5 years. In recent years, the average age of marriage has been getting younger, in contrast to global trends. A study by Risopatron attributes the decline to numerous causes such as the end of hostilities, the effort towards nation building, and low enrolment of teenage girls in the school system. Most of East Timor maintains a traditional bride-price custom, called *barlaque*, although the practice varies amongst different communities. A USAID report says it can contribute to problems of domestic violence in that the wife is perceived as becoming the property of the husband and his family, and is expected to act obediently.

Polygamy is known to exist in East Timor but data on its prevalence are not available at time of publication. Parental authority is jointly shared by both spouses, although women remain the principal caretakers of children.

Men are also often favoured in matters of inheritance, primarily because most communities in East Timor are patri-local, meaning that married couples usually live with or near the husband's family and the wife is expected to move if necessary.

SIGI ranking**Select indicators of gender equality****Physical integrity**

Women in East Timor have little protection for their physical integrity. Violence against women is a serious issue. A UNIFEM study on East Timor attributes the high levels of domestic violence to five main causes: the society is strongly patriarchal with men holding the majority of decision-making positions; women have less access to education and remain economically dependent; religious leaders typically prioritise family unity and harmony over a woman's right to freedom from domestic violence; cultural and traditional practices (such as dowries, judicial discrimination against women, adultery and polygamy) remain strong and the brutality associated with the recent occupation has desensitised people to violence in general. Finally, the widespread public view that domestic violence is a private matter discourages police and justice officials from intervening.

There is no indication that female genital mutilation is practised in East Timor. There is some evidence to suggest it is a country of concern in relation to missing women.

Ownership rights

Existing traditions and customary laws constrain the ability of women to attain economic independence in East Timor. A study by Wright demonstrates that most traditional land systems discriminate against women by limiting their access to land. Men also dominate ownership and access to property other than land.

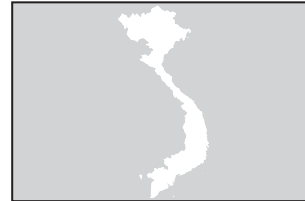
Women also have limited access to bank loans and credit, often due to illiteracy and a general lack of awareness about opportunities. In response, some organisations have recently established micro-credit initiatives that target women specifically.

Civil liberties

East Timor has no legal restrictions on women's freedom of movement. However, security concerns and gender-specific social obligations limit women's mobility. The patriarchal nature of society also limits the input of wives into the choice of family residence. There are no legal restrictions on freedom of dress.

Viet Nam

Population	85 154 900
Female population (as % of total population)	50.0
Women's life expectancy	76.2
Men's life expectancy	72.3
Fertility rate (average births per female)	2.1



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The position of Vietnamese women has improved since the 1950s. In 2006, the National Assembly passed the country's first Law on Gender Equality. According to the US Department of State, this law aims to address a range of issues (such as wage gaps) and eliminate discrimination based on gender.

Viet Nam has 54 official ethnic groups, some of which still nurture patriarchal traditions such as the marriage of young girls and marriage of a widow to her deceased husband's brother. Public life is still traditionally viewed as a predominantly male domain, while women remain responsible for domestic chores. This is particularly true in rural areas and in the highlands.

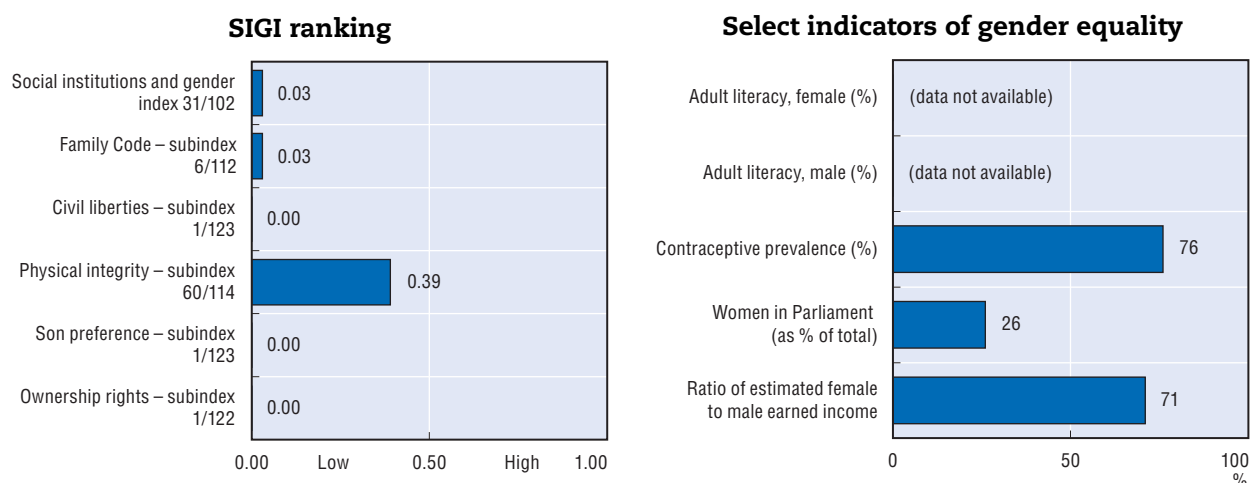
Family code

Women in Viet Nam are well protected within the family context, although some traditional practices sustain male domination. The Marriage and Family Law sets the minimum marriage age at 18 for women and 20 for men. However, early marriage still occurs in rural and mountainous regions: a 2004 United Nations report estimated that 8% of Vietnamese girls between 15 and 19 years of age were married, divorced or widowed.

In marriage, men and women are generally treated equally. Polygamy has been illegal in Viet Nam since the 1950s and is no longer practised. Parental authority is granted to both parents. With regards to inheritance, Viet Nam's Civil Code provides men and women with equal opportunities to write a will or benefit as an heir. However, certain inequalities can be observed. If a person dies without a will, the law requires an equal distribution of property among the next of kin. In practice, the general custom is for the eldest son to inherit the parental home and the largest portion of the family property, particularly land. Younger sons will often inherit some land or other assets of value, while daughters receive only small symbolic items. Children generally become part of their father's patrilineage at birth, although matrilineal customs prevail in some highland groups.

Physical integrity

The physical integrity of women in Viet Nam is insufficiently protected. Violence against women is widespread, particularly in the family context. Approximately two-thirds of divorces in Viet Nam are reportedly due, in part, to domestic violence.



The US Department of State reports that although the divorce rate has risen in recent years, there is evidence that many women remain in abusive marriages rather than confront the social and family stigma – as well as the economic uncertainty – that can follow divorce. The Viet Nam Women’s Union and international NGOs promote rehabilitation programmes and shelters for victims of violence and sexual abuse, including prostitution.

There is no indication that female genital mutilation is practised in any form in Viet Nam, or that it is a country of concern in relation to missing women.

Ownership rights

Women and men in Viet Nam have equal ownership rights, including access to land. However, the government of Viet Nam does not legally recognise privately owned land. Instead, the Land Law grants individuals long-term leaseholds through land-use right certificates. According to a study by the CEDAW Committee, women accounted for only 10% to 12% of the 12 million farmers having been allotted land by the end of 2000. This reflects women’s limited awareness of their right to access land and traditional customs that place the husband as the head of the household. Vietnamese women have equal access to property other than land. Some ethnic minority groups favour male ownership while others follow matriarchal systems in which women control family property.

Officially, women in Viet Nam have legal access to bank loans, but many women have only a limited understanding of their financial possibilities and lack the capacity to formulate the effective business plans needed to acquire commercial loans. These issues may be addressed by the recent establishment of lending institutions that specifically target women borrowers.

Civil liberties

Legal frameworks provide Vietnamese women with a relatively high degree of civil liberty. There are no legal restrictions on women’s freedom of movement, although traditions and customs often insist that women “follow after” their husbands, meaning they are expected to live in the residence of their husband’s choosing. There are no restrictions on freedom of dress, but some women may choose to wear clothes specific to their ethnic group.

Low discrimination

- CROATIA
- KAZAKHSTAN
- RUSSIAN FEDERATION
- UKRAINE
- MOLDOVA, REP.
- BELARUS
- FYROM
- KYRGYZSTAN
- ARMENIA
- GEORGIA
- TAJIKISTAN
- AZERBAIJAN



SIGI ranking

- ALBANIA

High discrimination

Europe and Central Asia

Gender discrimination in social institutions is relatively low in the 17 countries of Europe and Central Asia. All of the countries ranked in the SIGI are in the top half of the distribution with Croatia, Kazakhstan, Russia and Ukraine figuring among the top ten. However, women’s physical integrity remains a key concern in the region.

Overall, women in Europe and Central Asia enjoy high levels of equality in all aspects of society. This is largely a legacy of the former Soviet system, which was a driving force in much of the region for introducing gender equality into legal frameworks. Today, most countries uphold the principle of gender equality in their constitutions and laws. Women also are generally well protected by the family code, particularly with respect to parental authority. Women and men share equal rights and responsibilities within the family. Similarly, there is very little discrimination in the area of inheritance.

However, in some countries there is a gap between theory and practice. For example, legal codes generally protect women’s formal access to property, but they aren’t always enforced. In Uzbekistan, women have legal rights to own property but the proportion of women who actually have access to land is low.

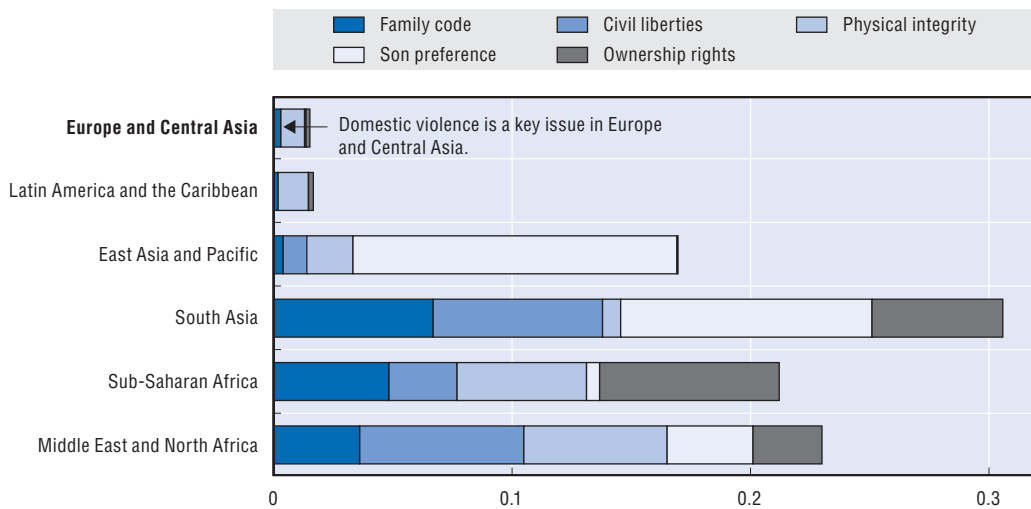
An important challenge since the end of the Soviet system, especially in rural areas, has been a resurgence in patriarchal attitudes and a reversion to historic stereotypes that place women in traditional family roles or as agricultural workers. In the Kyrgyzstan and Tajikistan, for example, these changes have affected women’s access to land.

Note of SIGI ranking: Not included in the overall SIGI ranking: Bosnia and Herzegovina, Serbia and Montenegro, Turkmenistan, and Uzbekistan.

Key issue: Violence against women

Violence against women is a key issue in Europe and Central Asia, especially domestic violence. In Moldova, one third of female murder victims are killed by their husbands. In general, women are not adequately protected from crimes committed against them largely due to lack of specific legislation. But even where legislation exists it is often not effectively implemented. Furthermore, victims rarely report crimes for fear of repercussion or social stigma, especially in cases of domestic violence and sexual harassment: In Kazakhstan, an estimated one-third of domestic violence complaints are never investigated. However, it is important to point out that in many countries, like Croatia, Belarus and Georgia, NGOs and special centres increasingly provide victims with shelter and assistance. Finally, trafficking in women is also a serious problem in the region.

Average SIGI score by region (population-weighted)



Albania

Population	3 181 326
Female population (as % of total population)	50.2
Women's life expectancy (in years)	79.7
Men's life expectancy (in years)	73.4
Fertility rate (average births per female)	1.8



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Albanian Constitution states that all individuals are equal before the law and that “no person will be unjustly discriminated against due to his or her sex”. Legislation makes provisions for treaties to supersede national law and the parliament has ratified CEDAW. Despite these signs of progress, however, much of Albanian society remains highly patriarchal.

Family code

Albania’s Family Code, which is currently in review, generally provides a favourable level of protection to Albanian women. The legal age of marriage is 16 years for women and 18 years for men and the average age of marriage is close to the global average. Early marriage is not widespread in Albania, but does occur. A 2004 United Nations report estimated that 8% of girls between 15 and 19 years of age were married, divorced or widowed. Despite the legislation in place, forced marriages are frequent.

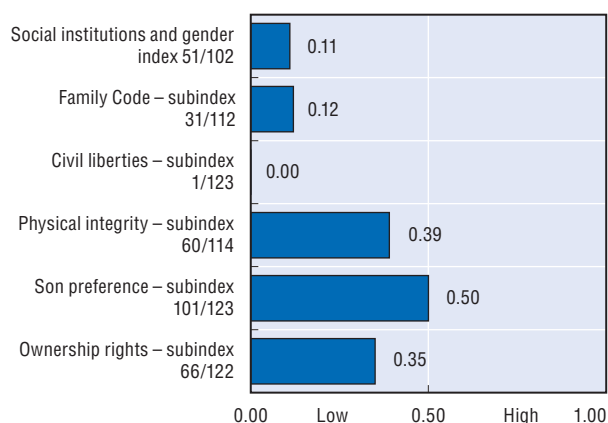
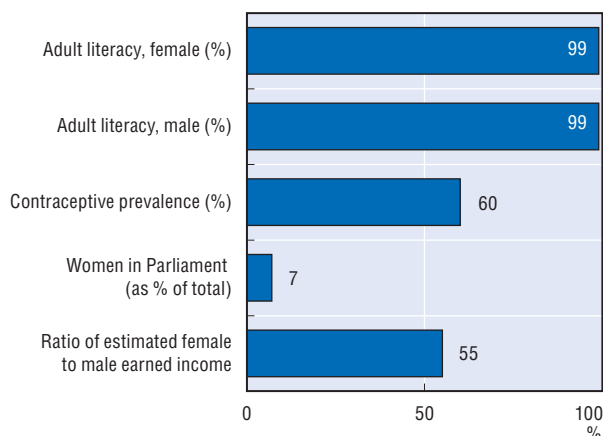
Albanian parents share equal parental authority, as long as both spouses are alive and the couple stays together. If the father dies, custody of children is typically awarded to the paternal family, rather than to the mother. In the event of divorce, judges grant custody to men in four out of five cases. In rural areas, male household dominance is generally prominent.

The Civil Code gives men and women equal rights to inheritance of property and recognises two types of inheritance. Under legal succession, the first line of succession is granted to the remaining spouse, who inherits at least 50% of the property. Testamentary succession allows individuals to decide who will inherit which assets. In both cases, the surviving spouse will keep 50% of joint property. In most cases, men inherit family-owned land, mainly because women move to the husband’s family home upon marrying.

Physical integrity

The Albanian Constitution does not contain any specific provisions regarding domestic violence, spousal rape, sexual harassment or female genital mutilation, although Albanian law does condemn these practices.

Violence against women is highly prevalent in Albania. Many men, especially in the northeast, still adhere to a traditional code which establishes the superiority of men over women. In a survey by the US Department of State, 64% of women questioned said they had been victims of physical, sexual or emotional abuse. The survey also reported that

SIGI ranking**Select indicators of gender equality**

in 2005, 56 women were killed and 74 seriously injured in cases of domestic abuse. Rape is punishable by law and carries a prison sentence of 5 to 15 years, but women seldom press charges. According to ethnic Albanian values, rape is considered a dishonour to the families of the victims, who receive little support.

Human trafficking is a serious issue in Albania, even though it was formally criminalised in 2001. According to UNIFEM, the situation is improving, thanks to government action and enhanced border protection. In recent years, various organisations have established an anti-trafficking centre and a women's refuge for victims, but problems persist. Victims are often accused of prostitution and illegal entry into the territory, and subsequently arrested. Available statistics further indicate that Albania is a country of concern in relation to missing women.

Ownership rights

Women in Albania do not have complete rights of ownership. Rural women attest to the fact that men rule the majority of households and are typically the official owners of the household land. Women also often have difficulty exercising their right to access to property other than land, even though the right to private property is guaranteed by both the Constitution and the Civil Code. The Civil Code prohibits all forms of expropriation (except in the interests of public utility), provides a definition of joint property and grants identical rights to all parties in terms of transfer and administration of such property.

Although Albanian women do have access to bank loans, it is rare to see them establish businesses.

Civil liberties

Albania falls somewhat short of providing women with full civil liberties. Freedom of movement is restricted by tradition which expects women to move to the husband's family home once married. There is no data to indicate that Albanian women do not have freedom of dress, however.

Armenia

Population	3 009 162
Female population (as % of total population)	53.4
Women's life expectancy (in years)	75.1
Men's life expectancy (in years)	68.4
Fertility rate (average births per female)	1.7



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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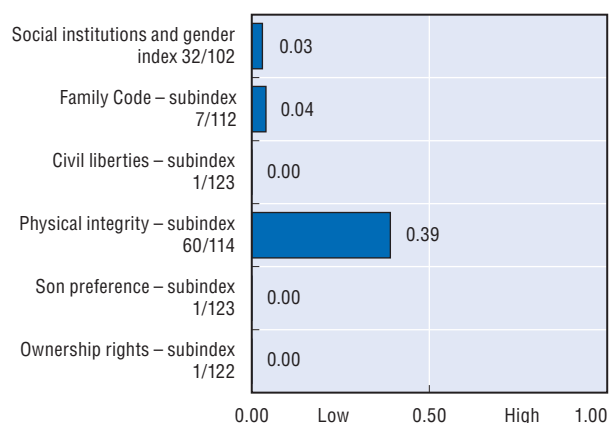
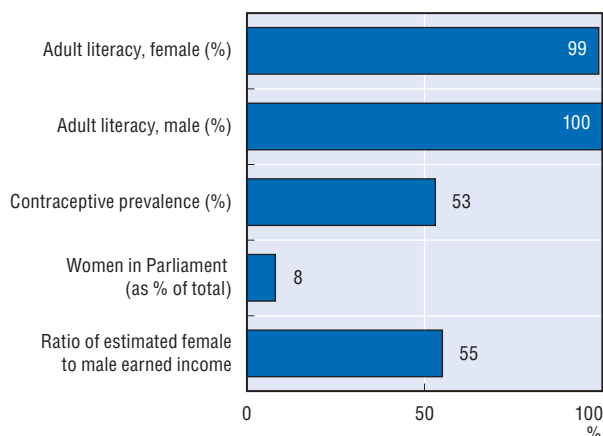
The Soviet period significantly influenced the position of women in Armenia. The regime gave women the right to inherit and own land, and promoted education as well as work outside the home. It made mutual consent a requirement for marriage and banned dowries. After Armenia gained independence, however, some traditional social institutions have experienced a resurgence, and in some areas, the position of women has been weakened.

Family code

Armenian family law assures a relatively high degree of equality between men and women within the family context. It sets the minimum age for marriage at 18 years for men and 17 for women. In exceptional cases, dispensation is possible and the age can be lowered to 16 years. Early marriage is quite frequent, however, a Demographic and Health Survey (DHS) conducted in 2005 showed that 17% of women aged 18 in Armenia were married, divorced or widowed.

Marriage requires the free consent of both spouses and the marriage must be recorded by a registrar. Registration is automatic in the case of civil weddings, but many couples marry in the church without registering. In general, polygamy has not been a common practice in Armenia.

The law on marriage establishes equality between the spouses in all areas, including parental authority. The 2005 DHS survey on the independence of Armenian women showed that this principle usually applies in reality. Armenian law also sets forth two procedures for divorce. If all children have reached the age of majority and there is no dispute over property, couples can divorce by mutual consent. Otherwise, the case is brought before the courts, which award custody based on the best interests of the children. The family code states that assets belonging to the divorcing parties should be divided equally. In many cases, the regulation is not applied, however, either because the marriage was not recorded by a registrar or because the woman signed a prenuptial agreement forfeiting her right to the application of the law. Women have the same inheritance rights as men, but often face difficulties recording property titles for inherited land.

SIGI ranking**Select indicators of gender equality****Physical integrity**

Armenia has no specific laws against domestic violence, and penalties for violence are comparatively low.

Violence against women is relatively common in Armenia. In the absence of a national survey, however, it is difficult to measure the exact incidence of violence. Some sources suggest that authorities discourage women from lodging complaints and that violent incidents are sometimes not recorded by the police. Many women who do file complaints often subsequently withdraw them because of pressures exerted by their parents or husbands, and fears about breaking up their family or not being able to survive on their own.

Sexual harassment is also argued to be widespread in Armenia. To date, there are no specific laws against it, and Armenians do not appear to support judicial intervention in this area.

Ownership rights

The government of Armenia privatised land in 1991/92 by splitting it amongst households and ownership was awarded to the head of the family, regardless of gender. Under Armenian law women and men have the same rights to land ownership. In reality, the percentage of female property owners is low. Separately, women play an important role in agriculture, and often manage their farms on their own due to a high level of male emigration. Access to bank loans is regulated by the banking laws, which provide women with the same rights as men.

Civil liberties

Armenian women have a high degree of civil liberty. Legally, women and men have the same levels of freedom of movement and freedom of dress. However, patriarchal traditions can work against these freedoms.

Azerbaijan

Population	8 556 379
Female population (as % of total population)	51.4
Women's life expectancy (in years)	71.2
Men's life expectancy (in years)	63.8
Fertility rate (average births per female)	2



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Constitution of Azerbaijan guarantees equality and rights for all citizens. Article 25 specifically prohibits any restriction of these rights on the grounds of gender. Principles contained in the Employment Code, the Penal Code and the Marriage and Family Code all stem from the Constitution, thereby further sanctioning equal rights and freedoms for men and women.

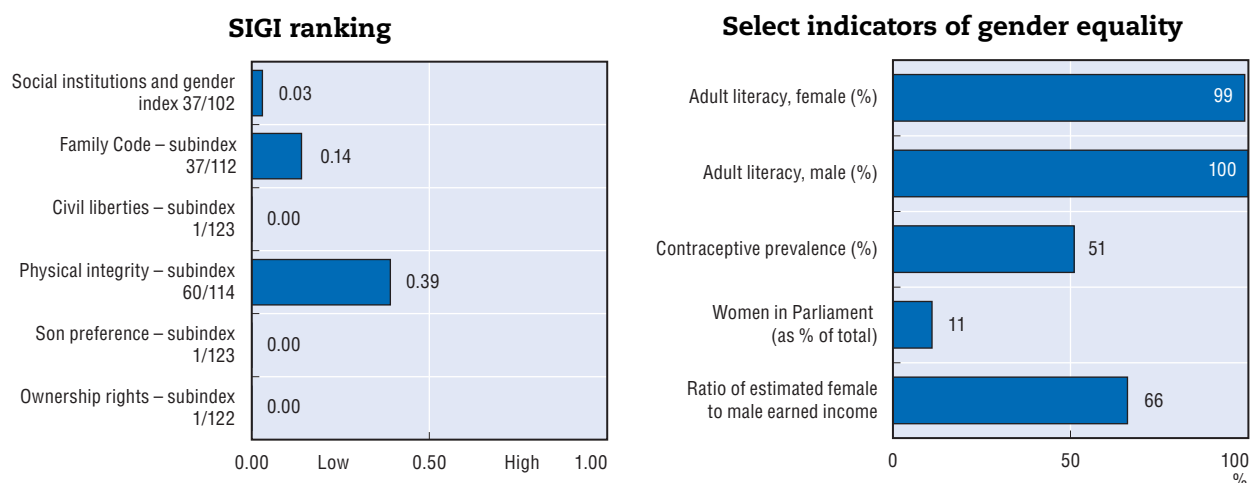
Azerbaijan also transposes international treaties into its legislation. This allows courts and other competent bodies to make direct reference to Article 1 of CEDAW. In October 2006, Azerbaijan passed a law on gender equality, which defines gender-based discrimination as any distinction, exclusion or restriction exercised on the basis of gender, including sexual harassment.

Family code

Azerbaijani Family Code offers women a relatively high level of protection. The minimum legal age for women to marry is 17 years, though the local government has authority to lower this by one year if the family submits a reasoned request. Early marriage is uncommon, but is increasing among poor families living in rural areas in the centre and south of the country. According to a 2004 United Nations report, 13% of girls between 15 and 19 years of age were married, divorced or widowed.

Polygamy is prohibited by Azerbaijani law. The Penal Code also prohibits any attempt (for example, the use of force or threats) to oblige women to enter into marriage or polygamous relationships. Parental authority is covered by the family code, which stipulate that both parents have the same rights and responsibilities in caring for and educating their children. Nonetheless, traditional norms sometimes restrict women to a subordinate role. In general, men are considered the head of the family and have primary control over all aspects of family life. Conversely, women are expected to seek agreement from their husbands before making important decisions.

The law on inheritance reflects legislation granting spouses equal property rights. It awards preference to the surviving spouse, thereby ensuring that the spouse receives shares equal to that of the children and parents of the deceased. Regardless of what the will of the deceased states, a portion of the inheritance must pass to the surviving spouse – and must equal at least half the share to which the spouse would be legally entitled. The



practice of obliging widows to marry a man from the deceased husband's family, which is common in some countries in the region, is practically unknown in Azerbaijan. Widows are free to decide whether they wish to remarry and, indeed, who to wed.

Physical integrity

Azerbaijan faces challenges with respect to ensuring the physical integrity of women. Violence against women remains a key problem, particularly in rural areas. Very few official statistics about the extent of the problem exist, and those available provide a distorted picture. Legislation provides for criminal prosecution in cases of domestic violence and outlines punishment for acts of rape (including spousal rape), forced sexual relations or marriage, the prevention of marriage by force, and polygamy. In practice, the law is difficult to apply, particularly in cases of domestic violence in rural areas. An unofficial centre for women in crisis, which recently opened in Baku, provides victims of violence with free medical, psychological and legal aid.

Ownership rights

Azerbaijani women have the right to pursue economic independence. Access to land is a guaranteed right for all Azerbaijani citizens, regardless of gender. There are no legal restrictions on women's access to property other than land, and no statutory limits on their access to bank loans. Both spouses have the same rights of ownership and tenure of the couple's joint property, whether such property was acquired with the husband's or wife's income.

Civil liberties

Women in Azerbaijan have a high degree of civil liberty. No restrictions are reported on their freedom of movement or freedom of dress.

Belarus

Population	9 702 000
Female population (as % of total population)	53.4
Women's life expectancy (in years)	76.2
Men's life expectancy (in years)	64.5
Fertility rate (average births per female)	1.3



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Article 22 of the Belarusian Constitution states that all citizens are equal before the law. The new Penal Code, adopted in 2002, punishes all violations or limitations on rights and freedoms, as well as all preferential treatment based on race, ethnicity, language, origin, opinions or membership of a civil society organisation and which does significant harm to the rights, freedoms and legitimate interests of the citizen.

Belarus has also signed the optional Protocol referring to CEDAW. This process was supplemented by the implementation of a range of programmes designed to improve women's understanding of the law. In practice, however, violence against women remains a problem.

Family code

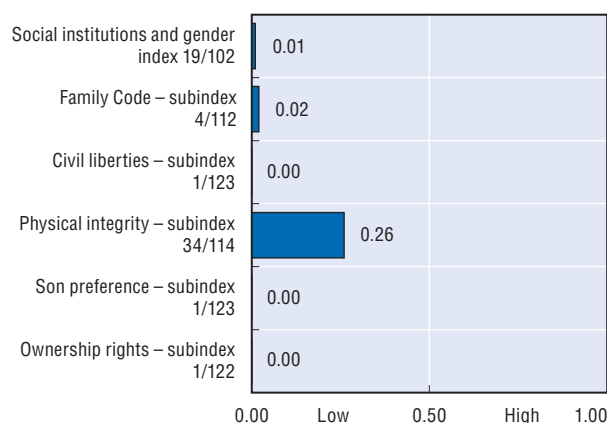
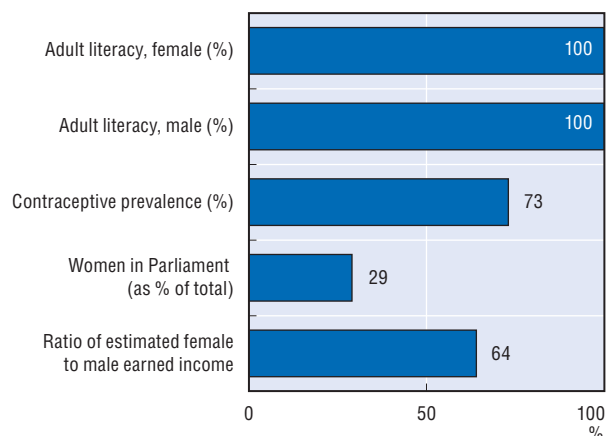
Within the family context, Belarusian women are well protected. Article 18 of the Marriage and Family Code sets 18 years old as the legal age at which both men and women can marry. This can be lowered by a maximum of three years in the case of pregnancy or the emancipation of a minor. Early marriage can thus occur, but is relatively uncommon. A 2004 United Nations report estimated that 6% of girls in Belarus between 15 and 19 years of age were married, divorced or widowed.

Polygamy is not a common practice in Belarus and it is prohibited by law. The Marriage Code stipulates that parental authority should be exercised equally by both parents, and that both spouses have the same rights and responsibilities in relation to their children. Article 75 of the Marriage Code emphasises, for example, that parents are jointly responsible for educating their children.

There is no discriminatory legislation in the area of inheritance. Article 23 of the Marriage Code states that spouses have equal rights to ownership, tenure and disposal of the property acquired during the course of the marriage, without drawing any distinction on the source of the income used to acquire it.

Physical integrity

Belarusian law also protects the physical integrity of women to a reasonable degree. However, violence against women, in particular sexual violence such as rape, sexually motivated murder, sexual harassment and trafficking in women, remains a significant

SIGI ranking**Select indicators of gender equality**

problem. According to a survey conducted in 2004 by the CEDAW Committee, one-third of Belarusian women have suffered domestic violence. The new Criminal Code, adopted in 2002, contained significant expansion of provisions for punishing sex-related crimes. Spousal rape is now considered a crime under Belarusian criminal law and the law on domestic violence appears to be effectively applied by the police and courts. Still, women remain reluctant to report domestic violence for fear of reprisals and social stigma. Traditional Belarusian cultural stereotypes can sometimes also underpin a certain level of tolerance for violence against women.

Several crisis centres for women were opened in recent years, as part of the “Children of Belarus” programme and the National Action Plan for 2001-05 designed to promote equality between men and women. These centres provide assistance to women who have been victims of violence, including welfare services to both women and children. Various civil society organisations have also created similar centres.

Ownership rights

Belarusian law includes provisions to support the financial independence of women. Local legislation does not discriminate against women in relation to rights of ownership or access to land, access to property other than land, or access to bank loans. According to the US Department of State, the law is generally applied in practice.

Civil liberties

Women in Belarus have a high degree of civil liberty. They are not subject to any restrictions on their freedom of movement or freedom of dress.

Bosnia and Herzegovina

Population	3 772 964
Female population (as % of total population)	51.4
Women's life expectancy (in years)	77.4
Men's life expectancy (in years)	72.2
Fertility rate (average births per female)	1.2



The Constitution of Bosnia and Herzegovina explicitly prohibits all direct or indirect discrimination, whether on the grounds of sex, race, language, politics, religion or national or social origin. The country ratified the European Convention on Human Rights (ECHR) in September 2003.

Women in the country, however, are still restricted in the exercise of their fundamental rights and freedoms. Tradition dictates a gender-based division of chores and responsibilities within the family: the main role of women is to raise children and manage family life. Traditionally, girls receive less education than boys and have higher illiteracy rates. Bosnia and Herzegovina is going through a phase of transition and the job market is shrinking; and these factors affect women much more than men.

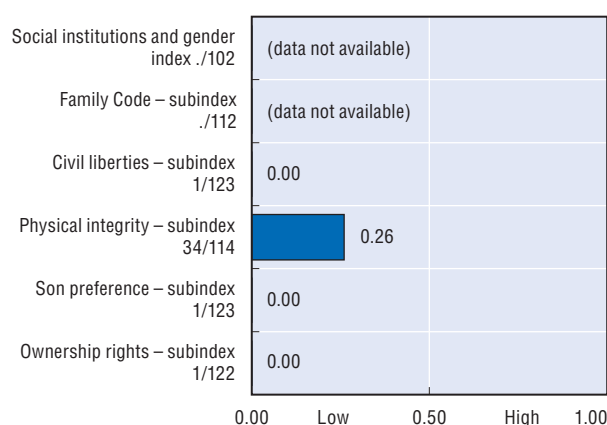
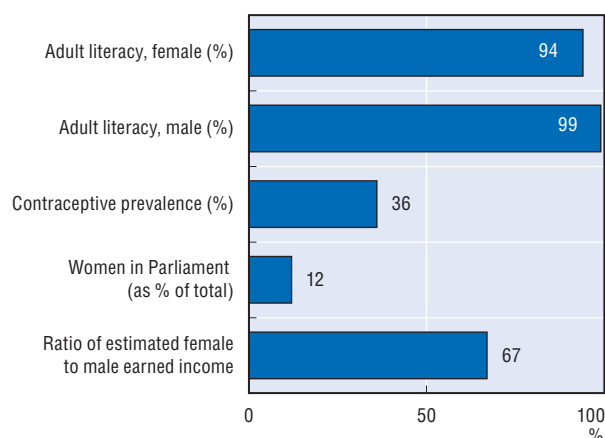
Family code

Women in Bosnian and Herzegovina have some degree of protection within the family context. The minimum legal age for marriage is 18 years for both men and women, and early marriage is rare. The courts can authorise marriage for a minor over 16 years of age if the person is deemed physically and mentally capable of assuming the related responsibilities. Most women marry between the ages of 20 and 24 years.

Polygamy is illegal in Bosnia and Herzegovina and there is no evidence to suggest that it is practised.

Men and women share parental authority over their children (whether born in or out of wedlock), and have equal rights in relation to adoption or child custody (in the case of divorce). A traditional division of household chores remains evident, with financial and technical responsibilities falling to men and the upkeep of the home and children to women, but men do play a significant role in educating their children. In recent years, there seems to be a shift towards more balanced role-sharing; the younger generation is quite opposed to the notion of patriarchal households.

Legally, women and men have equal rights in regard to inheritance and women are free to make a will without their husband's consent. Despite the legislation, tradition can be an obstacle however, and women often surrender their inheritance rights in favour of men.

SIGI ranking**Select indicators of gender equality****Physical integrity**

A more thorough protection of the physical integrity of women in Bosnia and Herzegovina is required as violence against women remains quite common. Current legislation does not specifically address domestic violence; instead it is dealt with indirectly under the country's general criminal law. An estimated one-third of women are victims of domestic abuse, but they are unlikely to report it – in part, because the local police are generally inactive when asked to deal with violence perpetrated against women by their husbands or partners. Rape, including spousal rape, is considered a criminal act, but the legislation is unclear about the evidence required to bring a prosecution. It should not be overlooked that the recent war in Bosnia was marked by a high incidence of rape.

Ownership rights

Theoretically, Bosnian women have the same ownership rights as men, and any assets can be individually or jointly owned. Assets owned by a spouse prior to marriage remain his or her individual property, but those acquired during the marriage are considered joint property. There is no legal discrimination against women in regard to access to land or access to property other than land, but tradition generally favours men over women in these areas. The government has established a programme to help women independently manage small and medium enterprises, whether newly created or already in operation.

In theory, women in Bosnia and Herzegovina have unrestricted access to bank loans, but statistics show that in 1998, women held less than one-third of loans in the country. Women seldom have access to loans that require guarantees because, within couples, husbands often hold a larger share of property than their wives. It does appear, however, that women in Bosnia and Herzegovina have good access to micro-credit schemes.

Civil liberties

There are no reported restrictions on women's civil liberties in Bosnia and Herzegovina.

Croatia

Population	4 435 982
Female population (as % of total population)	51.9
Women's life expectancy (in years)	79.2
Men's life expectancy (in years)	72.3
Fertility rate (average births per female)	1.4



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Compared with many of its neighbouring countries, Croatia is relatively homogenous in terms of religion and culture. Concerns remain regarding violence against women, but the government is working to reduce its prevalence throughout the country.

Family code

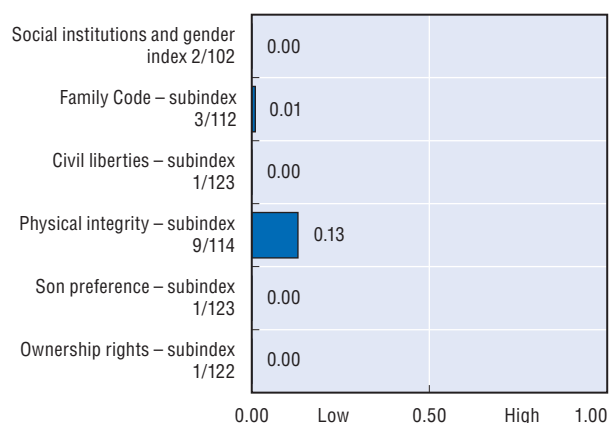
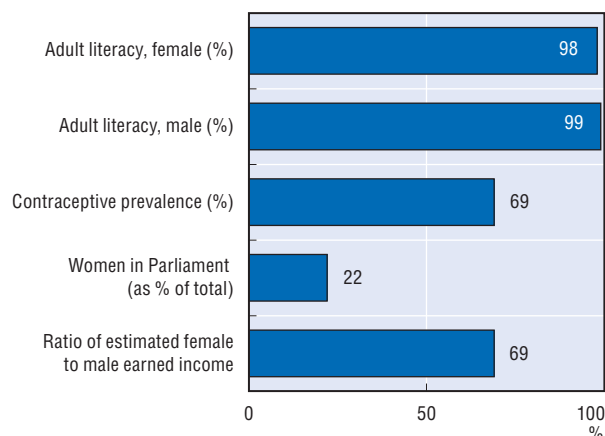
Croatian men and women have equal rights within the family. The minimum legal age for marriage is 18 years for both men and women, and both spouses must give their free consent before being married. Under exceptional circumstances, the courts can authorise marriage from the age of 16 years. Statistics show that the average age of marriage has been increasing since 1980 and is now much higher than 18 years. In fact, early marriage appears to be infrequent: a 2004 United Nations report estimated that only 2% of girls between 15 and 19 years of age were married, divorced or widowed. Weddings can be civil or religious ceremonies, and both have the same legal recognition. Polygamy is prohibited in Croatia.

Under Croatia's marriage laws, mothers and fathers share parental authority and must mutually support each other. They have equal rights in making family decisions, including where to live and work, and equal responsibility for educating their children. In the event of divorce, parents remain equally responsible for raising their children. The law helps to protect divorced women by stipulating that each spouse automatically receives half the property acquired during the marriage.

Croatian women and men have the same inheritance rights.

Physical integrity

The physical integrity of Croatian women is relatively well protected and the government has taken concrete steps to address the issue of violence against women. Croatia recently developed a legal framework to penalise domestic violence. According to a legal definition established in 1999, the crime is punishable by two months in prison. Several related measures have also been implemented, including better protection for the victim and psycho-social rehabilitation for the perpetrator, who is forbidden to approach the victim. Before these laws were passed, police had no legal authority on which to arrest

SIGI ranking**Select indicators of gender equality**

offenders and their intervention was limited to protecting victims. The government has also established a network of shelters across the country to provide refuge to the victims of domestic violence.

Rape, including spousal rape, is a crime in Croatia, and is punishable by 3 to 10 years in prison; the sentence increases to 15 years if the victim is a minor or if she dies. NGOs in Croatia say many women who are subjected to rape or other forms of sexual violence abandon the idea of pressing charges for fear of social stigma or because they feel the police, health and judicial authorities lack experience in dealing with such cases. These NGOs also criticise some courts for passing sentences that are too lenient. Sexual harassment, including in the workplace, is prohibited by law in Croatia.

Ownership rights

Croatian women have the same ownership rights as men. There are no restrictions on their access to land and their access to property other than land. Furthermore, men and women have the same rights to enter into contracts. Married women retain full ownership of property they acquired before marriage or received through inheritance or as a gift, and have the right to manage this property independently.

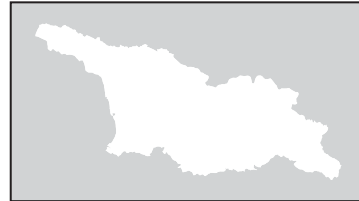
Women in Croatia have access to bank loans on the same terms as men.

Civil liberties

The civil liberties of women in Croatia are respected; there are no reported restrictions on their freedom of movement or freedom of dress.

Georgia

Population	4 398 588
Female population (as % of total population)	52.8
Women's life expectancy (in years)	74.8
Men's life expectancy (in years)	67.1
Fertility rate (average births per female)	1.4



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Constitution of Georgia upholds the principle of equal rights for men and women. However, the current situation in the country creates many challenges for women. Over the past ten years, approximately one-fifth of Georgia's population has left, primarily to escape poverty. As most emigrants were men, an increasing number of women are now the sole providers for their families. About 50% of Georgian women are unemployed; and those who work earn, on average, only half as much as men.

Family code

The legal frameworks to protect Georgian women within the family have improved in recent years. The Constitution requires the free consent of both spouses for marriage, and the law sets the minimum age for marriage at 18 years for both men and women. In exceptional circumstances, marriage may be authorised from the age of 16 years, and early marriages do occur. Whilst on average, women marry at 25 years; a 2004 United Nations report estimated that 16% of Georgian girls between 15 and 19 years of age were married, divorced or widowed. There are also cases of arranged marriages in rural areas. Polygamy is not recognised by Georgian law but is practiced in rare cases, particularly within the Muslim community.

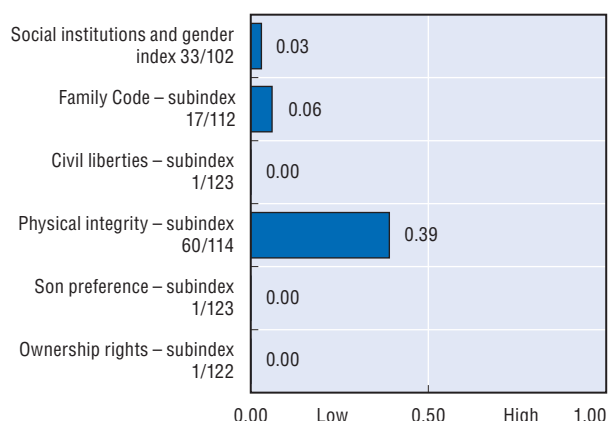
The Constitution guarantees equal rights for Georgian men and women in regard to parental authority. Traditionally, women do domestic chores and men exert authority within the family, but attitudes are changing. In urban areas, many women work and some earn higher salaries than their husbands. As a result, authority within the family is increasingly shared by both spouses. In the event of divorce, the law stipulates that mothers are given custody of children.

In matters of inheritance, assets are shared between the children, with sons and daughters receiving equal shares. There is no information available about the inheritance rights of widows.

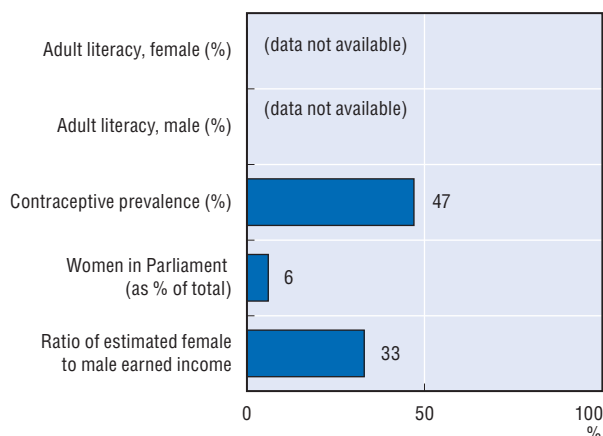
Physical integrity

The physical integrity of Georgian women is not very well protected and violence against women is common. Domestic violence was only recognised by the law in 2006, but is still not considered a crime. Even if the violence is frequent, victims rarely file

SIGI ranking



Select indicators of gender equality



complaints and the police are unlikely to arrest perpetrators. At present, perpetrators are prosecuted only under previous laws relating to assault or rape. There are no laws in place to keep the perpetrators of domestic violence away from the victim’s home. The only assistance for abused women is provided by a NGO that has established a telephone help-line and a shelter.

Rape is recognised as a criminal act, punishable by between 7 and 20 years in prison, depending on whether the victim is a minor. The legislation makes no specific reference to spousal rape. Sexual harassment is punishable by a fine and a prison sentence of up to three years, but the law is rarely applied in practice and complaints seldom lead to prosecution.

Female abductions, which occur in rural areas and generally involve rape, are considered as crimes, but the police rarely take action. One NGO helps women who escape from their abductors as the victims are usually rejected by their families. Women in Georgia are frequently trafficked abroad for sexual exploitation and forced labour. To date, there is no legislation against the practice.

Ownership rights

Georgian women appear to have the same ownership rights as men, and there seems to be no discrimination in relation to access to land. Women and men have the same rights of access to property other than land and both spouses have equal legal rights of ownership over the couple’s joint property.

Women’s access to bank loans is improving in rural areas thanks to specific programmes and credit unions. Women make up almost half of credit union members and estimates show that in 2004 two-thirds of women members had obtained loans.

Civil liberties

Women’s civil liberties are guaranteed by law in Georgia. Women have freedom of movement and are free to choose their place of residence. There are no reported incidents of restrictions on their freedom of dress.

Kazakhstan

Population	15 484 200
Female population (as % of total population)	52.2
Women's life expectancy (in years)	72.2
Men's life expectancy (in years)	60.9
Fertility rate (average births per female)	2.4



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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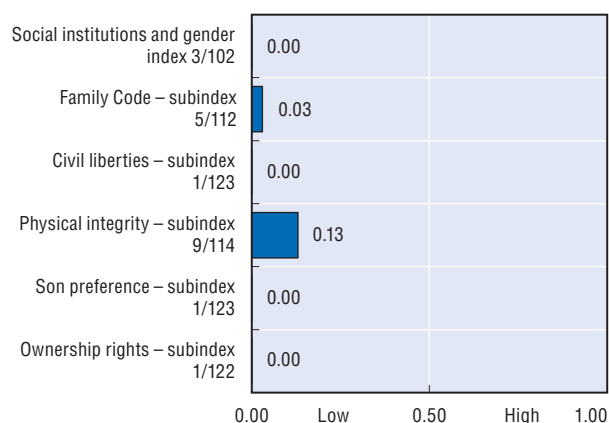
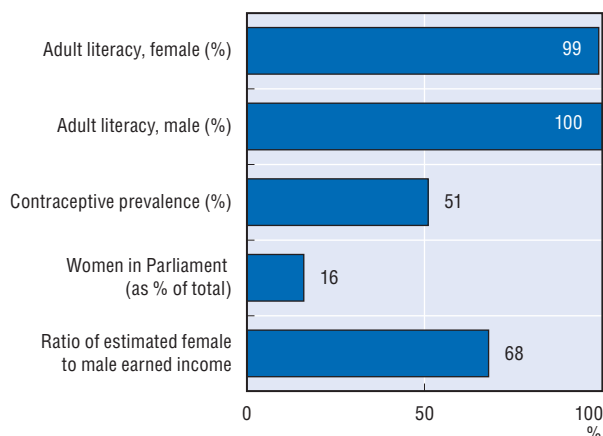
Article 14 of the 1995 Constitution of Kazakhstan upholds the principle of legal equality for all citizens. Kazakh legislation does not yet refer specifically to gender-based discrimination, but the government plans to propose a bill addressing this issue. Article 4 of the Constitution gives force of law to all international treaties ratified by Kazakhstan. As a result, there are grounds to apply in every day law the definition of discrimination given in Article 1 of CEDAW. Kazakh women are not sufficiently aware of the Convention's provisions, however, and a similar lack of awareness exists among the civil servants responsible for applying them. To date, no judicial rulings have been made referring to the Convention and acts of violence against women remain a fact of life in Kazakhstan.

Family code

The Kazakh Family Code does not overtly discriminate against women. The 1998 Law on Marriage and the Family sets the minimum legal age for marriage at 18 years for both men and women. If there are "legitimate grounds", a registry office can authorise marriages at 16 years. Early marriage does sometimes occur in Kazakhstan: a 2004 United Nations report estimated that 7% of girls between 15 and 19 years of age were married, divorced or widowed. It is worth noting that religious and traditional marriages are not registered by the administration, a practice that can undermine women's rights. Article 11 of Kazakhstan's Law on Marriage and the Family prohibits polygamy.

The same law also stipulates that men and women have equal roles within the family. The Kazakh Family Code states that mothers and fathers should share parental authority and make joint decisions regarding their children's education, taking into account the best interests of the children. No information is available about child custody rights in the event of divorce.

Under the Kazakh Civil Code, men and women also have equal inheritance rights. Property acquired during marriage is considered joint property and is distributed accordingly upon the death of a spouse.

SIGI ranking**Select indicators of gender equality****Physical integrity**

The physical integrity of Kazakh women is not adequately protected and violence against women remains a significant problem, particularly domestic violence. The Penal Code does not specifically cover domestic violence, although the issue is addressed in a bill that was submitted to parliament in 2007. Uncertainty remains regarding when this legislation will be adopted, and whether the bill will also criminalise rape and prohibit sexual harassment.

Applying these laws in practice also remains difficult for various reasons. Police tend to consider domestic violence a family matter, and intervene only if the victim's life is in danger. An estimated one-third of domestic violence complaints are thus never investigated. Economic uncertainty also often prompts victims to drop their charges.

Ownership rights

The Kazakh Civil Code guarantees equal ownership rights for women and men, making provisions for them to possess, use and inherit property. The country's land reform was based on the principle of gender equality and more than half of the country's farmers are women. Yet, overall, women continue to experience discrimination in regard to access to land (especially in rural areas) and access to property other than land.

Kazakh women do not seem to encounter discrimination in regard to access to bank loans. The relevant authorities have not reported any complaints in this area.

Civil liberties

The civil liberties of Kazakh women are well respected; there are no reported restrictions on their freedom of movement or freedom of dress.

Kyrgyzstan

Population	5 234 800
Female population (as % of total population)	50.7
Women's life expectancy (in years)	72.1
Men's life expectancy (in years)	63.5
Fertility rate (average births per female)	2.7



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Article 3 of the Constitution of Kyrgyzstan prohibits all discrimination on the grounds of gender, ethnic origin or religious belief. Article 8 recognises the existence of certain discriminatory traditions or customary norms that are obstacles to gender equality in the country. The civil, penal, labour and family codes of Kyrgyzstan all uphold equal rights and the legal framework protecting Kyrgyz women's rights complies with international standards. Discrimination against women prevails, however, and violence against women is becoming increasingly widespread. Women are generally ill-informed about their rights and the traditional patriarchal system perpetuates gender-based stereotypes.

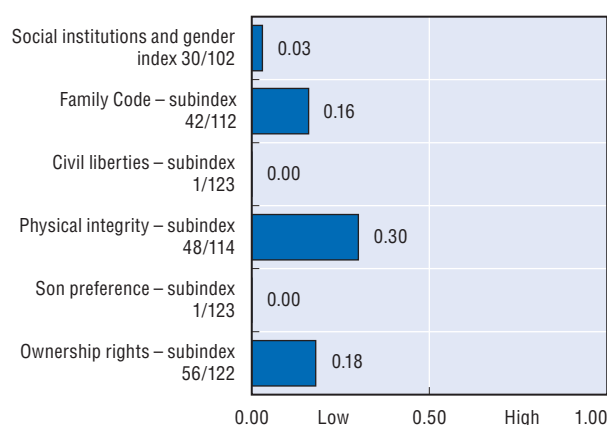
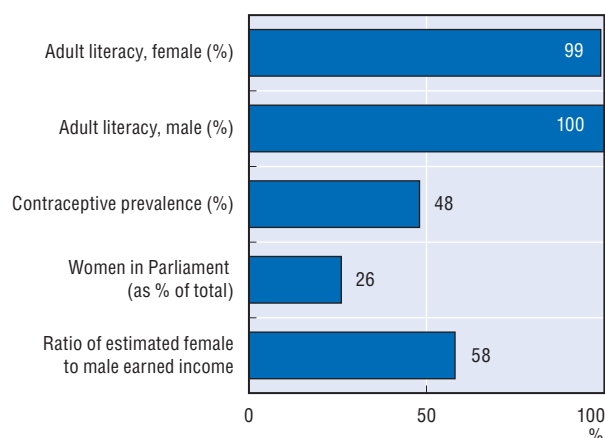
Family code

In theory, women within the family are well protected in Kyrgyzstan, but tradition imposes a legacy of restrictions. The Kyrgyz Family Code sets the legal age of marriage at 18 years for both men and women, but this can be reduced by up to two years in exceptional circumstances. Early marriage does occur: a 2004 United Nations report estimated that 11% of girls between 15 and 19 years of age were married, divorced or widowed. The practice has increased because of poverty, unemployment and Kyrgyz cultural norms. In rural areas, young women are sometimes abducted and forced into marriage. Polygamy is prohibited by law in Kyrgyzstan. Kyrgyz legislation grants equal rights to men and women in family relations; it states that parental authority should be shared by the mother and father, who should make joint decisions about their children's education.

There is also no legal discrimination against Kyrgyz women in the matter of inheritance: the family code guarantees equal rights in regard to the distribution of property. However, in rural areas, women can be discriminated against in the disposal of family property.

Physical integrity

The physical integrity of Kyrgyz women is not sufficiently protected, in part because traditions undermine existing legislation. Violence against women is widespread, and although domestic violence is punishable under the Kyrgyz Penal Code, it is treated in the

SIGI ranking**Select indicators of gender equality**

same way as all other types of violence. Separately, the 2003 Law on Social-Legal Protection from Domestic Violence is designed to prevent, rather than penalise, such violence. Spousal rape, however, is punishable under Kyrgyz legislation.

Recent statistics show an increase in violent acts against women: crisis centres providing emergency assistance to victims of domestic violence dealt with twice as many cases in 2005 as in 2004. Yet psychological pressure, cultural traditions and the behaviour of authorities responsible for applying the legislation discourage women from filing complaints.

Ownership rights

There is no legal discrimination against Kyrgyz women with respect to access to land. Kyrgyz law also supports financial independence for women, but customs in the country are more restrictive.

During the land and agrarian reform that started in 1991, distribution of land was carried out on the basis of equality, and half of the plots allocated were given to women. A return to manual family farming has revived paternalistic attitudes, however, and there is evidence of a resurgence of traditional stereotypes that prevent women from fully exercising their rights to own property.

There has been progress in regard to women's access to property other than land, but advances have been hindered by a resurgence of customary law, especially in rural areas. Government assistance is needed to support recent changes in women's social and economic status, and facilitate their access to land and other property.

Kyrgyz women are not legally restricted in their access to bank loans, and they have the right to borrow from banks and to acquire micro-credit. In practice, women are often refused credit, however, because they are unable to offer sufficient guarantees.

Civil liberties

The civil liberties of Kyrgyz women are respected; there are no reported restrictions on freedom of movement or freedom of dress.

Macedonia, The Former Yugoslav Republic of

Population	2 037 032
Female population (as % of total population)	50.1
Women's life expectancy (in years)	76.6
Men's life expectancy (in years)	71.8
Fertility rate (average births per female)	1.4



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Macedonia ratified CEDAW in 1991. The right to non-discrimination is upheld in the country's Constitution and Macedonian law provides men and women with equal rights and freedoms. Recent amendments removed the last discriminatory provisions in the legislation, but social stereotypes still prevail, particularly in the media. Macedonian social institutions place women at a lower position than men in many areas of life, including within the family.

Family code

Macedonia's Family Code explicitly provides for equality between men and women. Macedonian women have a reasonable degree of protection within the family, although some inequalities remain.

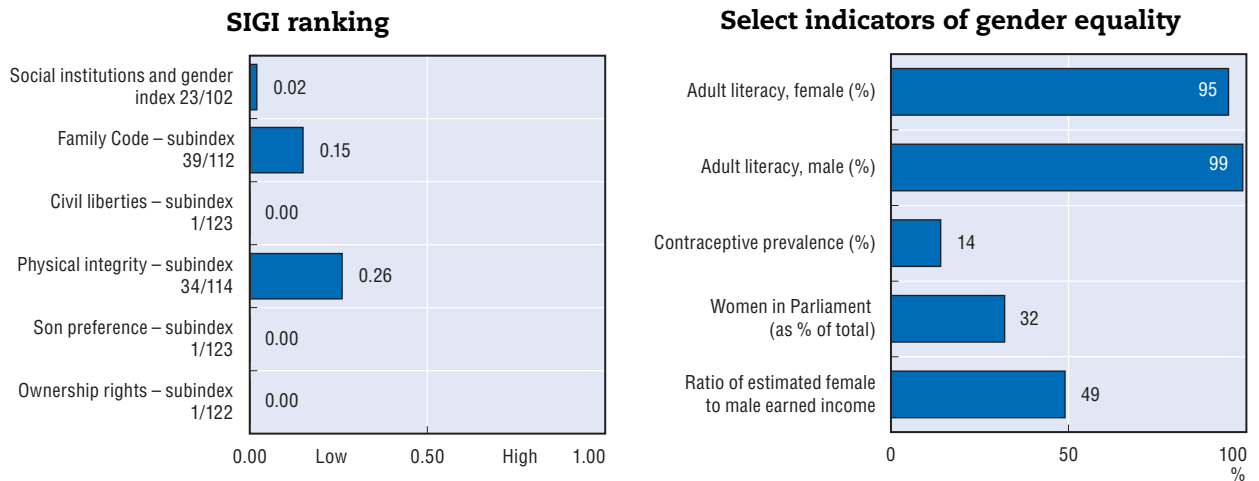
The legal minimum age for marriage is 16 years for both men and women. Early marriage does occur and appears to be most common in the Roma community, but it is difficult to assess the true prevalence on a national scale as Roma marriages are not generally officially recorded. According to a 2004 United Nations report, 9% of girls between 15 and 19 years of age were married, divorced or widowed.

The family code states that parental authority and the custody of children are to be shared by the mother and father, who have the same rights and responsibilities. Detailed information on parental authority is difficult to obtain in Macedonia.

Macedonian law explicitly stipulates that men and women have the same rights to inheritance. In reality, inequalities do exist, not least because women lack information about their rights.

Physical integrity

The physical integrity of Macedonian women is not sufficiently protected. Violence against women is a serious problem and Macedonia has not honoured its obligations under CEDAW to develop a legal, political and administrative framework to prevent such violence. The Penal Code does not specifically punish violence against women in general, although in 2004 it was amended to make domestic violence a specific crime. Until then, all cases of domestic violence were regulated by general laws on crimes and misdemeanours.



Domestic violence is a widespread problem, but is only rarely denounced and is the subject of little public debate. Society is relatively indifferent to the issue, with most people seeing it as a private matter. The police do not respond appropriately to the needs of female victims of violence and there are no specific institutions to provide protection or assistance. In fact, intense social pressure means that few victims bring complaints to the police at all. Some NGOs provide shelters, but they do not have the resources to deal with the scale of the problem.

Rape, including spousal rape, was criminalised via the 1996 amendments to the Penal Code, but the police and courts are reticent to punish the perpetrators of spousal rape. Many victims do not file complaints for fear of social stigma.

Ownership rights

Macedonian law does not discriminate against women in regard to access to land. However, women in rural areas have difficulties because traditional attitudes give men the central role, particularly in relation to land ownership.

The legislation on joint property, either within or outside marriage, draws a distinction between property acquired individually before marriage and that acquired jointly during the marriage. Both spouses have the right to administer and dispose of their joint property. There are no specific laws restricting women's rights to own property or their freedom to run a business.

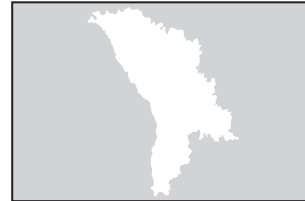
There is no legal restriction on women's access to bank loans, but there are no statistics available with which to assess the true situation. Some micro-credit institutions specifically target women.

Civil liberties

Women in Macedonia have the same civil rights as men. Their freedom of movement and freedom of dress appear to be unrestricted. Their freedom of movement is guaranteed by Article 4.5 of the Act Providing for Equal Opportunities for Men and Women.

Moldova

Population	3 803 704
Female population (as % of total population)	52.2
Women's life expectancy (in years)	72.5
Men's life expectancy (in years)	65.1
Fertility rate (average births per female)	1.7



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Moldova has been marked by a violent history and currently suffers from a very high poverty rate. The country regained its independence in 1989, but has since been enmeshed in an ongoing economic crisis. The crisis has a big effect on Moldovan women, of which almost two-thirds are unemployed. A significant proportion of Moldovan women thus work abroad.

Family code

The Moldovan Family Code provides a relatively comprehensive level of protection for women within the family context. The free consent of both spouses is required for marriage, and the legal minimum age of marriage is 16 years for women and 18 years for men. Early marriage is authorised in exceptional circumstances: from 14 years of age for women and 16 years of age for men. Early marriage is quite common in Moldova, a 2004 United Nations report estimated that 12% of girls between 15 and 19 years of age were married, divorced or widowed. Polygamy is illegal in Moldova and there are no indications that it is practised.

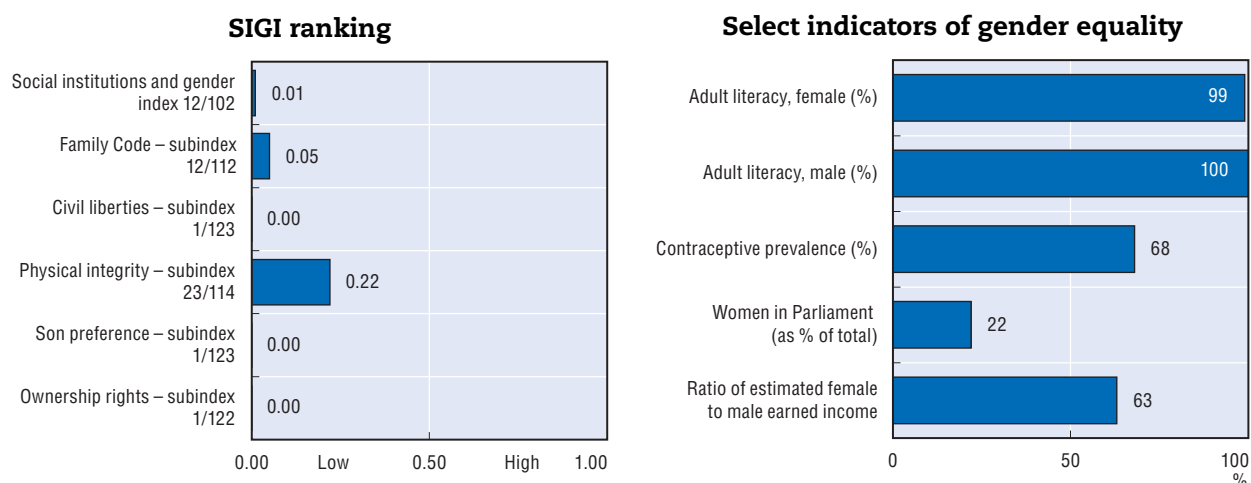
The family code states that parental authority and the care and education of children are to be shared by the mother and father, who have the same rights and responsibilities. In the event of divorce, mothers are typically awarded custody of their children. Divorced mothers receive very little financial help from the state, however, and often encounter problems relating to unpaid child support.

The law treats men and women equally in regard to inheritance.

Physical integrity

The physical integrity of Moldovan women is much less protected. Violence against women, including domestic violence, is widespread. In most cases, perpetrators are husbands or partners, but fathers and fathers-in-law are also known to be abusive. An estimated one-third of murders in Moldova are committed by the victim's husband.

Domestic violence is often argued to be linked to Moldova's dire economic situation, and to low levels of education amongst men. Women in the poorest parts of the population are almost twice as likely to be abused as their wealthier counterparts.



Women have the right to file complaints against their abusers, but must provide a medical certificate. This is problematic as such certificates can be issued only by doctors who are expert court witnesses, and corruption in the public sector often allows offenders to buy their way out of being punished.

The authorities have made no serious attempts to combat domestic violence, which is often perceived as a problem which should be handled within the family. In divorce cases, judges often insist on a temporary period of reconciliation before separation, which can have catastrophic consequences for battered women. Government services to assist victims of abuse are lacking, and to fill the gap, voluntary associations have established shelters and help lines, and conduct awareness-raising campaigns.

Rape is a crime, punishable by a prison sentence of between 3 and 7 years, but there is no specific reference to spousal rape. There are thought to be many more rapes than those actually reported. At present, the law also does not prohibit sexual harassment.

Trafficking of women is a serious problem in Moldova. It is estimated that Moldovan women account for a large share of sex workers in Eastern Europe, the Balkans and the Middle East. These women are often beaten and reduced to a form of slavery.

Ownership rights

Moldovan law guarantees women's financial independence, though there are often inequalities in practice. Women and men have the same rights to access to land and access to property other than land. Each spouse retains ownership of property acquired before marriage or inherited during the marriage. In the event of divorce, each spouse has the right to half the property acquired by the couple, but courts can rule otherwise according to the interests of children who are minors, or in other special circumstances.

Though there are no legal restrictions on women's access to bank loans, most women lack collateral and are therefore unable to borrow from banks.

Civil liberties

Moldovan women have a high degree of civil liberty; there are no legal restrictions to their freedom of movement or freedom of dress.

Russian Federation

Population	142 100 000
Female population (as % of total population)	53.6
Women's life expectancy (in years)	74
Men's life expectancy (in years)	61.5
Fertility rate (average births per female)	1.4



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Article 19 of the Russian Constitution guarantees equal rights for all citizens and specifically upholds the principle of equality between men and women.

Despite, a tumultuous 20th century history, Russia made great strides towards gender equality under the Soviet system. Patriarchal traditions persistent in several regions were rejected and women received equal access to education and salaried employment. Significant problems remain, however, particularly with respect to violence against women. Women still earn lower salaries than men, are more often unemployed, and remain responsible for the bulk of family obligations. These factors also make it difficult for women to rise to management positions.

Family code

The Russian Family Code provides protection for women, though some discriminatory traditions persist in certain regions. The minimum legal age for marriage is 18 years, but local authorities can authorise marriage from the age of 16 years – and even earlier in some regions – if it is considered to be justified. By law, a marriage requires the free consent of both spouses, but does not need to be authorised by the bride's family.

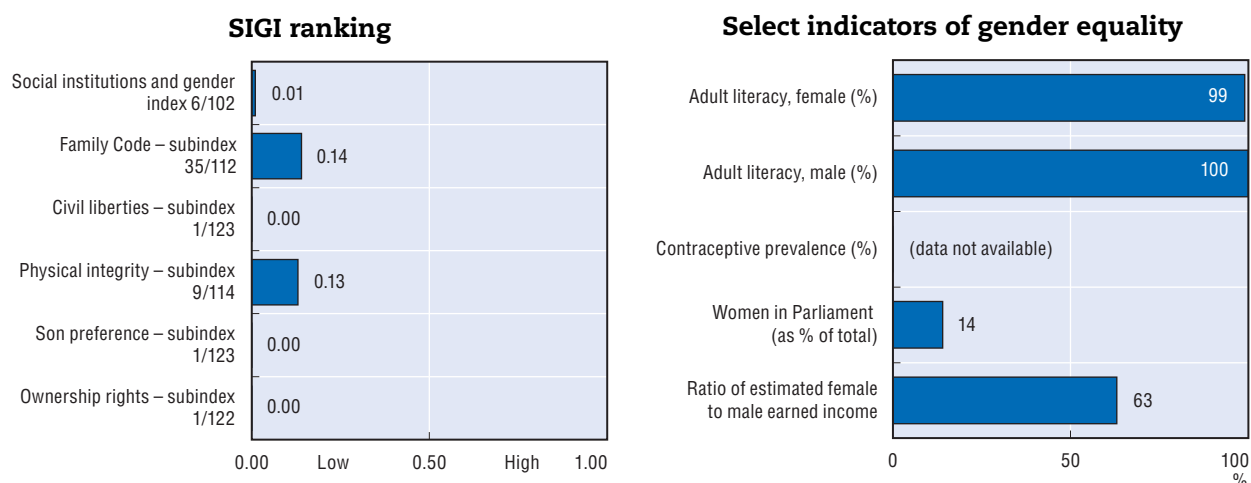
Polygamy is prohibited in Russia, but the practice remains common within many Muslim communities, particularly in the Caucasus region. Only the first marriage tends to be recorded, with subsequent wives not being considered as legally married.

The Russian Family Code provides for shared parental authority. Mothers and fathers have equal rights and responsibilities within the family. In the event of divorce, the vast majority of cases see custody awarded to the mother. If a father fails to pay child support, a court can order for it to be deducted directly from his salary.

Russian women and men have the same legal inheritance rights.

Physical integrity

The physical integrity of Russian women is poorly protected. Observers believe violence against women is on the rise, and that authorities have not taken sufficient action to address the issue. There is no specific legislation related to violence against women, as it is included in general legislation covering assault and other violent acts.



There are no official statistics about domestic violence in Russia, and the police often refuse to record complaints from abused wives. However, violence is known to be common. It is also difficult to assess the incidence of rape. Victims are reticent to speak out and many withdraw complaints under threat of reprisals. Rape is punishable by 3 to 6 years in prison, with sentences increasing to 8 to 15 years if the victim is under the age of 14, or if she dies. Victims must have complaints recorded by the police, from whom they must obtain authorisation to be examined by a doctor. In many cases, police obstruct complaints' procedures by postponing authorisation for so long that medical examinations become useless in terms of collecting evidence.

A growing number of Russian women are trafficked to work as sex workers in Western Europe, Israel and East Asia. Some sources estimate up to half of these women are unaware they are being recruited for sex work, and most are subsequently subjected to significant psychological and physical violence. Sexual harassment in the workplace is also common, yet legal resources to address the issue are lacking and public opinion generally views it as a minor problem. A high level of unemployment in Russia further exacerbates both trafficking, and the issue of sexual harassment in the workplace.

Ownership rights

Russian legislation upholds equal ownership rights for women and men, but various restrictions limit their ability to acquire and administer assets.

The Russian Civil Code provides equal rights to access to land and access to property other than land for men and women. All property acquired during a marriage is the couple's joint property, and unless their marriage contract states otherwise, it is split into equal shares in the event of divorce. Men and women also have equal rights in accessing bank loans, though women can often encounter resistance.

Civil liberties

Women's civil liberties are guaranteed by Russian law. In general, women have freedom of movement and freedom of dress. These liberties are not always respected in regions such as the Caucasus, however, where patriarchal traditions allow husbands to exert a greater influence over their wives.

Serbia and Montenegro

Population	7 381 579
Female population (as % of total population)	50.5
Women's life expectancy (in years)	76.2
Men's life expectancy (in years)	70.7
Fertility rate (average births per female)	1.4



This note refers to Serbia's official borders in 2005, including Montenegro and Kosovo. The country's uncertain status has rendered the calculation of certain indicators infeasible. (As of June 2006, Montenegro is an independent country and as of February 2008, Kosovo is an independent country. This will be updated in the next SIGI.)

Serbia has signed CEDAW and has taken steps to achieve the Convention's objectives. The situation in the country remains complex, however, because the population is made up of several different ethnic groups, languages and religions. Serbia experienced a high level of conflict over the past 15 years. Whilst this affected the whole population, women were often more vulnerable than men; ethnic rape, for example, has been a particular problem.

Family code

Overall, Serbia's Family Code treats women and men as equals, but some traditional customs are highly discriminatory.

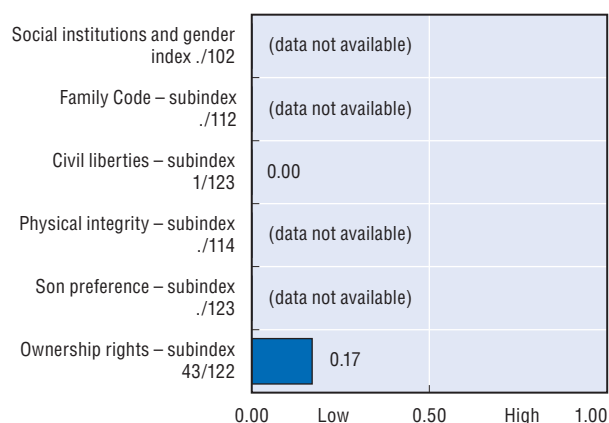
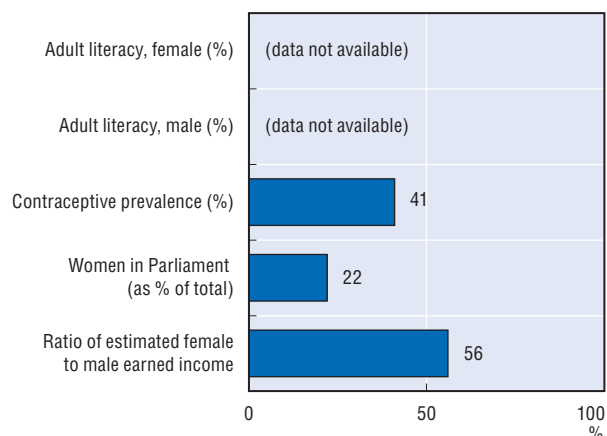
The legal minimum age for marriage is 18 years for both men and women. A court may grant an exemption from the age of 16, but any marriage before this age is strictly prohibited and considered a crime. The law stipulates that both spouses must freely consent to marriage and should not be subjected to threats or other pressure. Early marriage, before the age of 16, can occur among the Vlach and Roma ethnic minorities in eastern Serbia. No statistical data on the actual extent of early marriage is available.

Polygamy is a crime in Serbia and is punishable under the Penal Code. Polygamous marriages do occur in Kosovo (where they are sanctioned by customary law and religion) and in the regions of Raska and Metohija.

The law on marriage states that spouses should share parental authority and they have the same rights and responsibilities in caring for and educating their children. Either spouse may ask for a divorce and either parent may obtain custody of the children. If one spouse has insufficient resources to cover basic needs, the courts can impose a child support payment. The Constitution guarantees equal inheritance rights for men and women. Women can inherit land, but in some regions, they can only exercise this right in their husband's name.

Physical integrity

Serbian legislation protects the physical integrity of women relatively well, but violence against women remains a problem. Domestic violence is punishable by between 6 and 10 years in prison, with a minimum sentence of 10 years if the victim dies. In

SIGI ranking**Select indicators of gender equality**

general, Serbs consider domestic violence a fact of life; it is estimated that as many as two-thirds of victims do not file complaints.

Rape is punishable by between 1 and 40 years in prison, with a minimum of 5 years if the victim is a minor or if she dies. In practice, the courts often give rapists light sentences. Very few women bring complaints to the courts, largely for fear of reprisals or the humiliation of a public confrontation. Sexual harassment is punishable by between six months and one year in prison, though again, few complaints come to light.

Ownership rights

Respect for traditional customs restricts the ownership rights of some Serbian women. In certain rural areas, women do not have access to land. If women buy or inherit land, tradition obliges them to register it in the name of their husband or another close male relative.

The Constitution guarantees equal rights of access to property other than land for men and women. Each spouse retains ownership of property that was acquired before the marriage, or that is inherited or received as a gift. Property acquired by spouses during the marriage is joint property. In the event of divorce, the division of joint property is based on each spouse's contribution to the family's assets.

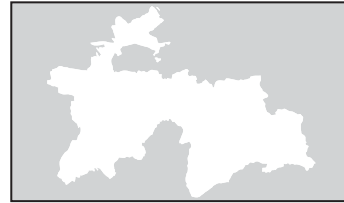
Serbian law guarantees equal access to bank loans for men and women. In some cases, borrowers are required to provide security in the form of property or a guarantee from another property owner. As women are less likely to be property owners than men, however, it can be difficult for them to access loans.

Civil liberties

Overall, women's civil liberties are respected in Serbia. The Constitution guarantees freedom of movement, and both men and women have the right to choose where they live and work. Women generally have freedom of dress, except in some minority communities which specifically oblige women to respect tradition.

Tajikistan

Population	6 740 085
Female population (as % of total population)	50.3
Women's life expectancy (in years)	69.4
Men's life expectancy (in years)	64.1
Fertility rate (average births per female)	3.3



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Constitution of Tajikistan upholds the principle of equality for all citizens, regardless of gender. According to the local authorities, there are no laws or regulatory provisions that discriminate against women.

Tajikistan has a strong patriarchal tradition, however, and men tend to dominate within the family and in society in general. Women are often confined to a maternal role. Because a large percentage of the male population was killed in the Tajik civil war, many households are now headed by women. Although this provides some protection, the situation of women in Tajikistan – particularly those who do head households – is more difficult than that of men.

Family code

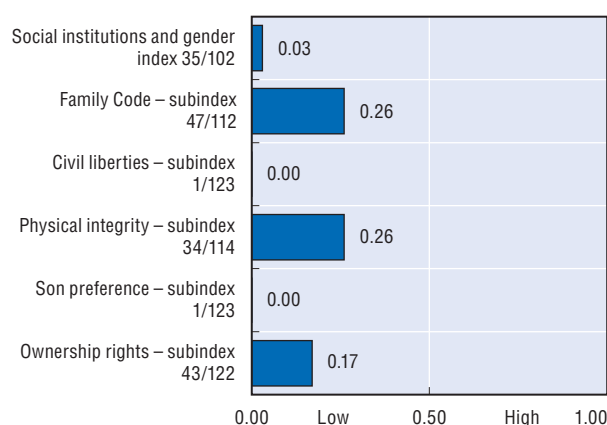
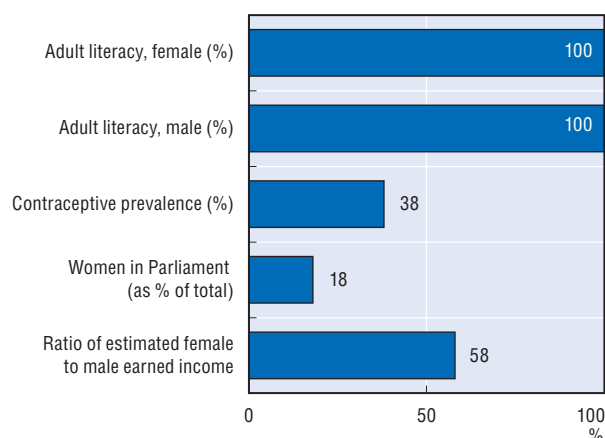
The legal minimum age for marriage is 17 years for both men and women in Tajikistan, though under certain conditions, courts can authorise marriage during the year before the spouses turn 17. Some forms of discrimination against women still exist, however, particularly outside the country's legal framework.

Early marriage is common, even though marrying a daughter off before she reaches the legal minimum age is punishable by a sentence of forced labour or imprisonment. A 2004 United Nations report estimated that 12% of girls between 15 and 19 years of age were married, divorced or widowed. Arranged marriages, including the payment of a dowry, were frequent in the past but appear to be declining primarily as a result of legislative progress.

Polygamy is prohibited by the Tajik Penal Code, but it is practised and convictions are rare. Women continue to accept such unions largely because of the demographic imbalance resulting from the civil war and the deterioration in women's material conditions. Second and third wives are not recognised by the law and have no legal protection.

Under Tajik law, mothers and fathers share parental authority, and have equal rights and responsibilities regarding their children's development and education. If parents do not live together, they must come to a mutual agreement about where their children will reside.

There is no legal discrimination in regard to inheritance in Tajikistan, but in practice, sons appear to inherit more than daughters. There is no information available about the inheritance rights of widows.

SIGI ranking**Select indicators of gender equality****Physical integrity**

The physical integrity of Tajik women is not adequately protected, partly because of traditional restrictions and partly because laws on violence against women are not effectively implemented. The Penal Code contains provisions that apply specifically to men who are violent to their wives, but there have been very few convictions. Social stereotypes are common, and nearly half of Tajik men under the age of 30 years do not consider beating their wives as actual violence. Women living in polygamous marriages are particularly vulnerable to domestic violence, but because the state does not recognise such marriages, no legal proceedings can be brought against offenders.

Rape is punishable in Tajikistan, but there is no legal provision recognising spousal rape. In some cases, rape victims are obliged to marry their rapists. The civil war in Tajikistan exacerbated violence against women, as at times, rape was used as a weapon of war.

Ownership rights

Tajik law does not contain any specific measures promoting women's access to land and women represent only a small percentage of land owners in the country. Agricultural reforms initiated in 1992 give households, including those headed by women, the right to use and inherit land. But traditional stereotypes remain deeply rooted and in general, women are confined to the role of agricultural workers.

The Tajik Civil Code gives women the right to have access to property other than land and to enter into contracts in their own names. Insufficient data are available to assess whether women are able to exercise these rights.

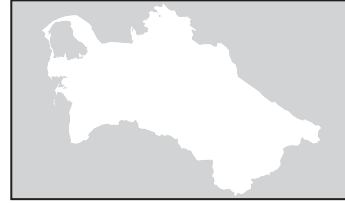
By law, women are entitled to have access to bank loans without any need for prior authorisation. Few women apply for loans, however, primarily because they are ill informed regarding their rights and the procedures involved. Several NGOs have established micro-credit programmes to enable women to develop their own businesses.

Civil liberties

Women's civil liberties seem generally to be respected in Tajikistan; there are no reported restrictions on their freedom of movement or freedom of dress.

Turkmenistan

Population	4 963 332
Female population (as % of total population)	50.8
Women's life expectancy (in years)	67.5
Men's life expectancy (in years)	59.0
Fertility rate (average births per female)	2.5



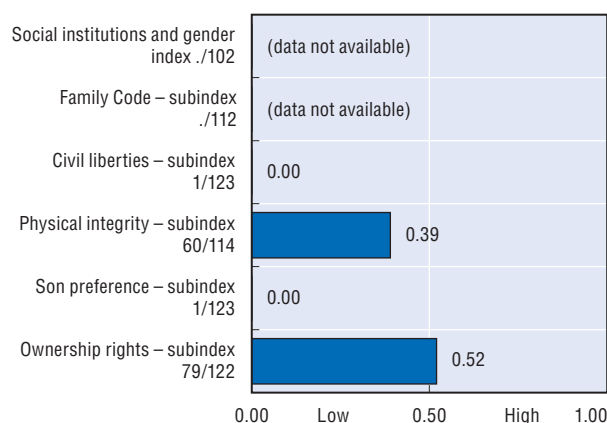
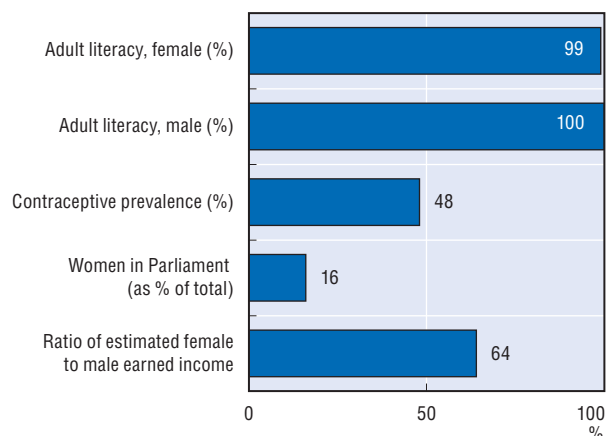
Article 18 of the Constitution of Turkmenistan upholds the principle of equality between men and women and prohibits all forms of discrimination. The authorities consider the country's legislative and regulatory frameworks to be free of discriminatory provisions, yet Turkmenistan is an authoritarian state that often stands accused of obstructing the rights and freedoms of a large proportion of its population, but various sources report that women's rights are often severely breached. The Labour Code limits the professional opportunities of women and offers them no protection except in their maternal obligations. Social stereotypes prevail and have become more widespread since the country became independent in 2001. For the most part, the social position of women is defined according to their role as mothers.

Family code

The minimum legal age for marriage in Turkmenistan is 16 years for both men and women, or 18 years in the case of marriage to a foreigner. No statistics are available on the average age for marriage, but the government's recent decision to reduce time spent by children in compulsory education – from 11 to 9 years – could lead to a rise in the incidence of early marriage. A 2004 United Nations report estimated that 6% of girls between 15 and 19 years of age were married, divorced or widowed. Forced marriages are a problem in rural areas; where dowries are frequently paid to the husband's family and women are then obliged to work to reimburse the money.

Polygamy is prohibited by law in Turkmenistan, and though again no statistics are available, there is evidence that the practice exists in certain regions, without legal repercussions. By law, men and women have the same rights and responsibilities in relation to their children, including shared parental authority. In practice, women are generally confined to the role of mother and men assume other responsibilities as head of the household.

No information is available concerning inheritance rights.

SIGI ranking**Select indicators of gender equality****Physical integrity**

Turkmen law prohibits violence against women, including violence against a spouse, but the legislation is seldom applied. Domestic violence appears to be common, but victims remain silent, either because they are uninformed of their rights or for fear repercussions. Few cases are brought to trial.

Rape, including spousal rape, is illegal in Turkmenistan and punishable by sentences ranging from 3 to 25 years in prison, depending on the extent of the violence. The government generally applies this law.

Ownership rights

Information about ownership rights is scarce, but it appears women face many obstacles in exercising their legal rights. The process of decollectivisation gave households an opportunity to acquire access to land, but Turkmen authorities provide no statistics stating what percentage of land is allotted to women. Patriarchal tradition has left a legacy of discrimination in regard to land rights, and there is no evidence to suggest that the situation for women has improved. Although men and women have equal legal rights in regard to access to property other than land, patriarchal traditions that favour men prevail.

There are no legal restrictions on women's access to bank loans, though authorities will not provide statistics about loan access in general or the proportion of loans granted to women. The 1993 law on commercial banks and banking activities contains no specific provisions relating to women.

Civil liberties

In general, civil liberties are considered to be restricted in Turkmenistan. No detailed information is available about freedom of movement, but the government is known to keep an updated list of individuals who are banned from travelling outside the country. These kinds of restrictions make it all the more difficult for NGOs to inform women of their rights.

There are no reported restrictions to women's freedom of dress.

Ukraine

Population	46 509 350
Female population (as % of total population)	53.8
Women's life expectancy (in years)	74.2
Men's life expectancy (in years)	62.5
Fertility rate (average births per female)	1.2



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Constitution of Ukraine upholds the principle of equality between men and women and the country's Penal Code specifically mentions the need to eradicate all forms of discrimination. In general terms, Ukraine's legislation upholds the rights of women and guarantees their protection. However, though a law providing for equal opportunities for men and women was passed in 2006, few judges are aware of its existence. Negative stereotypes also persist, continuing to limit women's participation in society. This effect is exacerbated by the low level of female representation in decision-making bodies. Poverty and cultural attitudes also contribute to discrimination against women in Ukraine.

Family code

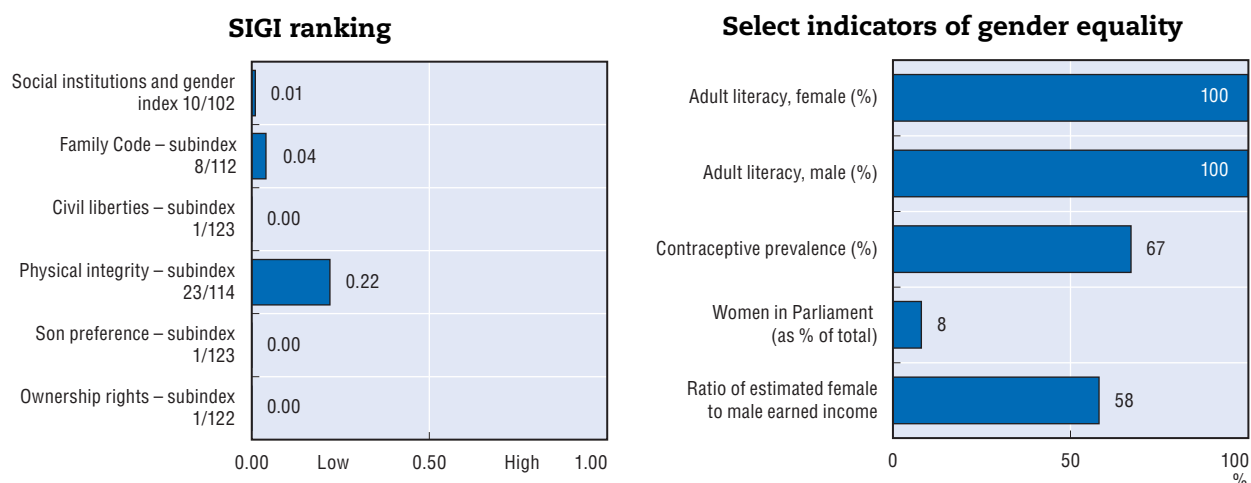
Ukrainian law protects women relatively well within the family context, but gender stereotyping is still pervasive. The legal minimum age for marriage is 17 years for women and 18 years for men. The courts can authorise marriage from the age of 14 years if it is clear that the marriage is in the person's interests. The incidence of early marriage is quite high for a European country. A 2004 United Nations report estimated that 10% of girls between 15 and 19 years of age were married, divorced or widowed. Polygamy is not a common practice in Ukraine.

In Ukraine, parental authority is shared by the mother and father, and parents have equal rights and responsibilities regarding their children's development and education. Social stereotypes within the family remain strong, however and it is not uncommon for men to divorce and then refuse to fulfil their parental obligations, which leaves mothers (and their children) with limited resources. Such women have few legal options to pursue action against their ex-husbands.

There is no legal discrimination against women in regard to inheritance.

Physical integrity

The physical integrity of women in Ukraine is not yet sufficiently protected. In 2001, the government passed a law to prevent violence against women, but public awareness of this law is low even among women. Paradoxically, this law authorises the police to arrest a woman if it can be demonstrated that she provoked the violence by behaving as a victim. Another problem is that the existing law does not specifically recognise domestic violence,



the most common form of violence against women in the country. It is believed that half of Ukrainian women have experienced violence in their homes. Authorities are now considering an amendment to the Criminal Code, which would specifically prohibit domestic violence.

Ukrainian legislation prohibits rape, but contains no specific reference to spousal rape. Perpetrators of spousal rape are punished under a law prohibiting forced sexual relations with a materially dependent person.

Ownership rights

Legally, women in Ukraine have relatively strong ownership rights, but they can still face discriminatory practices. According to the government, many women gained access to land through the 2001 agrarian reforms, which transformed the country's collective farms into agricultural businesses. It is argued, however, that households headed by women tended to be given less access to land than those headed by men, even if these differences were comparatively minor.

The Constitution guarantees women's legal rights to access to property other than land. By law, joint property acquired during marriage belongs equally to both spouses, but this is rarely the case in practice. If a man leaves his wife and forces her to leave the marital home, she has few legal avenues through which to pursue an equitable distribution of property.

The Ukrainian legal framework gives women equal access to bank loans, but in practice accessing loans is difficult for both men and women. Men have the advantage that they can sometimes use their relationships within the administration to acquire loans. Because women are poorly represented in administrative bodies, they typically don't have this option. Following the 2001 agrarian reform, many women in rural areas established credit unions in order to improve their access to credit.

Civil liberties

Women's civil liberties are generally well respected in Ukraine. There are no reported restrictions to their freedom of movement or freedom of dress.

Uzbekistan

Population	26 867 800
Female population (as % of total population)	50.3
Women's life expectancy (in years)	70.4
Men's life expectancy (in years)	64.0
Fertility rate (average births per female)	2.4



The Constitution of Uzbekistan prohibits all forms of discrimination and provides for equal rights for men and women. In reality, a very strong patriarchal tradition affects the role of women both in the family and within society in general. Moreover, the resurgent nationalist movement has reinforced traditional gender stereotypes. Fewer than three-quarters of Uzbek women believe they have the same rights as men.

Family code

Uzbekistan has a system of Neighbourhood Committees who deal with day-to-day family matters, but these committees have no legal authority. Moreover, they can function as obstacles to women's rights, as women can face major difficulties obtaining a divorce if their local Neighbourhood Committee has not given its consent.

The minimum legal age for marriage in Uzbekistan is 17 years for women and 18 years for men, but special dispensation can be granted up to one year before this limit if there are "valid reasons or exceptional circumstances". Early marriage is common: a 2004 United Nations report estimated that 13% of girls between 15 and 19 years of age were married, divorced or widowed. The tradition of paying a dowry still exists, though nowadays the amount paid is largely symbolic.

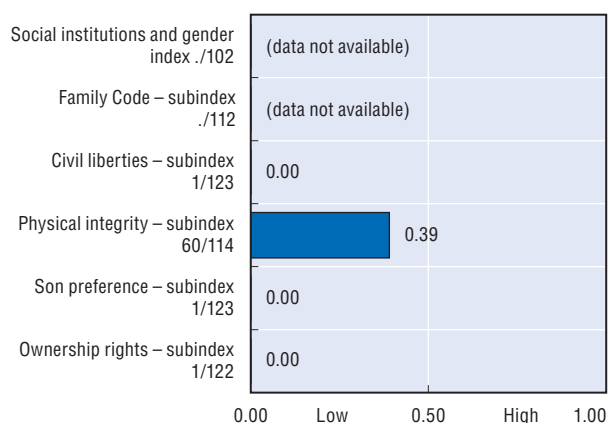
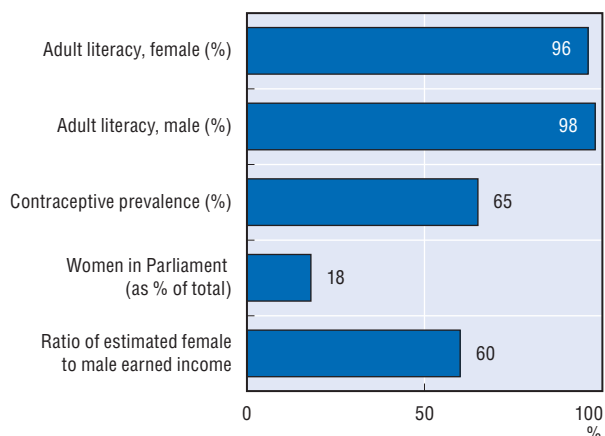
Polygamy is prohibited by the Uzbek Penal Code and when practised in a single home is punishable by three years of imprisonment. The CEDAW Committee reports that this wording is confusing as it suggests polygamy is authorised when practised in more than one home. It appears the number of polygamous families is rising in Uzbekistan, but there are no available statistics which can confirm this.

Men are generally considered to be the heads of families in Uzbekistan. In more than half of households, husbands alone decide about important expenses. In the event of divorce, the courts traditionally award custody to mothers, but impose certain restrictions. In regard to parental authority, fathers are considered to be "natural guardians" of their children and can appeal against a custody decision.

There are no reported restrictions on the inheritance rights of women Uzbekistan.

Physical integrity

Violence against women is punishable by law in Uzbekistan, but it has wide social acceptance, even among women. Domestic violence is not specifically covered in the Penal

SIGI ranking**Select indicators of gender equality**

Code and is argued to be quite common. Police often discourage victims from pressing charges against their husbands, leading to few convictions. In certain cases, Neighbourhood Committees can step in to settle disputes between spouses. The government is in the process of preparing new legislation in relation to violence against women.

Rape is punishable by law in Uzbekistan and spousal rape is specifically prohibited, but no man has ever been convicted for raping his wife. Cultural norms often discourage victims of sexual violence from speaking out.

Ownership rights

Thanks to recent legislative advances, Uzbek law now grants women the same ownership rights as men. However, women still face obstacles which undermine these rights. For example, couples can sign marriage contracts that guarantee the fair division of joint property in the event of divorce, but divorce courts sometimes disregard these contracts and ignore the woman's rights.

All legal obstacles which previously prevented Uzbek women from owning property have been officially removed, yet the proportion of women who actually have access to land is relatively low. This situation could improve now that women can obtain long-term loans and have more equitable inheritance rights. Women and men have equal rights to access to property other than land. It appears, however, that the rights of married women are insufficiently protected, particularly in the event of divorce.

Uzbek law guarantees the right of women to have access to bank loans. Due to the difficulties they face when seeking loans from formal lending institutions, however, a significant percentage of women rely instead on micro-credit programmes.

Civil liberties

Uzbek legislation promotes women's civil liberties, but tradition preserves a legacy of discrimination. There are no legal restrictions on women's freedom of movement, but nearly one-third of Uzbek women need permission from their husbands (or other male family members) to go to the market, see a doctor or visit a neighbour alone.

There are no reported restrictions on Uzbek women's freedom of dress.

- PARAGUAY
- ARGENTINA
- COSTA RICA
- EL SALVADOR
- ECUADOR
- BOLIVIA
- URUGUAY
- VENEZUELA
- PERU
- COLOMBIA
- CUBA
- BRAZIL
- CHILE
- NICARAGUA
- TRINIDAD AND TOBAGO
- GUATEMALA
- HONDURAS
- DOMINICAN REP.
- JAMAICA



Latin America and the Caribbean

Gender discrimination in social institutions is low across Latin America and the Caribbean; overall, it is the region with the smallest range of gender disparity between the 22 countries. All ranked countries in the region are in the top half of the SIGI, and Paraguay is the top performer overall. Despite this strong performance, the low protection of women’s physical integrity is a concern.

Overall, Latin America and the Caribbean have made significant progress in promoting gender equality over the past 20 years, especially in education and in access to land. However, women still suffer from bias, mainly due to a deeply rooted sexism, social stereotypes and a traditional view of the family. Inequalities persist between men and women’s wage levels and career prospects, and domestic violence is not uncommon.

On the positive side, the region benefited from important awareness-raising campaigns led by women in the 1980s and 1990s. These helped develop a legal and institutional framework that guarantees some protection of women’s rights. In Paraguay, for example, many laws protecting women’s physical integrity were passed in the 1990s, and other improvements included better access to both land and bank loans. In Bolivia, 40% of land was held by women in 2004, *versus* 9% in 1990, and in Brazil, a quota system was recently introduced in rural development financing programmes.

Note of SIGI ranking: Not included in the overall SIGI ranking: Haiti, Panama and Puerto Rico.

SIGI ranking

High discrimination

However, challenges remain regarding equal ownership rights. Despite legislation supporting women’s financial independence, economic discrimination persists in everyday life, especially in rural areas. Women generally receive smaller plots of land than men, and their lack of financial resources means banks usually offer them smaller loans than they do to men.

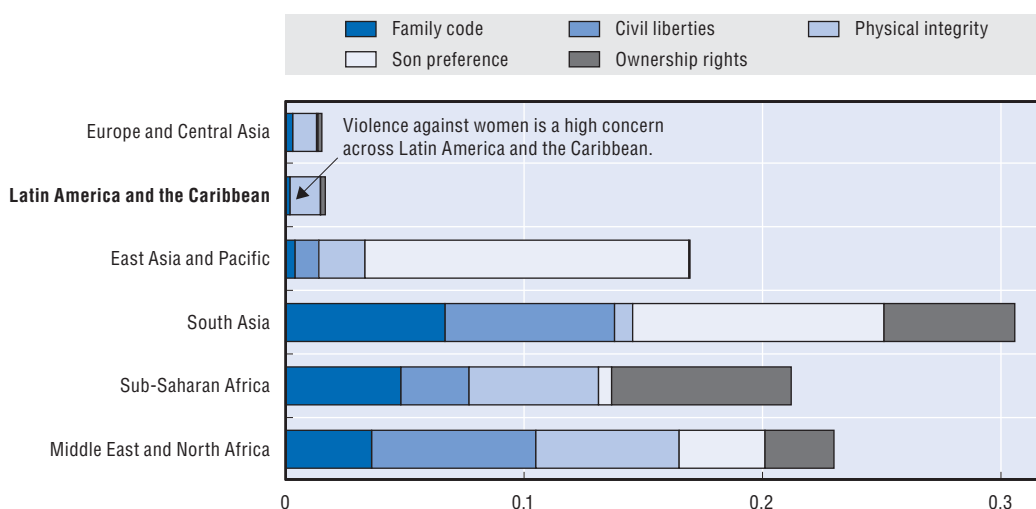
Key issue: Violence against women

Violence against women, both physical and psychological, remains a particular problem across Latin America and the Caribbean, and the phenomenon has increased in recent years. Guatemala, Jamaica, Brazil, and Haiti in particular are affected. In Haiti, eight in ten women are victims of domestic abuse.

The reasons why women are victimised are numerous: there are often difficulties in enforcing existing legislation, while courts can also stereotype women in judicial decisions; weak public security increases the risk of rape; and in many cases women who are raped fail to report it for fear of being stigmatised.

Despite these challenges, there is an increasing awareness of domestic violence. In Nicaragua, the number of cases reported rose by a third between 2001 and 2002. Equally in Ecuador there has been a marked increase in complaints relating to psychological violence.

Average SIGI score by region (population-weighted)



Argentina

Population	39 503 466
Female population (as % of total population)	51.1
Women's life expectancy (in years)	79.1
Men's life expectancy (in years)	71.6
Fertility rate (average births per female)	2.3



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Argentine Constitution (amended in 1994) guarantees the equality of both genders and prohibits any form of discrimination against women. Nonetheless, traditional views and stereotypes of women and the family lead to discriminatory practices.

The National Council for Women was established in 1992 to promote women's participation in society and ensure that the international treaties ratified by Argentina (in particular CEDAW) are applied in practice. According to a 2002 report by the CEDAW Committee, women head almost one-third of Argentine households.

Family code

Argentine law provides a relatively high degree of protection for women within the family. The statutory minimum age at which people can marry is 16 for women and 18 for men. However, a 2004 United Nations report estimated that 12% of girls between 15 and 19 years of age were married, divorced or widowed.

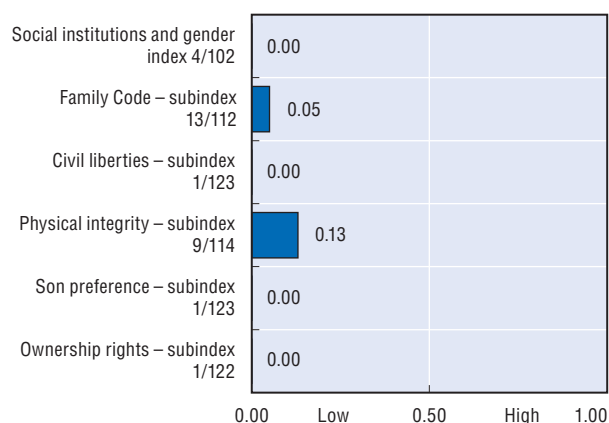
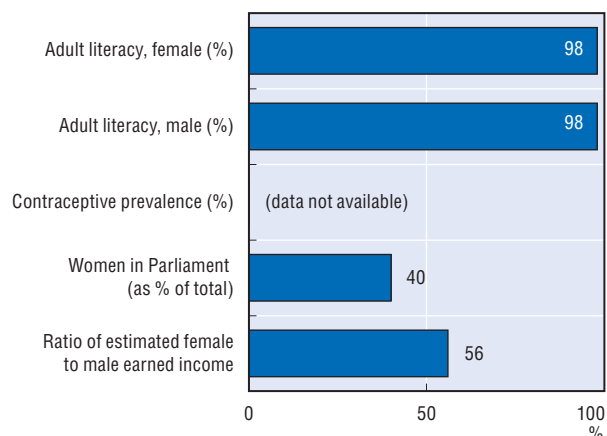
Polygamy is not practised in Argentina. The law on civil marriages guarantees equality between the spouses, particularly in relation to parental authority, both during the marriage and when it is dissolved. Maintaining the family following divorce is difficult for women as a large number of men do not meet their obligations for child support payments. In 2001, the government passed legislation to tackle this problem more effectively.

There is no discrimination in respect of inheritance; women are fully entitled to inherit on the same basis as men.

Physical integrity

The protection of the physical integrity of women in Argentina is reasonably high. However, despite relatively comprehensive legislation in this area, the problem of violence against women has increased in recent years. In 1999, legislation was passed on offences that violate sexual integrity, introducing the concept of sexual abuse and a broader definition of rape. However, the need to provide proof of a sexual injury resulting from rape is often seen as an obstacle for victims.

Similarly, despite the development of a legal framework designed to address the problem of domestic violence, it also remains quite common (although few reliable statistics are available). Legislation on protection from domestic violence was passed

SIGI ranking**Select indicators of gender equality**

in 1994, and applies in 20 out of 23 states. This legislation offers those who have suffered domestic violence protection, civil redress, welfare and psychological support and the removal of the violent spouse from the marital home. When violence involves a crime against sexual integrity, it is punishable by a sentence of up to 20 years in prison.

Female genital mutilation is not practised in Argentina and there is no evidence to suggest it is a country of concern in relation to missing women.

Ownership rights

Argentine law supports financial independence for women. Although the law views women as equal with regards to access to land, access to property other than land, and access to bank loans, in practice they often face economic discrimination. For example, many women work on small farms but have only limited access to land and are very vulnerable to poverty. To resolve this issue, the government has initiated several projects to benefit women living in rural communities.

Civil liberties

Women's civil liberties are well respected in Argentina. The law guarantees freedom of movement for women and there are no restrictions on this freedom in practice. The choice of residence is decided on jointly by both spouses. Women also have freedom of dress.

Bolivia

Population	9 517 537
Female population (as % of total population)	50.2
Women's life expectancy (in years)	67.7
Men's life expectancy (in years)	63.4
Fertility rate (average births per female)	3.5



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Constitution of Bolivia guarantees equal rights for men and women, but in general Bolivian women have a lower level of protection than men. Many women are not aware of their rights and tradition remains influential. Living conditions for Bolivian women are among the most difficult in Latin America. They are often the victims of violence and discrimination, and cultural prejudice still limits their access to land. Nevertheless, the overall situation of women appears to have improved in recent years.

Family code

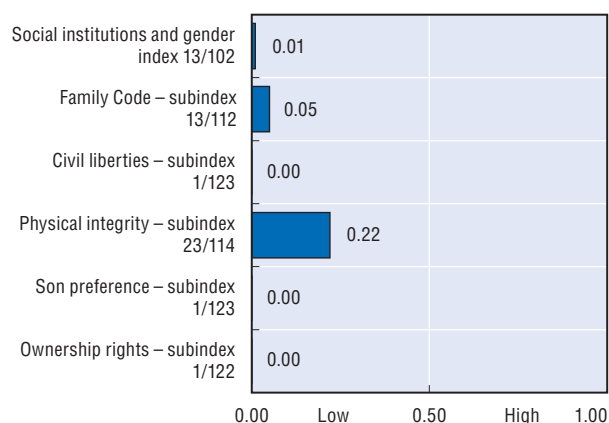
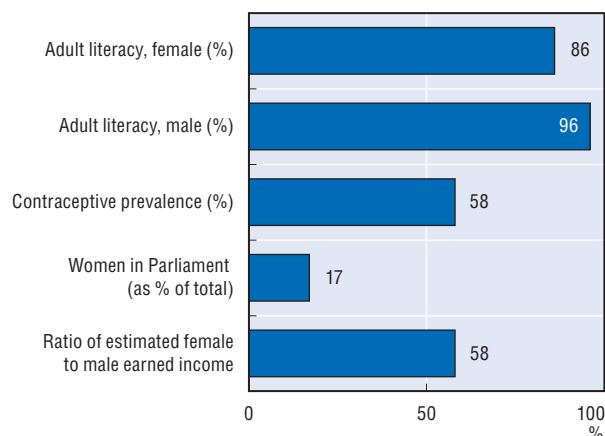
Protection of Bolivian women within the family needs to be further improved. The legal minimum age for marriage is 14 years for women and 16 years for men. In principle, early marriage between teenagers requires parental consent, but a judge can authorise the marriage even when the parents refuse to agree. A 2004 United Nations report estimated that 12% of girls between 15 and 19 years of age were married, divorced or widowed. Polygamy is not a common practice in Bolivia.

The division of labour in the home is still marked by gender stereotypes. Women make decisions about household chores on their own, but it is estimated that men make lone decisions about major household purchases in one out of five cases. No precise information is available about parental authority and custody rights in Bolivia. Bolivian women and men have equal inheritance rights.

Physical integrity

The physical integrity of Bolivian women is not sufficiently protected. Violence against women remains a major problem and represents more than half of all assaults in the country. Despite a specific law prohibiting it, domestic violence is still common. Half of the women in Bolivia are believed to have suffered physical, psychological or sexual violence at the hands of their partners at some time in their lives. Nine out of ten women are thought to have suffered from violence in general, compared to only one man in ten. Rape is also a serious problem. Generally, it is punishable by up to 10 years in prison, or 20 years for the rape of a child under the age of 14. The law does not recognise spousal rape.

Female genital mutilation is not practised in Bolivia, and it does not appear to be a country of concern in relation to missing women.

SIGI ranking**Select indicators of gender equality****Ownership rights**

Bolivian legislation grants women the same ownership rights as men, but discriminatory practices remain. Women continue to suffer discrimination with regards to access to land, largely because of cultural prejudice. The 1996 Land Reform Act states that land should be allocated, administered, owned and used according to the principles of equality. A 2006 survey by the CEDAW Committee found that, in 2004, 40% of land was allocated to women, either individually or under joint ownership, as compared to only 9% in 1990.

Women in Bolivia have the same rights to access to property other than land as men, and can enter into contracts and administer assets on the same legal basis. This legislation has had a positive impact only in urban areas; discrimination persists in rural regions, primarily due to cultural traditions.

Access to bank loans in Bolivia is often more difficult for women than for men, largely because women have limited financial resources. Micro-credit programmes targeted specifically at women make it possible for them to obtain some loans, but the sums involved are typically lower than those lent to men by formal banking institutions.

Civil liberties

The civil liberties of Bolivian women seem to be well respected; there are no reported restrictions on their freedom of movement or freedom of dress.

Brazil

Population	191 600 000
Female population (as % of total population)	50.7
Women's life expectancy (in years)	76.1
Men's life expectancy (in years)	68.8
Fertility rate (average births per female)	2.2



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The 1988 Constitution of Brazil upholds the principle of equality between men and women, particularly within the family, and prohibits all forms of discrimination. It also sets forth the State's obligation to eradicate all forms of domestic violence. The government recently amended the 1916 Civil Code and the Penal Code of 1940, both of which included provisions that discriminated against women.

The country is a federal state and many legal provisions are defined by state legislations. Women are increasingly present in the production sector and the job market in general, but professional segmentation on the basis of gender and wage inequality persists. Unemployment among Brazilian women is rising, and the situation of black women and women in rural areas is even more precarious. Furthermore, violence is a major problem for women in Brazil.

Family code

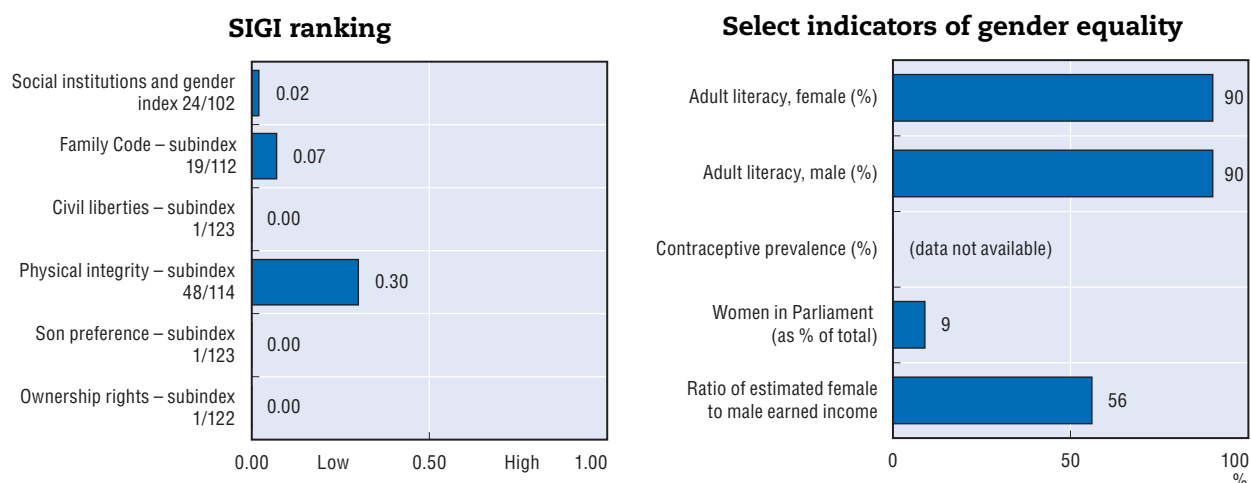
The Brazilian Family Code provides a moderate degree of protection for women with regards to family matters. The minimum legal age for marriage is 16 years for both women and men, on the condition of obtaining authorisation from the parents or a legal representative. A 2004 United Nations report estimated that 17% of girls between 15 and 19 years of age were married, divorced or widowed.

Polygamy is not practised in Brazil. The new 2003 Civil Code refers to family authority rather than paternal authority and grants equal rights to the mother and father, in the interests of the couple and the children. In the event of divorce, child custody is generally granted to the mother.

Brazilian women have the same inheritance rights as men.

Physical integrity

The government recently introduced measures to improve the protection of the physical integrity of Brazilian women, but much more remains to be done. Violence against women is a widespread social problem. Domestic violence affects many social and ethnic groups in Brazil, and the problem is exacerbated by poverty. Social responses to violence against women began to emerge in the 1980s, after feminist groups brought the problem to society's attention. The majority of crimes committed within the family or the household



are governed by a law adopted in 1995. A general increase in the number of convictions has been observed in recent years, but judicial decisions often reflect persistent stereotypes and are frequently prejudicial against women. In 2006, the government passed a law that provided the first clear definition of domestic violence and tripled the severity of sentences for offenders. There is no evidence to suggest that female genital mutilation is practised in Brazil, nor does it appear to be a country of concern in relation to missing women.

Ownership rights

Officially, Brazilian women have the same ownership rights as men, but inequalities persist. Access to land is legally guaranteed to women and land can therefore be granted to a man or a woman, irrespective of marital status. However, almost all the beneficiaries of the 1996 land reform were men. To remedy the situation, the Ministry of Agrarian Reform introduced a quota system that attributes one-third of the funds for financing agrarian reform to women. Until recently, Brazil's Civil Code discriminated against married women and restricted their access to property other than land. Men were responsible for administering joint property and also acted as their wife's "representative", which gave them the authority to administer their wife's individual property. The 2003 Civil Code gives each spouse equal rights and obligations in this area.

By law, Brazilian women have access to bank loans, but those in rural areas have more difficulty exercising this right. In response, the government recently introduced a quota system in rural development financing programmes. However, loans are often granted to the head of the household, which effectively limits married women's access to bank loans.

Civil liberties

Brazilian women do not seem to be restricted in the exercise of their civil liberties. There are no reported restrictions on women's freedom of movement or freedom of dress. The 2003 Civil Code stipulates that spouses must decide together where they will live. This is a significant step forward: in the past, wives were obliged to live in their husbands' place of residence.

Chile

Population	16 594 596
Female population (as % of total population)	50.5
Women's life expectancy (in years)	81.5
Men's life expectancy (in years)	75.5
Fertility rate (average births per female)	1.9



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Constitution of Chile was reformed in 1999 to include specific provisions upholding equality between men and women and to prohibit gender-based discrimination. In general, however, the country remains marked by persistent sexual inequality. Chile is one of the few states in the world to have elected a female president, Michèle Bachelet, and parity is respected within the government.

Women are generally more affected by poverty than men, and suffer discrimination in the job market and in politics, the media and the family. The lack of employment opportunities in rural regions drives many women to migrate to urban areas, which now have a gender imbalance weighted towards women. The number of women heading households in Chile is increasing.

Family code

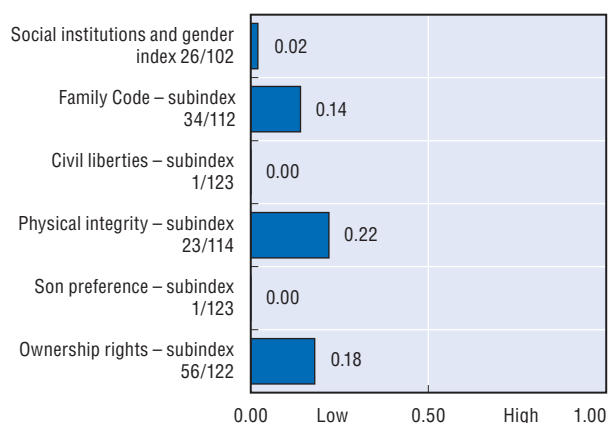
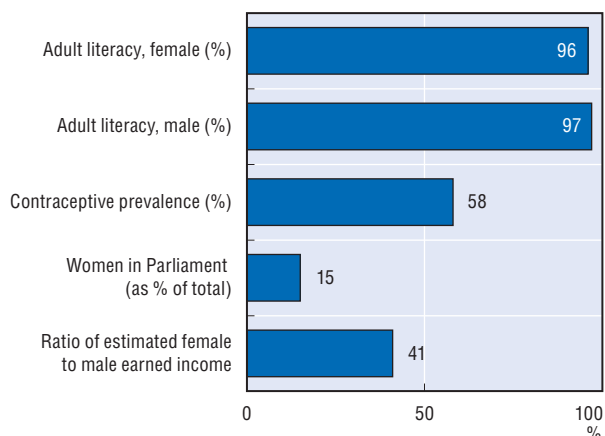
Progress is still needed to improve the protection of Chilean women within the family context. Early marriage and early pregnancies are common: the minimum legal age for marriage is just 12 years for women and 14 years for men. A 2004 United Nations report estimated that 12% of girls between 15 and 19 years of age were married, divorced or widowed.

Chilean law stipulates that the mother and father share responsibility for their children, but when both parents live together, parental authority is held by the father. After a separation, such authority is held by the parent to whom custody has been granted. Unless there are extenuating circumstances, this is generally the mother. Divorce has only been authorised in Chile since 2004.

In the matter of inheritance, women are free to inherit and are legally entitled to execute or administer wills in the same way as men. A law passed in 1998 amended the Civil Code, granting equal rights to all children (irrespective of the status of their parents) and improving the inheritance rights of widows.

Physical integrity

Chile has made some progress in protecting the physical integrity of women, yet violence against women remains quite common. In urban areas, half of women in relationships have suffered some form of violence at the hands of their partner, and the situation is estimated to be more severe in rural regions. A law broadening the definition of

SIGI ranking**Select indicators of gender equality**

domestic violence made provisions for mechanisms to protect victims, and restricted the possibility of informal settlements between the affected parties. An additional law was passed in 1999 that extended the legal definition of rape and increased the punishments for offenders. The 1999 law also removed the criterion that a woman had to be of “good reputation” to be considered a victim. Spousal rape is also punishable under the law in Chile.

There is no evidence to suggest that female genital mutilation is practised in Chile, nor that it is a country of concern in relation to missing women.

Ownership rights

The ownership rights of women are quite well respected in Chile, particularly in relation to access to land. In 1992, the government initiated a programme to distribute land, with a priority for granting title deeds to poor farmers and female heads of households. Women received just under half of the land distributed, but were generally given smaller plots of land.

For married women in Chile, access to property other than land is contingent on the type of marriage settlement under which they wed. In the past, ownership rights were granted solely to husbands. A new law, adopted in 1994, introduced the option of spouses having joint ownership.

Women face several restrictions in terms of access to bank loans, even though they generally have a better repayment rate than men. However, several banks have created loans specifically for women, who represent more than one-third of borrowers in Chile.

Civil liberties

The state guarantees the civil liberties of Chilean women. There are no reported restrictions on their freedom of movement or freedom of dress.

Colombia

Population	43 987 000
Female population (as % of total population)	50.8
Women's life expectancy (in years)	76.6
Men's life expectancy (in years)	69.2
Fertility rate (average births per female)	2.5



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Colombian Constitution upholds the principle of equality between men and women in all public and private spheres, yet many forms of discrimination persist. Women are more affected by unemployment than men and receive lower wages. This disparity is widest in rural areas. The number of households headed by women rose significantly between 1992 and 2001. Women who are solely responsible for their families are the most vulnerable to poverty.

Family code

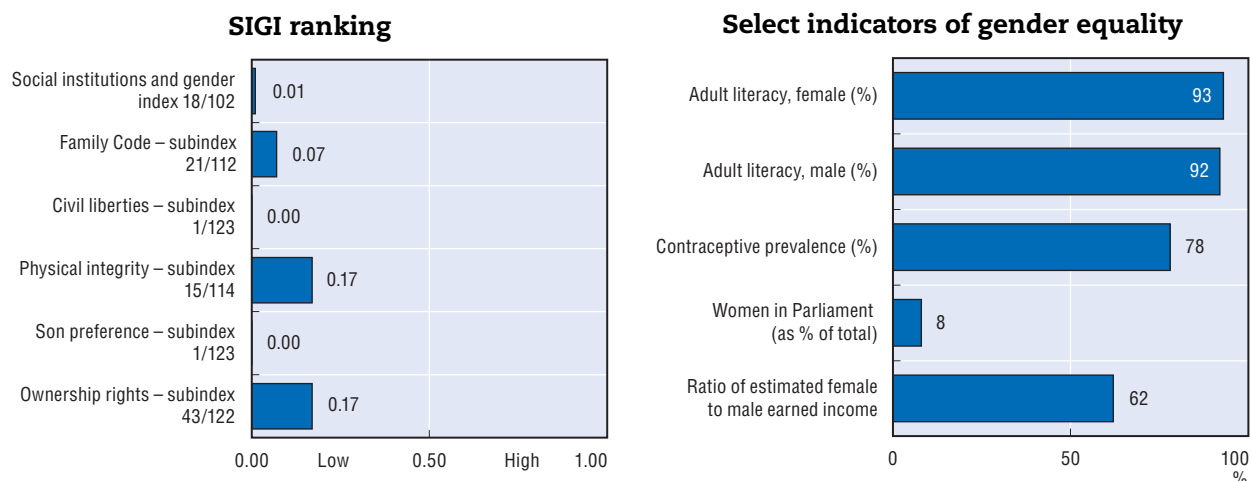
Legally, Colombian women have a relatively low level of protection in relation to family matters. The minimum legal age for marriage is very low, just 12 years for women and 14 years for men. Early marriage is common, as are child marriages and early pregnancies, all of which have been shown to have negative consequences on women's health, education and development. A 2004 United Nations report estimated that 18% of girls between 15 and 19 years of age were married, divorced or widowed. The survey also indicated that 22.5% of women aged 25 to 49 had married for the first time before the age of 18.

In Colombian families, parental authority is shared by the mother and father, both of whom have a say in the location of the family home.

There is no apparent discrimination against Colombian women with regards to inheritance.

Physical integrity

Colombia has recently taken steps to enhance protection of women's physical integrity, but violence against women remains a major problem. The new Penal Code recognises sexual slavery and rape as crimes. It also obliges the government to provide immediate protection for victims of domestic violence, although the victim's consent is required for the law to be applied to its fullest extent. In response to the high incidence of sexual violence, the government established a centre that provides assistance to victims of such abuse. Judicial authorities can evict perpetrators of violence from the family home, and force them to participate in therapy or rehabilitation programmes. The law also makes provision for prison sentences in the event of serious or recurrent abuse.



Domestic violence is widespread in Colombia. In 2002, the Institute of Forensic Medicine reported that about one-third of domestic violence cases involved married couples and 23% involved other family members. Despite the provisions in the new Penal Code, rape is prevalent, including a high incidence of spousal rape. In addition, acts of sexual violence are frequently committed by paramilitaries or members of the guerrilla forces.

Female genital mutilation is not a tradition in Colombia. However, there is evidence that members of armed groups inflict sexual mutilation as a punishment for alleged fraternisation with the enemy or for the violation of imposed codes of behaviour.

There is no evidence to suggest that Colombia is a country of concern in relation to missing women.

Ownership rights

Legally, women benefit from the same ownership rights as men, yet discrimination against women is common, particularly in rural areas. With regards to access to land, Colombia's land reform initially favoured men as heads of households. The situation subsequently improved for community properties, and for women refugees. In addition, married women benefit from the guarantees associated with cases of joint ownership. However, women in rural areas typically have limited access to property other than land.

Special access to bank loans is given to women who head households and have low incomes.

Civil liberties

In theory, the Constitution guarantees the civil liberties of Colombian women. In practice, their freedom of movement is somewhat restricted, within particular regions, by the ongoing armed conflict, which has displaced large portions of the population and left women and children vulnerable to human trafficking. It is estimated that approximately 75% of displaced persons are women and children. Similarly, the freedom of dress guaranteed by law is overruled by dress or behavioural codes imposed by paramilitary or guerrilla groups. Women who do not respect these informal codes are subject to punishment at the hands of their oppressors.

Costa Rica

Population	4 462 193
Female population (as % of total population)	49.2
Women's life expectancy (in years)	81.2
Men's life expectancy (in years)	76.5
Fertility rate (average births per female)	2.1



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Constitution of Costa Rica provides the same rights, freedoms and opportunities for all individuals and prohibits any form of discrimination. The situation of women improved during the 1990s, but social discrimination remains evident, particularly with regards to access to land and credit. Domestic violence is still a major problem and seems to have increased in recent years.

Family code

The family code does not sufficiently protect Costa Rican women in relation to family matters. The minimum legal age for marriage is 18 years for both men and women. However, with parental consent, both men and women can marry at the age of 15. Thus, early marriage is quite common. A 2004 United Nations report estimated that 20% of girls between 15 and 19 years of age were married, divorced or widowed.

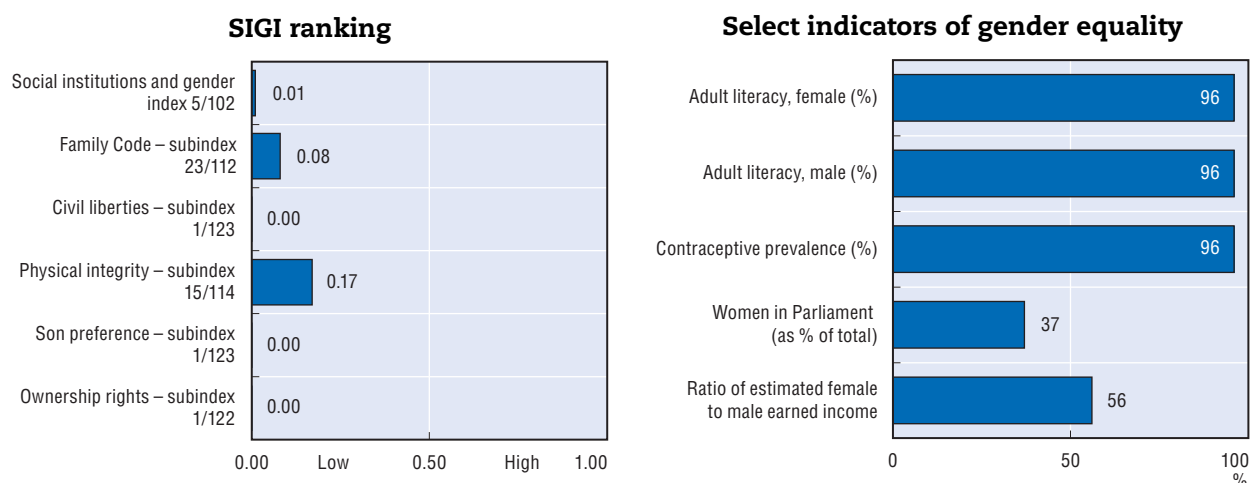
Polygamy is not a common practice in Costa Rica.

Costa Rica was one of the first countries in the world to pass legislation, in 1973, granting parental authority to both spouses. This law also provides for equality in the case of divorce. Nonetheless, gender distinctions remain. In 1995, Costa Rica passed an act governing common law marriages and providing for equality between men and women. Despite this legislative framework, and the absence of any law that grants men status as head of the family, traditional arrangements persist. For example, custom dictates that women take responsibility for educating children, even though this task is not specifically imposed by law. In the vast majority of divorce cases, custody of the children is awarded to the mother. Divorced women who wish to remarry are obliged to wait at least 300 days after the dissolution of their previous marriage. Failure to abide by this rule is punishable by a fine.

There are no apparent restrictions on women's inheritance rights; they can act as both executors and administrators of wills.

Physical integrity

Women's physical integrity is generally quite well protected in Costa Rica. In an effort to reduce violence against women, in 1996 the government passed a law specifically addressing domestic violence. The law stipulates that rape, including spousal rape, should



be punished by 10 to 18 years in prison, although the Independent National Institute for Women reports that spousal rape is very difficult to prove in Costa Rica. This law does provide protection for victims and includes provisions for keeping the perpetrators of violence at a distance. The government continues to consider domestic violence as a serious and growing problem. However, several NGOs report that the police are not yet applying the full range of legislative measures. Female genital mutilation is not a common practice in Costa Rica and there are no indications that it is a country of concern in relation to missing women.

Ownership rights

Costa Rican women have rights to property ownership and the law does not discriminate against women with regards to access to land. Nonetheless, statistics show that between 1962 and 1988 only about 10% of land allocated by the Institute for Agricultural Development was granted to women. The situation improved significantly during the 1990s when the law was amended to allow for allocation of land to a couple. Women now have greater access to land in the context of jointly owned property and do not face restrictions in their access to property other than land.

Legislation guarantees that Costa Rican women have access to bank loans. In practice, it is difficult for women to obtain loans because they typically hold few assets in their own names or lack the means to provide financial guarantees. Access to loans is even more limited in rural areas. According to the Costa Rican National Bank, the number of loans granted to women for agriculture, fishing or farming is still very low in relation to the total number of loans accorded. However, the bank's statistics show that the percentage of loans granted to women for small- and medium-sized enterprises increased slightly between 1999 and 2000.

Civil liberties

Women's civil liberties are respected in Costa Rica and the Constitution guarantees freedom of movement. However, tradition dictates that men have greater say than women in the choice of where they will live as a couple. There do not appear to be any restrictions on freedom of dress.

Cuba

Population	11 257 013
Female population (as % of total population)	49.9
Women's life expectancy (in years)	80.4
Men's life expectancy (in years)	76.2
Fertility rate (average births per female)	1.5



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The 1976 Constitution of Cuba, along with constitutional amendments made in 1992, upholds the principle of equality between men and women and discrimination is formally prohibited. The Penal Code stipulates that infringements of “the right to equality” are punishable by imprisonment (according to Article 295 of the Criminal Code).

However, Cuban women are the main victims of poverty and social exclusion in the country. They not only suffer from gender bias in public policies, but also from the weight of tradition, which imposes particular tasks on women. Male chauvinism is still very prevalent.

Family code

The 1975 Family Code provides women with the same rights and duties as men, but in practice women in Cuba are not sufficiently protected with regards to family matters. The legal minimum age of marriage is 18 for both men and women. In exceptional circumstances, and for justified reasons, women can be authorised to marry at 14 years and men at 16 years. As a result, the incidence of early marriage is high. A 2004 United Nations report estimated that 29% of women between 15 and 19 years of age were married, divorced or widowed.

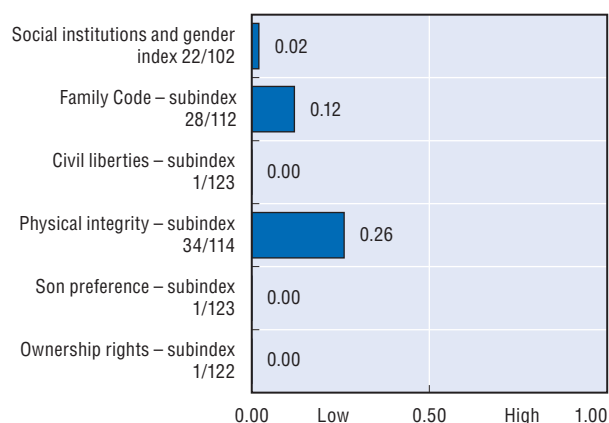
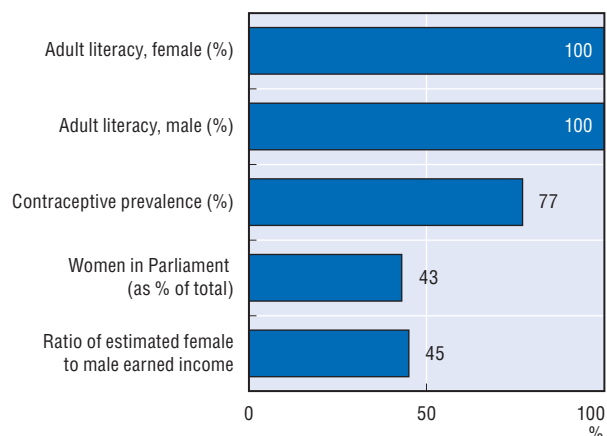
Polygamy is prohibited by a statutory decree passed in 1997 and there is no evidence that it is practised in the country.

Parental authority is exercised jointly by both parents, but the division of household chores based on traditional gender roles remains a reality. If divorcing parents cannot reach agreement, the courts award custody based on the best interests of the child. In most cases, children stay with their mother.

There is no discrimination with regards to inheritance and widows have the same rights as other descendants. The Penal Code abolished the usufruct quota for widows. Widows cannot be disinherited: where the deceased has expressed such a wish, it is only taken into account for half of the estate, with the remainder passing to the legal heirs. If there are no other descendants, all of the property passes to the widow.

Physical integrity

Further progress is needed to protect the physical integrity of Cuban women. Effective legislation to address violence against women is lacking and there is no specific legislation

SIGI ranking**Select indicators of gender equality**

to punish the perpetrators of domestic violence, which is handled under general criminal law. A statutory decree passed in 1999 stipulates that the existence of a family relationship between the offender and victim is an aggravating factor. Few women bring complaints, although a 2006 report by CEDAW indicates that the authorities have seen an increase in the number of cases of violence against women. Rape is punished by a prison sentence of 4 to 10 years, and 15 years in the case of a repeated offence. Rapists are liable to capital punishment if the victim is a child under the age of 12. Generally, the courts properly apply the law. Female genital mutilation is not practised in Cuba. There is no indication that Cuba is a country of concern in relation to missing women.

Ownership rights

Cuban women have the same ownership rights as men. There was no gender discrimination when land was redistributed in 1959, but in practice few women obtained land. The number of women with access to land is increasing through inheritance.

Women have the same legal capacity as men and there is no legal discrimination with regards to access to property other than land. Spouses must obtain their partner's consent if they wish to acquire, administer or transfer jointly owned property, and this applies to both men and women. Individual property acquired before or during the marriage can be freely used by one spouse without needing to seek agreement from the other.

There is no legal discrimination in respect to access to bank loans, but in practice women's access is more restricted than men's.

Civil liberties

Cuba guarantees civil liberties for women and does not appear to restrict freedom of movement or freedom of dress.

Dominican Republic

Population	9 725 569
Female population (as % of total population)	49.8
Women's life expectancy (in years)	75.5
Men's life expectancy (in years)	69.3
Fertility rate (average births per female)	2.4



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Women in the Dominican Republic face several gender-related challenges. Women are much more severely affected by unemployment than men, and their activities are more limited. Domestic violence is frequent, and seems to have increased in recent years. In rural areas, inequality is evident in that women have poor access to healthcare, education and bank loans.

Family code

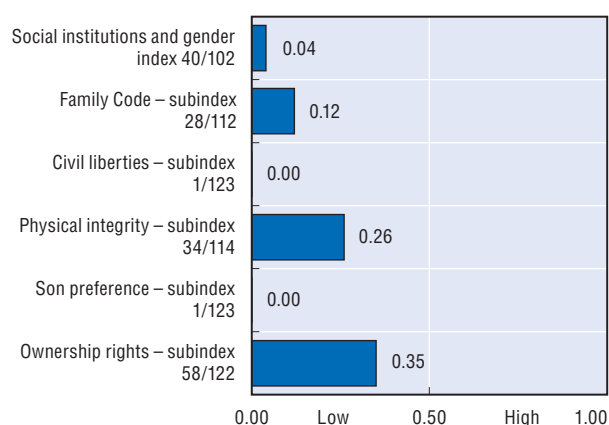
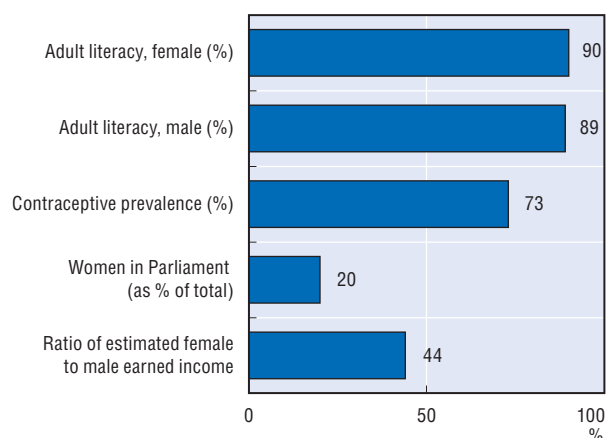
Dominican women within the family are somewhat protected. The legal minimum age for marriage is 18 years for both men and women, but early marriage is relatively common. A 2004 United Nations report estimated that 29% of girls between 15 and 19 years of age were married, divorced or widowed.

Pregnancy among young girls is a serious problem. Polygamy is not commonly practised in the Dominican Republic. Parental authority is exercised jointly by the father and mother. Women's inheritance rights improved with the passing of the land reform law in 1998, and they now have full rights to inherit land.

Physical integrity

The Dominican Republic has made positive changes to relevant legislation, but the physical integrity of Dominican women is still not well protected. Violence against women is prevalent: up to one-third of women have suffered physical violence at the hands of their husbands or other men and half of the victims received no help. A law was passed in 1997 to combat domestic violence, but it has been slow to take effect. Amongst the obstacles identified is a resistance on the part of judges to take gender into account in their decisions. Lack of budgetary resources limits the opportunity to create rehabilitation centres or mechanisms for men who are guilty of violence, or safe facilities that offer shelter and care to survivors of violence.

Rape is also a serious problem and is punished by 10 to 15 years' imprisonment, or 20 years for the rape of a "vulnerable person". The State can prosecute rapists even when no complaint is brought by the victim, and a woman can bring a complaint of rape against her husband. Complaints are not lodged in most rape cases because of social stigma and the difficulties the authorities face in bringing the guilty to justice.

SIGI ranking**Select indicators of gender equality**

Female genital mutilation is not practised in the Dominican Republic, and there is no evidence to indicate that it is a country of concern in relation to missing women.

Ownership rights

Dominican law on ownership generally provides equal protection for women, but they do not have full financial independence. Women have benefited from programmes granting them access to land. However, surveys carried out by the Secretary of State for Agriculture suggest that, in comparison to men, women are allocated smaller plots with low productivity, which provide only a subsistence level of livelihood. Most women who benefit from such schemes are aged between 41 and 60 years, thus, access to land is even more limited for women who are younger or older. Until the 1998 Land Reform Act, women were not legally entitled to obtain land through inheritance and men retained ownership of land in the case of divorce. As a result of all these factors, few women in rural areas own land.

Women in the Dominican Republic have free access to property other than land and are entitled to administer their property before and after marriage. There is a system of joint ownership of matrimonial property, which applies to about two-thirds of married couples.

Even though there is no discrimination in law, women find it more difficult than men to exercise their right to access to bank loans. To tackle this problem, the Dominican Agrarian Institute offers specific credit facilities for women. Nevertheless, the number of women who benefit from official grants of such loans remains low.

Civil liberties

Women's civil liberties are respected in the Dominican Republic. Women appear to have full freedom of movement and freedom of dress.

Ecuador

Population	13 339 580
Female population (as % of total population)	49.9
Women's life expectancy (in years)	78.0
Men's life expectancy (in years)	72.1
Fertility rate (average births per female)	2.6



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Constitution of Ecuador upholds the principle of gender equality and guarantees human rights. It prohibits any form of sexual discrimination without exception and provides for equal opportunity for men and women in access to productive resources and in marriage.

The economic independence of women depends largely on their relationship to the factors of production and their access to property. In reality, few women own land and households headed by women generally have a lower income than those headed by men.

Family code

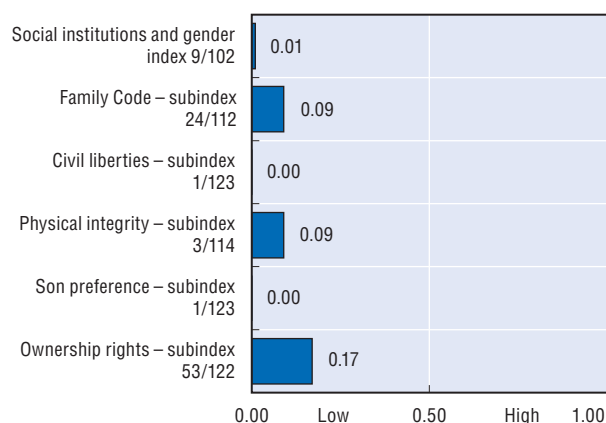
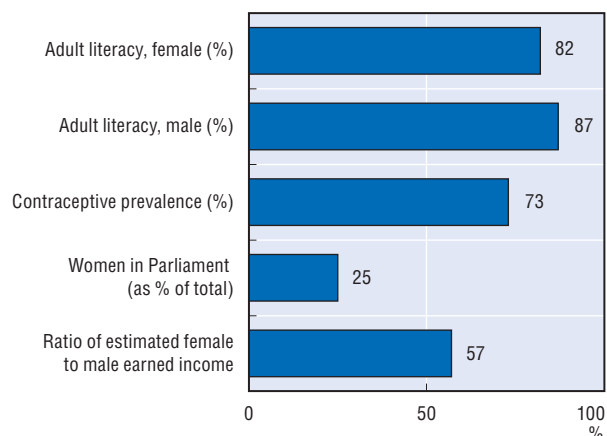
The family code is broadly favourable to women in Ecuador. The legal minimum age for marriage is 18 years, but early marriage is permitted with parental permission or authorisation from a judge. A 2004 United Nations report estimated that 22% of girls between 15 and 19 years of age were married, divorced or widowed. Polygamy is not a common practice in Ecuador.

The Constitution of Ecuador provides for equal family responsibilities for men and women, and parental authority is exercised jointly by both spouses. However, the Committee on the Rights of the Child highlights “the often limited extent of parental responsibility taken by the father, particularly in terms of recognising and maintaining the child”. Increasing emigration in recent years has also created problems in relation to parental responsibility.

There are no apparent restrictions on women’s inheritance rights; they can act as both executors and administrators of wills.

Physical integrity

The physical integrity of Ecuadorean women is well protected. The law on violence against women and the family defines domestic violence as any act or failure to act resulting in physical, psychological or sexual abuse perpetrated by a member of the family against a woman or another member of the family. The number of complaints of physical violence remains constant, but there has been an increase in complaints of psychological violence, which suggests an increasing awareness of this problem. The law punishes rape,

SIGI ranking**Select indicators of gender equality**

including spousal rape, by 25 years in prison. In 2004, the Committee on Economic, Social and Cultural Rights criticised the overly restrictive definition of rape and the failure to classify domestic violence as a crime.

Female genital mutilation is not practised in Ecuador. There is no evidence to suggest that Ecuador is a country of concern in relation to missing women.

Ownership rights

The 1994 Agrarian Development Act established a market for land and guarantees access to land ownership. In practice, fewer women than men have access to land. Women have legal access to property other than land but face some restrictions in its administration. Within marriage, joint property is administered by the head of the family. There is a presumption in favour of the husband, who is considered to be the head of the family unless there is an explicit statement to the contrary. In the civil arena, the head of the family must obtain written authorisation from his or her spouse to enter into any contract that binds the couple's joint property.

Restrictions in access to bank loans pose serious problems for women and agricultural development. According to a national agricultural survey in 2000, the proportion of women working in the agricultural sector who had been granted a loan was approximately half that of male producers.

Civil liberties

The civil liberties of women in Ecuador are respected. There is no statutory restriction on women's freedom of movement. There are, however, instances of forced movements of Colombians in Ecuador and Ecuadoreans living close to the Colombian border because of the ongoing armed conflict in Colombia. According to the Commission on the Occupation of Migrant and Refugee Women, women leave their communities "principally because their partners or family have been victims of persecution, because their children have been recruited by force or because they have had to face the death of a close family member". Ecuadorean women have freedom of dress.

El Salvador

Population	6 853 143
Female population (as % of total population)	50.9
Women's life expectancy (in years)	74.9
Men's life expectancy (in years)	68.8
Fertility rate (average births per female)	2.7



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Constitution of El Salvador neither defines nor explicitly prohibits discrimination. The legislation provides for equality in the exercise of civil and political rights, but does not mention economic, social or cultural rights. The Penal Code provides for sanctions only in the case of severe discrimination.

But the situation seems to be improving. A review of the legislation is underway, with the aim of removing discriminatory clauses. In 1996, the government established an Institute for the Development of Women, which has a mandate to ensure the implementation of action plans to improve women's level of protection. The percentage of households headed by women has increased, mainly because of large-scale male emigration from rural areas.

Family code

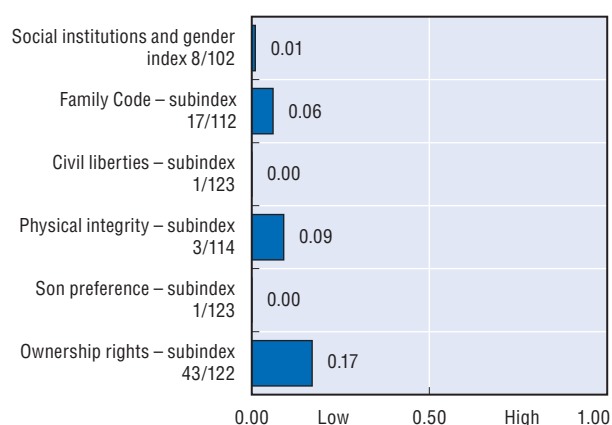
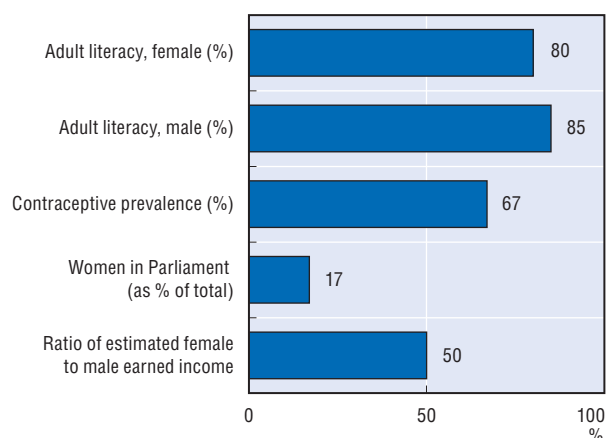
The Family Code in El Salvador does not discriminate against women. The law authorises marriage from the age of 14 if both the boy and girl have reached puberty, if the girl is pregnant or the couple has had a child. A 2004 United Nations report estimated that 16% of girls between 15 and 19 years of age were married, divorced or widowed. There is nothing to indicate that polygamy is practised in El Salvador.

Parental authority is exercised jointly by both parents. The family code explicitly states that spouses have equal rights and duties and that neither spouse can prevent the other from receiving education or embarking on a legal process. In reality, traditional social stereotypes prevail in El Salvador. Many fathers fail to fulfil their family obligations and, as a result, a growing number of women take full responsibility for managing their households.

Women have the same inheritance rights as men; in fact, inheritance is the main means through which women become land owners.

Physical integrity

In theory, the physical integrity of women is well protected in El Salvador, but violence against women is a serious problem. The law provides for compulsory therapy for the perpetrators of sex-related crimes and stipulates that domestic violence should be punished by one to three years in prison. The government has created a national action

SIGI ranking**Select indicators of gender equality**

plan to tackle domestic violence, but the practice is still seen as socially acceptable by a large proportion of the population and few victims bring complaints. There are no specific laws dealing with spousal rape, but it can be classed as a crime.

Female genital mutilation is not a common practice in El Salvador. However, available data suggest that it may be a country of concern in relation to missing women.

Ownership rights

The government in El Salvador has made a significant contribution to improving the financial situation of women. Inequalities remain in relation to access to land, even though the situation of women improved significantly thanks to land reform in the 1980s and to the land transfer programme implemented as part of the 1992 peace agreement that ended the 12-year civil war. More recently, the government has promoted a land access programme that appeared to benefit more women than men between 2003 and 2005. Most women who are involved in agricultural activities and head their families now own the land on which they work. However, the land transfer programme benefited women in only about one-third of cases.

There is no legal discrimination against women with regards to access to property other than land, but women's rights are restricted by tradition.

Legally, women have equal rights in obtaining access to bank loans, but tradition considers them unsuited to dealing with economic and financial matters. The government has launched several programmes to tackle this *de facto* discrimination and improve women's access to loans, particularly in rural areas.

Civil liberties

There are no legal restrictions to women's civil liberties in El Salvador. Women appear to have freedom of movement and their freedom of dress appears to be respected. The family code explicitly states that married couples must jointly decide upon their place of residence.

Guatemala

Population	13 348 222
Female population (as % of total population)	51.2
Women's life expectancy (in years)	73.8
Men's life expectancy (in years)	66.7
Fertility rate (average births per female)	4.2



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The 1985 Constitution of Guatemala does not include specific provisions about gender equality, but Article 4 upholds the principle of equality for all individuals. In 2002, the Penal Code was amended by decree to criminalise discrimination. In many cases, gender equality is contingent on the government's willingness to apply the recommendations set forth in the national development policy for Guatemalan women. Gender-related legislation is applied in too few cases and strong patriarchal traditions persist in the judicial administration. Nearly one-third of households are headed by women, who earn a lower average wage than their male counterparts.

Family code

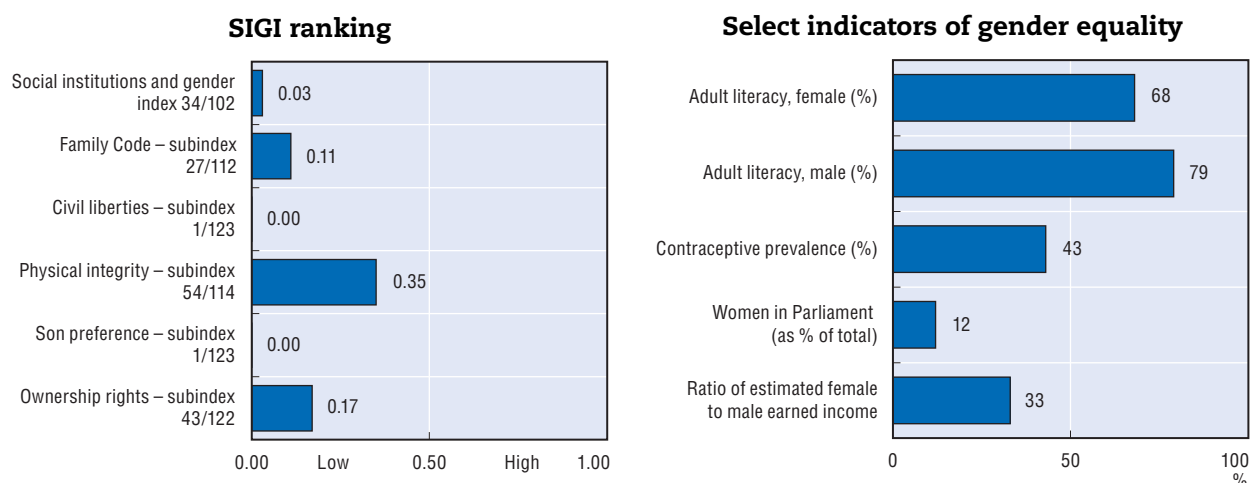
Guatemalan women have a moderate level of protection under the country's family code. The legal minimum age for marriage is 14 years for women and 16 years for men, but an exception can be made if the woman has a child or is pregnant. The law prohibits marriage for those below 18 years without parental authorisation. A 2004 United Nations report estimated that 26% of girls between 15 and 19 years of age were married, divorced or widowed. Polygamy is not a common practice in Guatemala.

By law, both parents are obliged to share parental authority, but patriarchal tradition remains strong in Guatemala and women are expected to carry out nearly all domestic chores. Certain legislation restricts married women's rights: Article 255 of the Civil Code stipulates that "when the husband and wife hold joint parental authority over minors, the husband must represent the minor and administer his or her property".

There are no reported restrictions on the inheritance rights of Guatemalan women.

Physical integrity

The physical integrity of Guatemalan women is not sufficiently protected and violence against women is a serious issue. The incidence of rape, disappearances, torture and murder of women is high and continues to rise, and there is a culture of impunity in Guatemala regarding such crimes. Violence against women is prohibited by law, but is not punishable by a prison sentence. Domestic violence can lead to legal proceedings only if



visible traces of the abuse remain on the victim for at least 10 days. Such violence is widespread and it seems to be difficult for women, especially indigenous women, to access the judicial system.

There seems to be little social awareness in Guatemala about the gravity of violence against women. Rapists are exempt from prosecution in Guatemala if they are married to their victim and the Penal Code lays down the criterion that women must be “honest” to be considered victims. It has been reported that the government plans to remove these clauses from the Penal Code, but no information is available to confirm this report. There is currently no legislation in place in Guatemala pertaining to sexual harassment.

There is no evidence to suggest that female genital mutilation is practised in Guatemala, nor does it appear to be a country of concern in relation to missing women.

Ownership rights

Guatemalan legislation upholds women’s rights to ownership, but the reality is less straightforward. There are no legal restrictions on women’s access to land, but the percentage of female landowners is extremely low. When land is allocated to a household, it is registered under the name of both spouses; however, when it is allocated to an individual, women benefit in only 10% of cases. The government has established special programmes to improve women’s access to land and correct the current imbalance in favour of men.

There does not appear to be any discrimination against women in Guatemala with regards to access to property other than land. They appear to have equal rights to those of men, whether single, married or divorced.

There is no legal restriction on women’s access to bank loans in Guatemala. Access is, however, limited in practice because women often lack guarantees such as title deeds. The rural bank grants very few loans to women for agricultural activities and indigenous women are generally unable to obtain loans. The co-operative movement and its micro-credit mechanisms are expected to improve the situation.

Civil liberties

The civil liberties of Guatemalan women appear to be respected. There are no reported restrictions on their freedom of movement or freedom of dress.

Haiti

Population	9 611 554
Female population (as % of total population)	50.5
Women's life expectancy (in years)	62.8
Men's life expectancy (in years)	59.1
Fertility rate (average births per female)	3.8



The Constitution of Haiti does not specifically prohibit discrimination on the grounds of gender, although the ratified International Covenant on Civil and Political Rights ostensibly mandates such protections. In 1994, the government established a Ministry for the Status of Women, which has mostly had a symbolic rather than a concrete role in changing the lives of women. Tradition still restricts Haitian women in the exercise of their rights and prevents them from acquiring the same social and economic status as men. Women in rural areas in particular remain confined to traditional roles and activities. Nearly half of Haitian households are headed by women.

Family code

The Haitian Family Code is not favourable to women. The minimum legal age for marriage is 15 years for women and 18 years for men, and a 2004 United Nations report estimated that 19% of girls between 15 and 19 years of age were married, divorced or widowed. A small fraction of marriages in Haiti are still arranged.

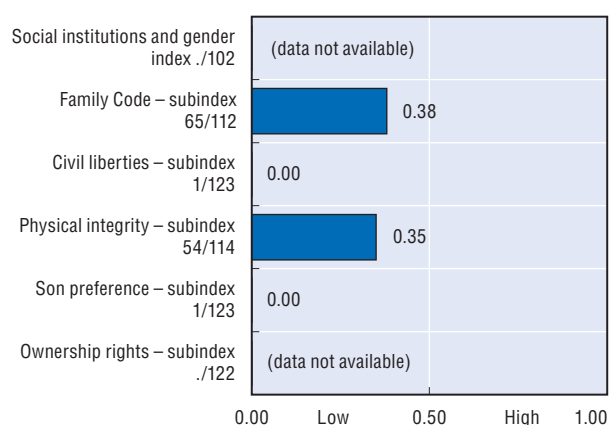
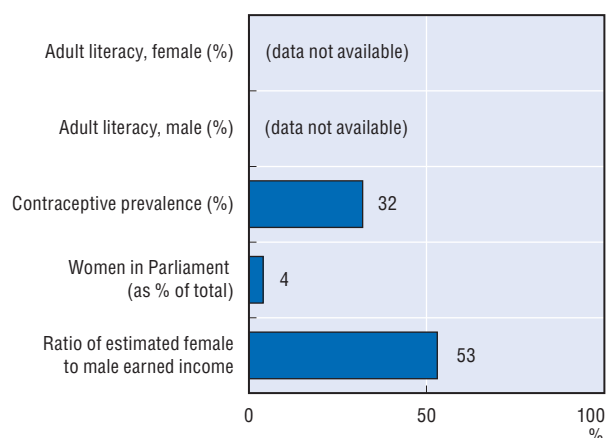
Polygamy is relatively common in Haiti, although the incidence is declining sharply. At present, less than one-third of unions are polygamous. Awareness campaigns about sexually transmitted diseases are believed to have contributed to this downward trend.

Family structures in Haiti create multiple challenges. In many cases, a woman may have children by several different fathers, and Haitian law takes this into account with regards to parental authority. However, children born outside of marriage are subject to legal discrimination in that an article of the Civil Code denies their right to know their father's identity. No information is available about child custody rights in the event of divorce.

Haitian women do not face any legal discrimination in the matter of inheritance, but according to tradition they are generally awarded smaller shares than men.

Physical integrity

The physical integrity of women is not sufficiently protected. Even though Haitian law prohibits and punishes rape and domestic violence, violence against women remains a serious issue. Domestic violence is widespread and appears to be on the rise. The association Solidarité des Femmes Haïtiennes estimates that eight in ten Haitian women have been victims of domestic abuse. In half of these cases, the husband or partner is the

SIGI ranking**Select indicators of gender equality**

perpetrator. Nearly one-third of Haitian women believe that wife-beating is justified under certain circumstances. The Penal Code excuses husbands who murder their wives if the woman has committed adultery. Wives who murder their husbands under similar conditions do not receive the same leniency. Rape is a crime in Haiti and is punishable by up to ten years in prison.

Women are the main victims of a particular type of political violence in the country. The practice of *zenglendos*, which involves men breaking into a house to rape the female occupants, is frequently used to exert political pressure.

Female genital mutilation is not a common practice in Haiti, nor is there any evidence to suggest it is a country of concern in relation to missing women.

Ownership rights

Access to property is still difficult for women in Haiti, including access to land: just over 10% of women in rural areas work on their own farms.

Women have the right to access to property other than land, which usually includes assets such as the family home and cattle. These assets may be solely or jointly owned. Women often purchase cattle alone, but generally acquire other property by combining resources with another person. It is rare for women to own secondary properties or vehicles.

Haitian women have limited access to bank loans. Very few women have received loans, in part because they lack information about lending programmes.

Civil liberties

The civil liberties of women in Haiti appear to be well respected. There are no reported restrictions on their freedom of movement or freedom of dress.

Honduras

Population	7 103 786
Female population (as % of total population)	50.4
Women's life expectancy (in years)	73.7
Men's life expectancy (in years)	66.9
Fertility rate (average births per female)	3.3



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Constitution of Honduras prohibits all forms of discrimination and federal legislation makes clear reference to equality for men and women. Patriarchal beliefs continue to influence the ideology of public institutions and political parties, however, and represent the main obstacle to improving conditions for women in the country. Interpersonal relations between men and women in Honduras are largely influenced by tradition and sexism is firmly rooted. The feminist movement in Honduras grew significantly in the 1980s and 1990s, and paved the way for the adoption of several laws favourable to women.

Family code

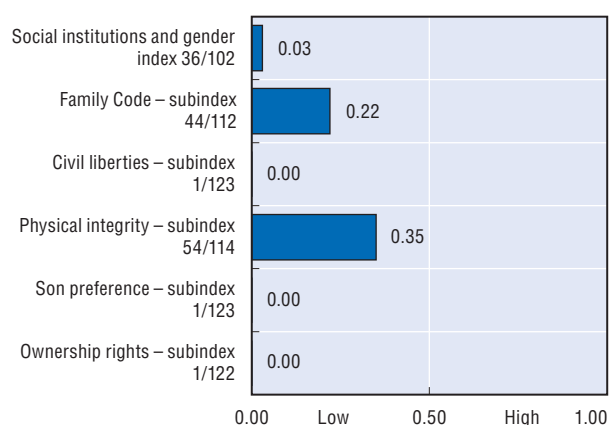
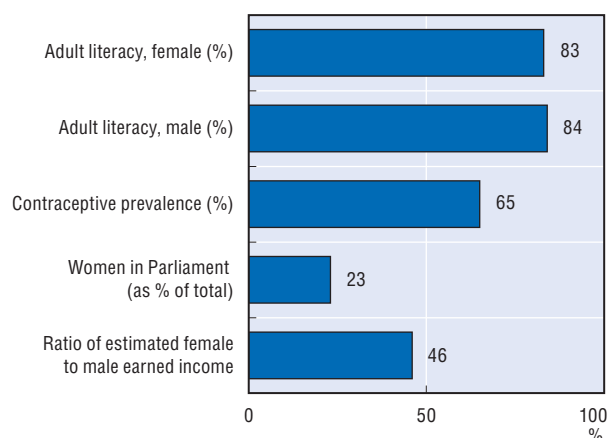
The Family Code of Honduras upholds equality between the spouses in every aspect of everyday life, yet current legislation offers little protection for women within the family. The incidence of early marriage is high: a 2004 United Nations report estimated that 31% of girls between 15 and 19 years of age were married, divorced or widowed. There is no evidence to suggest that polygamy is a common practice in Honduras.

According to the family code, men and women share equal rights to parental authority. However, women face social pressure that prevents them from fully exercising their rights, particularly with regards to their children. Although both spouses are legally responsible for family matters, men are traditionally seen as the heads of households.

There is no legal discrimination against Honduran women in the area of inheritance. The law favours the surviving spouse regardless of gender, provided the inheritance is necessary for their subsistence. Nonetheless, tradition has a strong influence in this area as well, and can hinder women's access to inheritance.

Physical integrity

The government of Honduras has taken steps to strengthen the protection of women's physical integrity, but violence against women remains a common problem. In 1994, the government established a judiciary department specialising in violence against women. Family violence and rape were criminalised in 1997, and the definition of violence was broadened to encompass psychological and economic violence. The number of complaints resulting in convictions has increased considerably in recent years, but remains relatively low due to a lack of human, financial and logistical resources in the justice department.

SIGI ranking**Select indicators of gender equality**

Rape is considered a “public crime” and proceedings can be initiated even if the victim does not press charges. Spousal rape is an exception; in the absence of a complaint on the part of the victim, only a judge can make the decision to bring proceedings and this is done on a case-by-case basis. The penalty for rape ranges from three to nine years in prison, and is well applied by the authorities.

Female genital mutilation is not a common practice in Honduras. There is no evidence that it is a country of concern in relation to missing women.

Ownership rights

Honduran legislation supports financial independence for women, but the law does not yet translate into daily life. Concerning access to land, Article 74 of the Law on Equal Opportunities for Women stipulates that women and men are equally entitled to benefit from the Land Reform Law, yet women own only one-quarter of all plots in the country. Socio-cultural norms generally recognise men as the heads of the families and, thus, as the landowners. Although the law specifies that land can be registered under the names of both spouses, this approach is rarely requested.

There are no legal restrictions that obstruct Honduran women’s access to property other than land. With the aim of improving support for families, the family code reflects the Constitution regarding jointly owned assets and guarantees ownership rights in the case of divorce. Nevertheless, discrimination persists. The Banque Nationale de Développement Agricole (BNDA) seeks to improve gender equality by providing equal access to bank loans for both men and women. Despite the absence of legal discrimination, women have a long history of being subjected to social discrimination in trying to access loans, largely due to their lack of access to land.

Civil liberties

The civil liberties of Honduran women appear to be well respected. There are no restrictions with regards to their freedom of movement or freedom of dress.

Jamaica

Population	2 675 800
Female population (as % of total population)	50.7
Women's life expectancy (in years)	75.2
Men's life expectancy (in years)	70.0
Fertility rate (average births per female)	2.4



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Jamaican legislation prohibits all discrimination based on race or religion, but does not make any reference to gender. The government is reviewing a draft charter on fundamental rights that would specify gender on the list of prohibited discriminations. Jamaica's Civil Code and Penal Code still contain numerous discriminatory measures, and the language used in the country's laws is not gender-neutral. Traditional gender stereotypes are institutionalised within Jamaica's education system, the media, religion and the family.

Family code

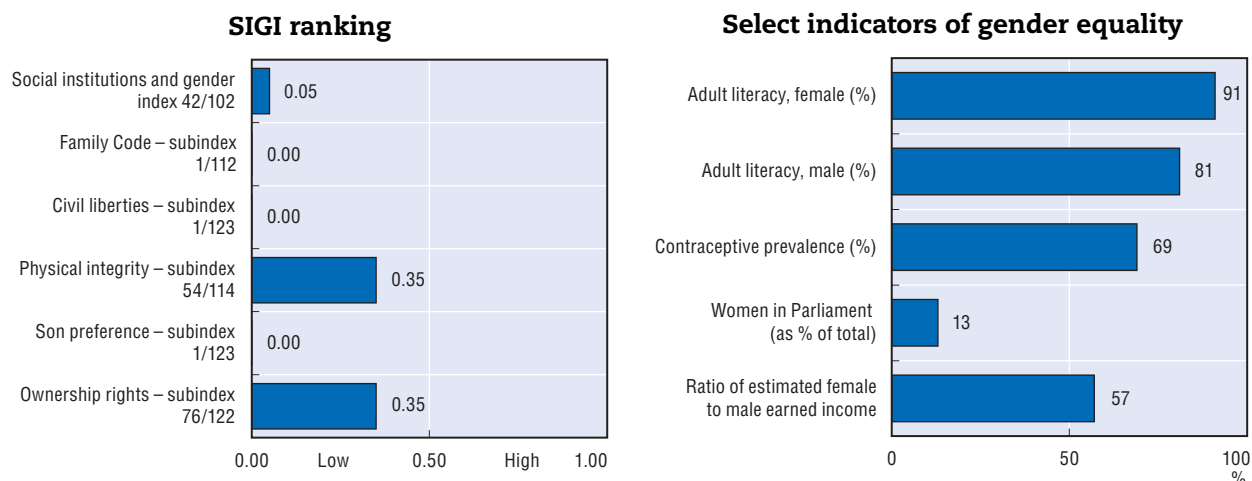
Although tradition is strong in Jamaica, the country's Family code upholds the principle of equality for women. The minimum legal age for marriage is 16 years for both men and women and minors below 18 years of age need their parents' consent to marry. Early marriage is extremely rare: a 2004 United Nations report estimated that 1% of girls between 15 and 19 years of age were married, divorced or widowed. Polygamy is prohibited under Jamaican law.

Jamaican legislation provides for equal rights and responsibilities for spouses, and mothers and fathers share parental authority. Social stereotypes persist, however, making it socially acceptable for husbands to exercise authority over their wives and make household decisions. In the event of divorce, custody is awarded according to the best interests of the children, but is usually granted to the mother.

In the matter of inheritance, the wishes of the deceased are paramount. However, if the deceased has specifically stated that the spouse and children should not inherit his or her property, the surviving dependents can appeal to the courts to obtain an allowance.

Physical integrity

The physical integrity of Jamaican women is not sufficiently protected. Violence against women, including domestic violence and sexual abuse, is common, especially in rural areas. In fact, the high incidence of physical, sexual and psychological violence considerably reduces women's independence. In 1995, the government passed a law that recognised domestic violence as a crime. However, the authorities are having difficulty addressing the problem and the legislation is slow to have any positive impact on women's lives. The Bureau of Women's Affairs has proposed an amendment to the 1864 Offences



against the Person Act to include spousal rape as a crime. The World Bank has found a close correlation between economic dependence and violence, and states that the main cause of men’s violence against women is financial, emotional or sexual insecurity.

Female genital mutilation is not a common practice in Jamaica. There is no evidence to suggest that Jamaica is a country of concern in relation to missing women.

Ownership rights

Jamaican law and tradition create obstacles to women’s financial independence. While Jamaican women have the legal right to hold title deeds, social stereotypes limit women’s access to land and they have difficulty obtaining mortgages.

The Married Women’s Property Act, a law dating back to 1887, regulates married women’s access to property other than land. It contains numerous discriminatory clauses, including a regulation that refers to “fraudulent investments [made] by a wife of her husband’s money without his consent”. The government is revising this legislation and has recommended that the asymmetry of this statement be addressed. The Family Property (Rights of Spouses) Act was adopted in 2004, stipulating that men and women have an equal legal capacity to sign contracts and administer property.

Women have more difficulty than men in obtaining access to bank loans, primarily because they are more likely to live in poverty. Women can obtain low-rate loans through micro-credit programmes, and several such initiatives have been launched in recent years. In general, women have better access to loans for small sums than for larger amounts.

Civil liberties

Women’s civil liberties are generally respected in Jamaica. Freedom of movement, however, is limited in that married women are obliged to adopt their husband’s place of residence. Jamaican women’s freedom of dress does not appear to be restricted.

Nicaragua

Population	5 604 596
Female population (as % of total population)	50.2
Women's life expectancy (in years)	76.0
Men's life expectancy (in years)	69.9
Fertility rate (average births per female)	2.8



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The 1987 Constitution of Nicaragua grants equal civil rights to all citizens and prohibits gender-based discrimination. The new Penal Code, adopted in 2001, introduced laws to prohibit and criminalise discriminatory acts. A second report on human development in Nicaragua, produced in 2002, noted significant progress in some areas. It stated that social and cultural behaviour was becoming less discriminatory, but domestic and sexual violence continued to undermine women's rights to a significant degree. Poverty is widespread in Nicaragua, but has the greatest impact on households headed by women in rural areas (about one-fifth of rural households).

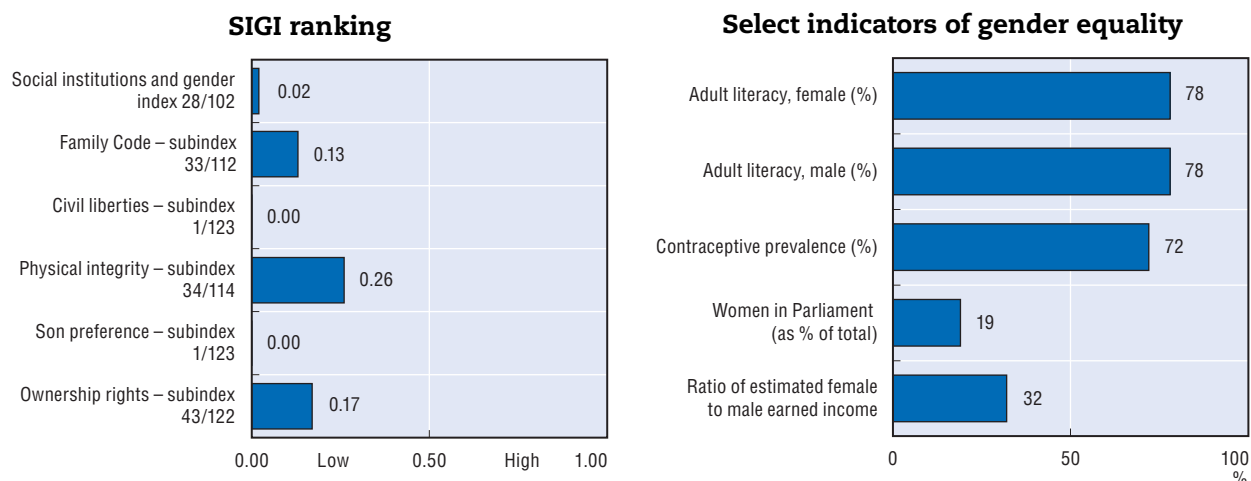
Family code

The Nicaraguan Family Code is generally favourable towards women, but more progress is needed, especially in relation to early marriage. With parental authorisation, the minimum legal age for marriage is just 14 years for women and 15 years for men. Without such authorisation, it rises to 18 years for women and 21 years for men. The incidence of early marriage is high: a 2004 United Nations report estimated that 32% of girls between 15 and 19 years of age were married, divorced or widowed. Polygamy is not a common practice in Nicaragua.

The Nicaraguan Constitution states that family relations should be based on respect, solidarity and the absolute equality of rights and responsibilities for men and women. Legislation on parent-child relations grants mothers and fathers equal rights with regards to parental authority and to the education and care of their children. As for inheritance, the Constitution grants Nicaraguan men and women the same rights to inherit family-owned properties. As yet, this right is not enforceable by law.

Physical integrity

The government is taking steps to enhance protection of the physical integrity of Nicaraguan women, but violence against women remains a problematic issue. A concerted effort to encourage the victims of violence to press charges appears to have been successful: the number of cases reported rose by one-third between 2001 and 2002. But sexual and domestic violence are still widespread, and more than half of the complaints concern violence within the family.



The general level of public insecurity has risen in Nicaragua, and one consequence is a higher incidence of rape. Rape is a crime under the current law, but many victims do not press charges for fear of social stigma. The law recognises spousal rape, but does not categorise it separately from other forms of the crime. Under Nicaragua's Penal Code, sexual harassment is punishable by up to two years in prison.

Female genital mutilation is not a common practice in Nicaragua, nor is there any evidence to suggest it is a country of concern in relation to missing women.

Ownership rights

Recent advances have improved women's ownership rights in Nicaragua, but discrimination remains quite common. Land reform measures gave women the right to obtain access to land, and they now own about one-fifth of the country's agricultural units. However, their plots are generally smaller than those owned by men. Despite this progress, social prejudices persist: in reality, less than one-half of Nicaragua's female landowners have total control over the use of their land. Since the Civil Code was adopted in 1904, Nicaraguan women have had the same capacity as men to gain access to property other than land. Women are entitled to sign contracts and to administer property. A 1997 amendment to a law on property stability allowed couples to own joint property, thereby improving women's access to property other than land.

There is no legal restriction on women's access to bank loans, but discrimination does occur. Access to bank loans is restricted for the population as a whole but women have more difficulty borrowing and are typically granted smaller sums than men. Although the number of private and public banks offering loans to women is growing, about one-third of women in Nicaragua apply to micro-credit institutions and NGOs, and many others go to individual lenders.

Civil liberties

The civil liberties of Nicaraguan women are quite well protected, but some restrictions are evident. Article 31 of the Constitution guarantees women freedom of movement, but the 1940 Civil Code states that married women must live in the residence of their husbands' choosing. There are no reported restrictions regarding freedom of dress for women in Nicaragua.

Panama

Population	3 340 605
Female population (as % of total population)	49.6
Women's life expectancy (in years)	78.2
Men's life expectancy (in years)	73.0
Fertility rate (average births per female)	2.6



The Constitution of Panama prohibits all forms of discrimination, but various cultural, political and social restrictions undermine women's ability to exercise their rights. Despite new laws and legal amendments that improve the situation of women, inequalities remain. Housewives and women in rural communities are particularly affected.

Since the 1990s, the percentage of households headed by women has increased, and is higher in urban areas than in rural regions.

Family code

The Family Code, adopted in 1995, abolished discriminatory clauses contained in the code of 1917 and now upholds the principle of equality for men and women within the family. However, scarce data makes it difficult to assess the actual situation. The law authorises marriage from the age of 14 for both boys and girls if both have reached puberty, if the girl is pregnant, or if the couple has already had a child. A 2004 United Nations report estimated that 22% of girls between 15 and 19 years of age were married, divorced or widowed. Polygamy is not a common practice in Panama.

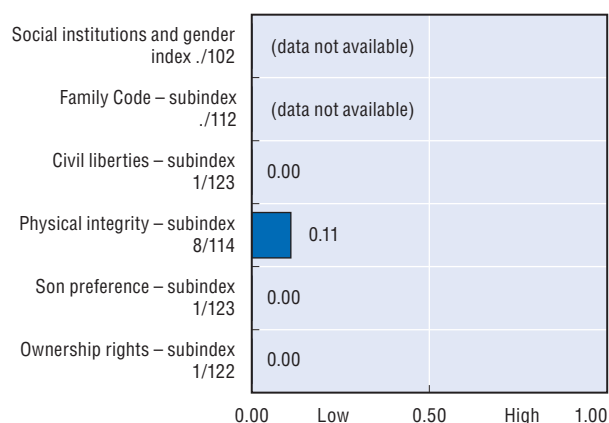
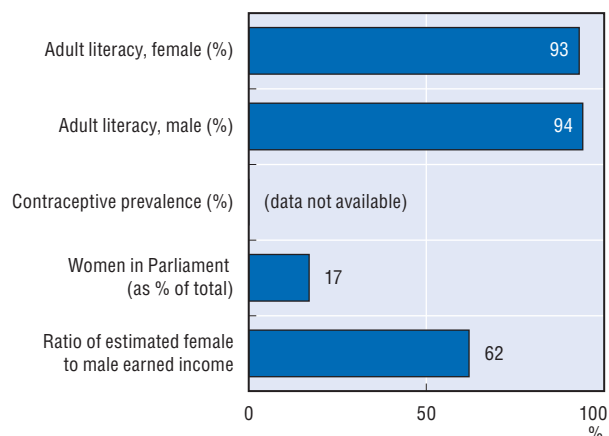
Little information is available about parental authority in Panama. The Constitution stipulates that men and women have equal position within the family, but social stereotypes persist.

There is no data to assess the level of discrimination in the area of inheritance.

Physical integrity

Little information is available about the protection of women's physical integrity in Panama. What data are available tend to show discrepancies. Violence against women, and especially domestic violence, remains a serious problem. In 1995, the government passed a law that criminalised domestic violence. Any physical or psychological abuse committed to a family member is punishable by six months to one year imprisonment plus a fine. Jail sentences for domestic violence are uncommon, however, since offenders usually exercise the option of choosing therapy over prison. The family code stipulates that rape and spousal rape are crimes, but convictions are rare.

Female genital mutilation appears to be carried out by certain indigenous groups in the Darien region, but the available data are insufficient to assess the extent of the practice.

SIGI ranking**Select indicators of gender equality**

There is no evidence to suggest that Panama is a country of concern in relation to missing women.

Ownership rights

Theoretically, women in Panama can be financially independent, but discrimination persists. Women have limited access to land and less than one-third of land title deeds are assigned to women. Legally, women have the same rights as men regarding access to property other than land.

Access to bank loans is more difficult for women than for men. Women who wish to apply for financing generally turn to co-operatives, some of which specifically target women.

Civil liberties

Women in Panama face no legal restrictions on their civil liberties. They have freedom of movement, including the right to jointly decide on the location of the family home as stipulated in the family code, and freedom of dress.

Paraguay

Population	6 120 496
Female population (as % of total population)	49.4
Women's life expectancy (in years)	73.9
Men's life expectancy (in years)	69.7
Fertility rate (average births per female)	3.1



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The 1992 Constitution of Paraguay upholds the principle of equality for all individuals and prohibits discrimination. The government claims to have removed most of the discriminatory clauses in the country's existing legislation. Feminist organisations conducted significant awareness-raising campaigns during the 1990s, which helped develop a legal and institutional framework to guarantee the protection of women's rights.

Family code

Overall, Paraguay's Family Code provides a reasonable degree of protection for women. However, the incidence of early marriage remains quite high. The legal age for marriage is 16 years for both men and women, and a 2004 United Nations report estimated that 17% of girls between 15 and 19 years of age were married, divorced or widowed. Polygamy is prohibited by law in Paraguay.

According to Paraguay's new Civil Code, men and women have the same rights and responsibilities within the home, particularly in relation to parental authority. Men and women in Paraguay have equal legal rights to inheritance.

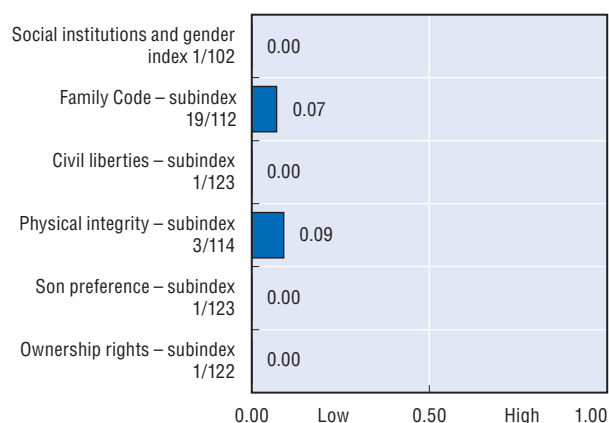
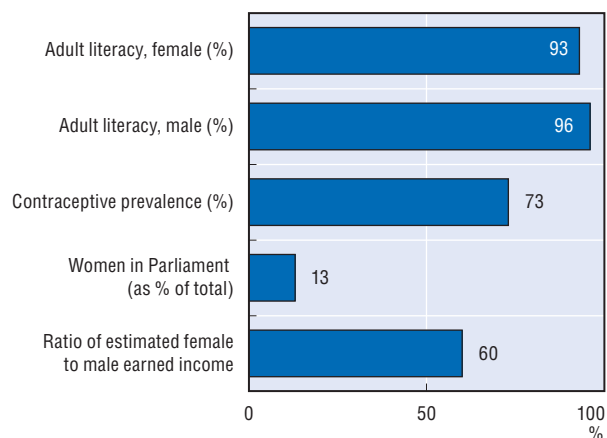
Physical integrity

Laws to protect the physical integrity of women in Paraguay are weak. Violence against women constitutes the main infringement of women's rights in the country. A law passed in 2000 classifies domestic violence as a crime, but only when it is physical violence, and the law does not specifically recognise psychological and economic abuse. Moreover, violence must be habitual before legal proceedings can be initiated against the offender.

There is no evidence to indicate that female genital mutilation is practised in Paraguay, nor does it appear to be a country of concern in relation to missing women.

Ownership rights

Men and women have equal ownership rights in Paraguay, but it must be noted that this also means they are subject to the same legal restrictions. The new Civil Code appears to guarantee transparency and equality between spouses, but socio-cultural traditions that discriminate against women persist. Agrarian reform in Paraguay aims to support women farmers, especially those who head their families. The Agrarian Act of 2002 is designed to

SIGI ranking**Select indicators of gender equality**

promote women’s access to land. While there is no legal discrimination in this area, women’s access is traditionally more limited than men’s. Women and men have exactly the same rights in relation to access to property other than land.

The 2002 Agrarian Act also aims to promote women’s access to bank loans. There are no legal restrictions on women’s access to loans, and they are generally perceived as “good payers”. Still, women are half as likely as men to be given loans.

Civil liberties

Paraguay guarantees the civil liberties of all citizens. There are no reported restrictions on women’s freedom of movement or freedom of dress.

Peru

Population	27 898 182
Female population (as % of total population)	49.9
Women's life expectancy (in years)	74.0
Men's life expectancy (in years)	68.9
Fertility rate (average births per female)	2.5



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Constitution of Peru upholds the principle of equality between men and women. The government passed a law in 2000 that criminalised discrimination, and introduced penalties requiring offenders to provide 30 to 70 days of community service. Despite such advances, long-standing social prejudices and discrimination against women have resulted in women experiencing higher levels of poverty and unemployment than men. In addition, Peruvian tradition prevents women from holding senior positions in both the public and private sectors.

Family code

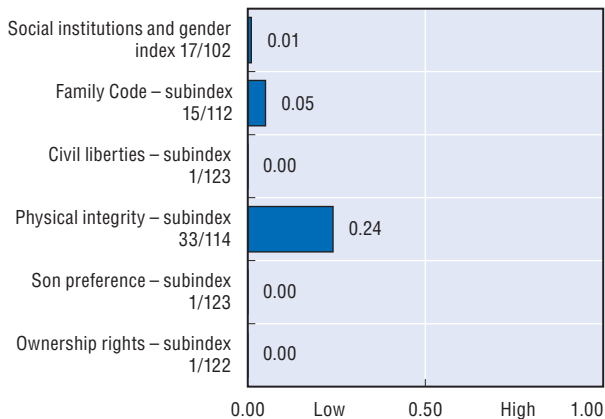
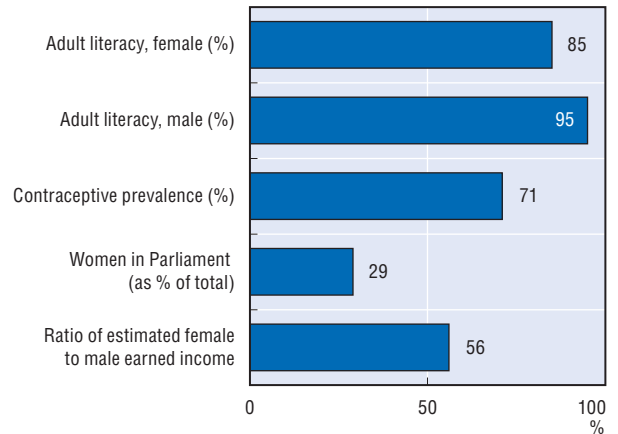
The status of Peruvian women within the family is fairly well protected. A law prohibiting early marriage was adopted in 1999 and the minimum legal age of marriage is now 16 years for both men and women. It was previously 14 years for women. A 2004 United Nations report estimated that 13% of girls between 15 and 19 years of age were married, divorced or widowed. Polygamy is not practiced in Peru.

In Peruvian families, parental authority is shared by the mother and father, who have equal rights and obligations. However, in nearly 25% of marriages, the father alone manages important household expenses. In the event of divorce, the courts take into account the best interests of the child when awarding custody. In most cases, children under seven years of age stay with the mother. Once children reach the age of seven, custody depends on their sex: girls stay with their mother and boys with their father.

Peruvian law grants equal inheritance rights to men and women.

Physical integrity

The physical integrity of Peruvian women is not sufficiently protected and progress is needed. The government has acted to reduce violence against women and, in 2001, set up the National Programme against Family Violence and Sexual Abuse. A law adopted in 2002 makes local authorities responsible for policies pertaining to domestic violence. The law stipulates punishments for both rape and spousal rape, and the legislation is generally applied. In addition, an emergency centre for women was established to provide assistance to victims. However, the problem of violence against women remains widespread.

SIGI ranking**Select indicators of gender equality**

Statistics show that just under one-half of women living as a couple have suffered violence at the hands of their partner on at least one occasion. In Peru, the most common form of violence against women is psychological abuse.

Female genital mutilation is not a common practice, although one indigenous community appears to use this type of mutilation to mark girls' entry into puberty. There is no evidence to suggest that Peru is a country of concern in regard to missing women.

Ownership rights

Peruvian law upholds the right to ownership for all citizens. However, women have limited access to land. In 2002, only about 25% of land title deeds were granted to women.

The Constitution and the Civil Code provide for equal rights for men and women with regards to access to property other than land and signing contracts. Each spouse has the right to manage his or her own property, but the phenomenon of “informal ownership” is a source of injustice to women. Under this system, there is no obligation to obtain the wife's consent when selling the family house. In effect, the husband has complete control of the property.

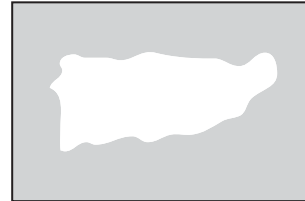
Peruvian women have some access to bank loans. They benefit primarily from micro-credit programmes and other support mechanisms to establish and operate small- and medium-sized enterprises (SMEs). In recent years, about one-half of the loans granted by the PAME (an association that helps SMEs) were given to women.

Civil liberties

The civil liberties of women in Peru are well respected. Women have freedom of movement and freedom of dress.

Puerto Rico

Population	3 943 229
Female population (as % of total population)	52.0
Women's life expectancy (in years)	82.6
Men's life expectancy (in years)	74.5
Fertility rate (average births per female)	1.8



Puerto Rico is a semi-autonomous territory of the United States. The Constitution of Puerto Rico states that “all men are equal and no discrimination may be made on the basis of race, colour, [and] gender (...)”, thereby upholding the principle of equality between men and women. However, the country has not ratified CEDAW. Its “territory” status means that it cannot sign international agreements or instruments, and also makes it very difficult to obtain information about the situation of women. It is known, however, that social stereotypes prevail regarding the role of women. In 2001, the government established a Bureau for the Defence of Women (Oficina de la Procuradora de las Mujeres). A very large number of Puerto Rican households are headed by single women, who generally have low incomes.

Family code

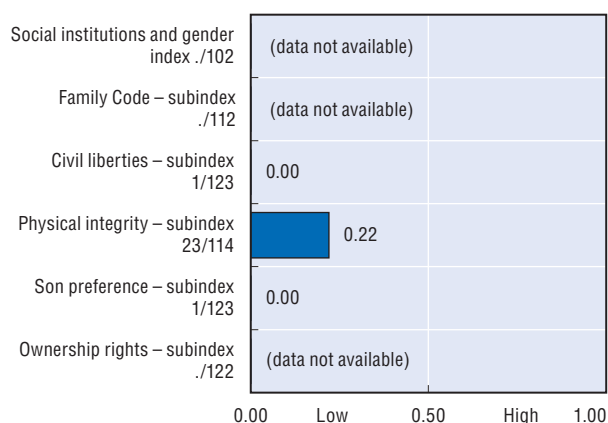
Very little information is available about the level of protection provided to Puerto Rican women in regard to family matters. The minimum legal age for marriage with parental authorisation is 18 years for men and 16 years for women; without parental authorisation, it is 21 years for both men and women. Still, the incidence of early marriage is relatively high. A 2004 United Nations report estimated that 19% of girls between 15 and 19 years of age were married, divorced or widowed. Puerto Rican law does not recognise common-law marriage. Polygamy is not commonly practised in Puerto Rico.

At time of publication, insufficient data were available to assess whether Puerto Rico grants equal rights to women and men in the areas of parental authority and inheritance.

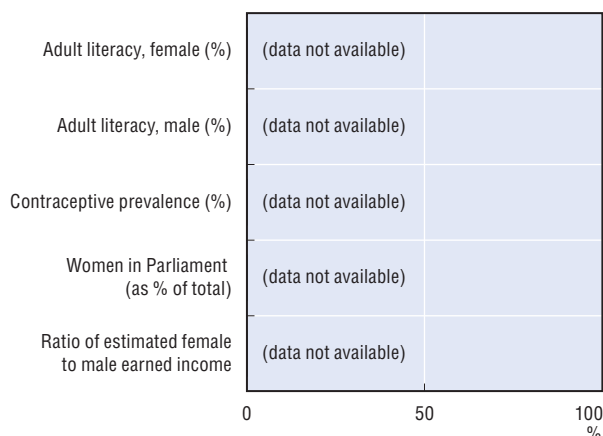
Physical integrity

The physical integrity of Puerto Rican women does not appear to be well protected and violence against women is a serious problem. A law on domestic violence (Act 54) was passed in 1989, but legal precedents have restricted its range. For example, Act 54 excludes adulterous and same-sex couples, thereby leaving individuals in such relationships without legal protection. The number of recorded cases of domestic violence rose significantly during the 1990s.

SIGI ranking



Select indicators of gender equality



In 1998, the Penal Code was amended to introduce a time limit on the prosecution of sexual crimes. The period of limitation is five years if the victim is aged above 21 years; for younger victims, the period of limitation extends to five years beyond their 21st birthday. Legislation was passed in 1976 (Resolution 2471) to provide for the allocation of funds to create a support centre for victims of rape. Official statistics indicate that in nearly half of all murder cases in which the victim is a woman, the perpetrator was their partner. Female genital mutilation is not a common practice in Puerto Rico, and there is no evidence to indicate that it is a country of concern in relation to missing women.

Ownership rights

At time of publication, there were insufficient data to indicate whether women’s ownership rights are restricted in relation to access to land, access to property other than land, and access to bank loans.

Civil liberties

Puerto Rico protects women’s civil liberties. There do not appear to be any restrictions on women’s freedom of movement or freedom of dress.

Trinidad and Tobago

Population	1 333 050
Female population (as % of total population)	50.8
Women's life expectancy (in years)	71.8
Men's life expectancy (in years)	67.8
Fertility rate (average births per female)	1.6



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Constitution of Trinidad and Tobago prohibits all forms of discrimination on the grounds of gender. This ruling concerns the State alone, however, and does not cover non-state or private parties. The article in the Constitution does not apply when it conflicts with existing laws. Violence against women is a serious problem and is linked to strong patriarchal traditions and male dominance in daily life.

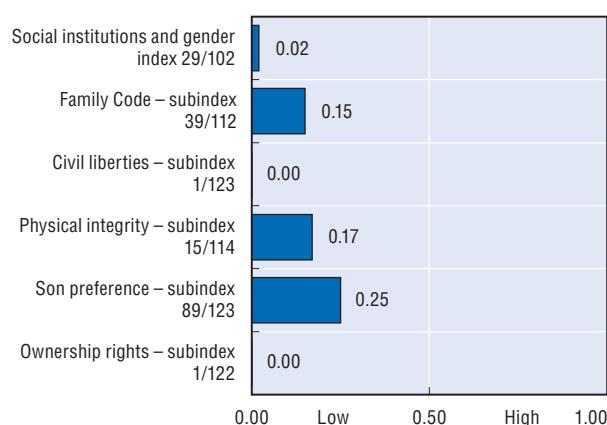
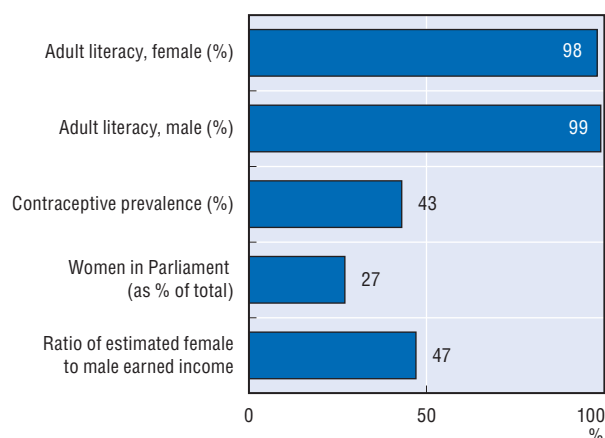
Family code

Women in Trinidad and Tobago have a moderate degree of protection within the family context. The minimum legal age for marriage depends on the type of union involved and early marriage still occurs. National law stipulates that men and women must be 18 years old to marry. By contrast, Islamic Sharia law sets the minimum age for marriage at 12 years for women and 16 years for men, while Hindu law fixes the minimum age at 14 years for women and 18 years for men. In the Orissa community, the minimum is 16 years for women and 18 years for men. National law states that minors cannot marry without the consent of their parents, and must always have reached the minimum age set by their community. However, Hindu women under 18 but who are older than 16 can marry without their parents' consent. A 2004 United Nations report estimated that 9% of girls between 15 and 19 years of age were married, divorced or widowed.

Polygamy is not recognised under any of the marriage systems in Trinidad and Tobago. By law, men who wish to take a wife must make a declaration stating that they are not involved in another marriage. Bigamy is punishable by up to four years in prison.

In Trinidad and Tobago, mothers and fathers have equal rights regarding parental authority and child custody. Unless the paternity is registered, the mother has the sole responsibility for children born out of wedlock.

The 1981 law on inheritance does not discriminate on the grounds of gender. However, a discriminatory law dating back to 1934 and relating to benefits for widows and orphans is still in force: women are not entitled to act as "public officers" or benefit from advantages pertaining to inheritance. This situation is problematic for single mothers, as their children cannot obtain any benefits upon their mother's death.

SIGI ranking**Select indicators of gender equality****Physical integrity**

Legislation to protect the physical integrity of women in Trinidad and Tobago has improved in recent years, but problems persist. The 1999 law on domestic violence has broadened the definition of violence against women to include emotional, psychological and economic violence, all of which are common in the country.

There is no evidence to suggest that female genital mutilation is practised in Trinidad and Tobago. Available data indicate that Trinidad and Tobago may be a country of concern in relation to missing women.

Ownership rights

The government of Trinidad and Tobago affirms women's rights to property ownership, and there are no legal restrictions on their access to land. In 1982, the most recent year for which information is available, women represented one-fifth of all landowners.

Subsequent to the 1972 Law on Matrimonial Proceedings and Property, married women have the same rights as their husbands with regards to access to property other than land. The 1999 Married Persons Act enables wives to sign contracts in their name, without their husbands' authorisation, and protects their capacity to administer their own property. Contracts that contradict this law by restricting the legal capacity of women are declared null and void.

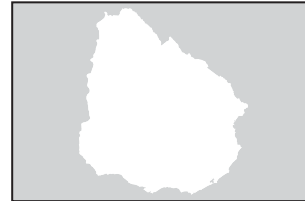
Women's rights to access bank loans are recognised in Trinidad and Tobago, but no information is available to indicate the proportion of women who have successfully borrowed from private banks. Women are often at a disadvantage because they cannot provide the necessary guarantees.

Civil liberties

The Constitution upholds the civil liberties of women in Trinidad and Tobago. There are no reported restrictions on women's rights to freedom of movement or freedom of dress.

Uruguay

Population	3 323 906
Female population (as % of total population)	51.7
Women's life expectancy (in years)	79.6
Men's life expectancy (in years)	72.3
Fertility rate (average births per female)	2.0



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Article 8 of the Constitution of Uruguay upholds the equality of all citizens, but does not specifically refer to gender equality. Uruguay has ratified CEDAW and, in 2007, passed a law on equal rights and opportunities for men and women. The country's law against racism, xenophobia and discrimination provides a precise definition of discrimination that is in line with international conventions. By legal doctrine, all human rights recognised within international treaties that Uruguay has ratified become constitutional rights within the country. Violence against women, particularly domestic violence, remains a significant issue.

Family code

Uruguayan women within the family are reasonably well protected, despite unfavourable marriage legislation. The legal minimum age for marriage is only 12 years for women and 14 years for men. A 2004 United Nations report estimated that 13% of girls between 15 and 19 years of age were married, divorced or widowed. Polygamy is not a common practice in Uruguay.

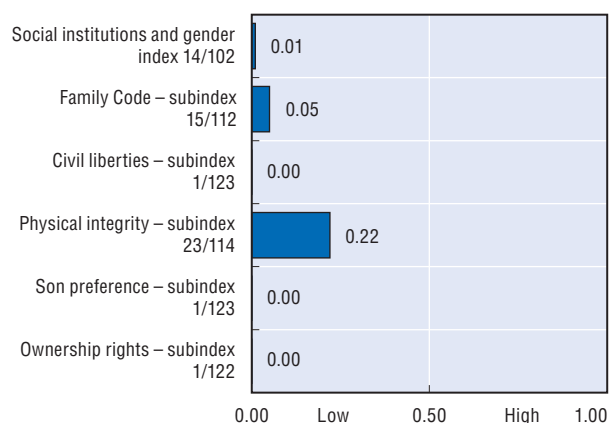
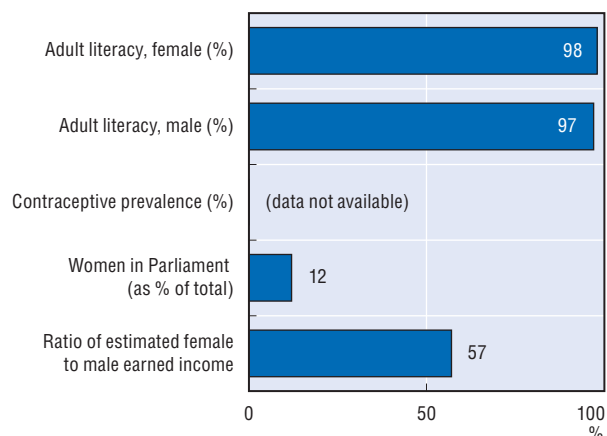
Women and men in Uruguay have the same legal rights and responsibilities with regards to parental authority, but patriarchal traditions still exist.

Women and men have equal inheritance rights in Uruguay.

Physical integrity

The physical integrity of Uruguayan women is not adequately protected, and violence against women remains a problem. In 1995, amendments to the Criminal Code classified domestic violence as a specific crime. More recently, in 2002, the government passed a law on domestic violence, which focuses primarily on the rapid detection and eradication of this type of violence. Uruguay has established courts that specialise in domestic violence and which take precautionary measures before passing cases on to the family courts. The law also requires cases to be referred to the criminal courts, but this happens only in a small percentage of cases.

Rape, including spousal rape, is a crime in Uruguay. In the past, perpetrators of rape could be exempted from prosecution if they married their victims. This provision was withdrawn when the Penal Code was amended in 2006. The Penal Code does, however, provide for acquittal in the case of "crimes of passion" committed after the victim's

SIGI ranking**Select indicators of gender equality**

adultery. By contrast, women found guilty of killing their husbands after being subjected to significant psychological pressure and physical violence are often imprisoned for aggravated murder.

Female genital mutilation is not a common practice in Uruguay, and there is no evidence to suggest it is a country of concern in relation to missing women.

Ownership rights

Uruguayan legislation supports women's financial independence, but there are no statistics to confirm whether the law is applied. There are no reported restrictions on women's access to land and property other than land.

Men and women have equal legal access to bank loans, but some discriminatory traditions and practices may still exist.

Civil liberties

Women's civil liberties appear to be well protected in Uruguay. There are no reported restrictions on their freedom of movement or freedom of dress.

Venezuela

Population	27 483 000
Female population (as % of total population)	49.7
Women's life expectancy (in years)	76.6
Men's life expectancy (in years)	70.7
Fertility rate (average births per female)	2.6



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Constitution of the Republic of Venezuela, adopted in 1999, upholds equal rights for men and women in all areas of daily life. It also prohibits all forms of discrimination. Article 88 recognises the economic and social value of domestic work.

While the Constitution showed significant progress in terms of male-female equality, the 1982 Civil Code and the Penal Code of 1937 include numerous discriminatory provisions. In addition, stereotypical attitudes and patriarchal traditions persist in Venezuela, limiting women's ability to exercise their rights. Domestic violence also remains a serious problem.

Family code

The level of protection for Venezuelan women within the family could be further improved. The legal minimum age for marriage is 14 years for women and 16 years for men, and a 2004 United Nations report estimated that 18% of women between 15 and 19 years of age were married, divorced or widowed. There is nothing to indicate that polygamy is practised in Venezuela.

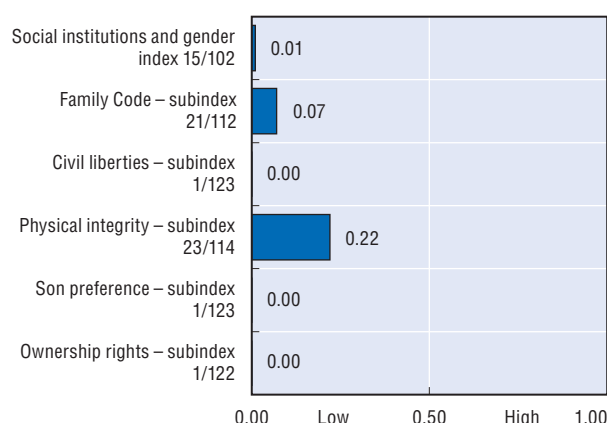
Reform of the Civil Code in 1982 established equality between men and women in relation to parental authority, effectively overriding the long-held principle that husbands had authority over their wives. Article 76 of the Constitution provides men and women with equal responsibility for their children's education and development. A law to protect children and teenagers stipulates that, in the event of divorce, separation or annulment, or if the parents live in different places, parents make a joint decision about the custody of children over the age of seven. Younger children remain with their mother.

Legally, women and men in Venezuela have the same inheritance rights.

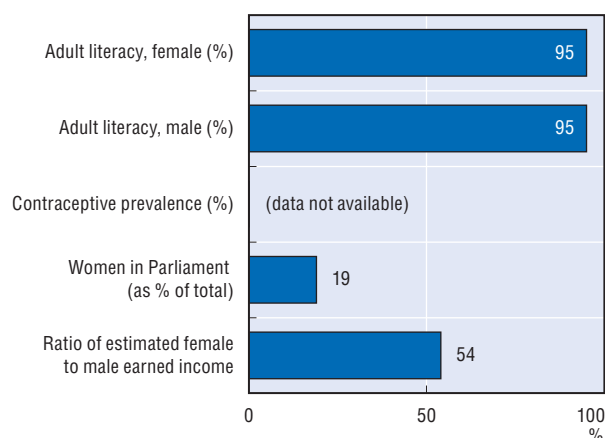
Physical integrity

The physical integrity of Venezuelan women is not sufficiently guaranteed, even though several legal initiatives address violence against women. The Law on Violence against Women and the Family criminalises domestic violence, but the punishment – six to 18 months in prison – is too mild to effectively prevent violent attacks. In 2005, the government passed the Organic Law on the Right of Women to a Life without Violence, which aims to save the lives and protect the physical integrity of women living in violent environments or likely to be vulnerable to violence. More than two-thirds of women

SIGI ranking



Select indicators of gender equality



murdered in Venezuela are killed by their husbands, boyfriends or former partners. Women suffer from significant social and institutional prejudice in relation to domestic violence and rape. To counter this, the law obliges relevant authorities to notify the police. Rape, including spousal rape, is punishable by between 8 and 14 years in prison. In practice, complaints are rare. Moreover, men who commit rape can avoid serving their sentences by marrying the victim before the verdict is announced. Sexual harassment in the workplace is a common problem in Venezuela and is not punishable by law.

Female genital mutilation is not a common practice in Venezuela, and there is no evidence that it is a country of concern in relation to missing women.

Ownership rights

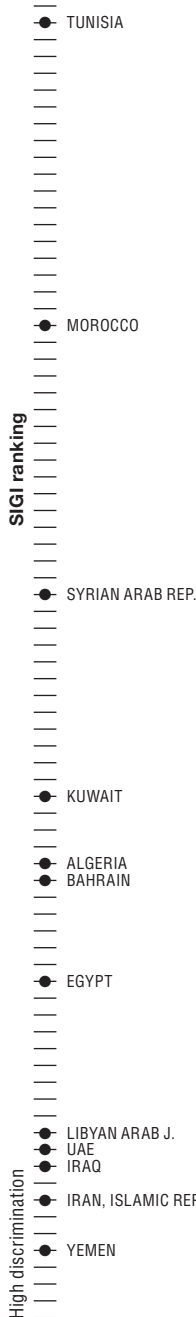
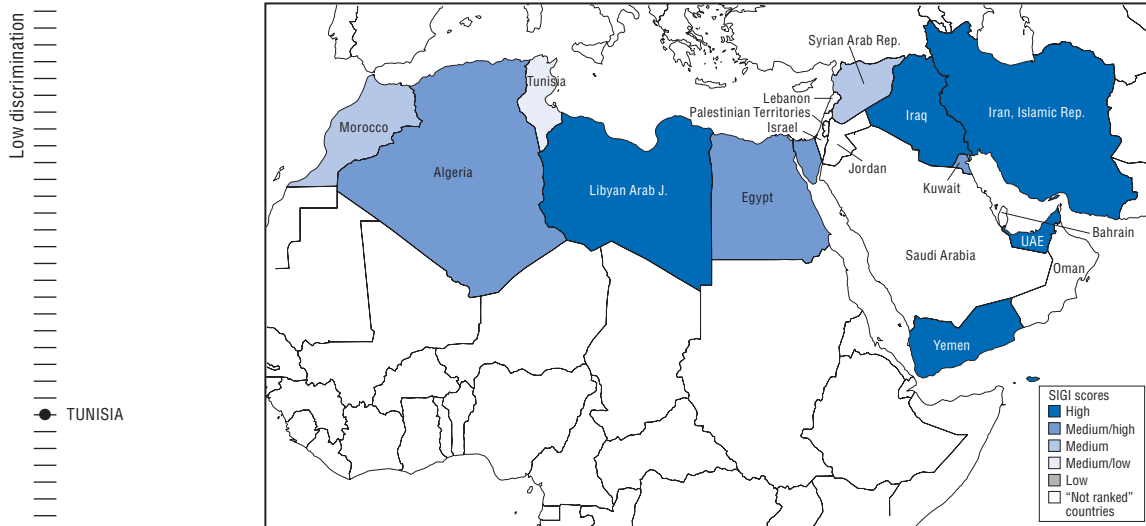
The government of Venezuela has taken steps to improve women’s ownership rights, but traditional practices persist. With regards to access to land, the 2001 Law on Land and Agricultural Development states that one priority is “to allocate land to women who are also heads of their household and who intend to cultivate a small area of land in order to sustain their family group”.

The 1982 reform of the Civil Code improved women’s access to property other than land by making provisions for the joint administration of a married couple’s joint property. The reform also gave married women full legal capacity to enter into contracts. The Commercial Code explicitly stipulates that women can establish businesses independently of their husbands. In practice, many women limit their rights of ownership by signing a power of attorney in favour of their husbands.

The Women’s Development Bank was created in 2001 to improve women’s access to bank loans. It is a public, micro-credit institution that provides loans and other financial and non-financial services to women living in poverty.

Civil liberties

The civil liberties of Venezuelan women are well respected. Their freedom of movement seems to be upheld in general, and the law stipulates that spouses should make a joint decision regarding their place of residence. There are no reported restrictions on freedom of dress.



Middle East and North Africa

Gender discrimination in social institutions is very high across the 18 countries of the Middle East and North Africa. With the exception of Tunisia and Morocco, all the region's countries ranked in the SIGI are in the bottom half of the distribution. Libyan Arab Jamahiriya, the UAE, Iraq, Iran and Yemen figure in the bottom 20. Discrimination is particularly evident in civil liberties, family code and physical integrity.

Overall, despite some efforts to improve the situation of women, for example in access to education, discrimination and inequality persist. The role of women in society and in the family is greatly limited by social institutions. Furthermore, most countries in the region operate under a tripartite legal system – civil, Islamic and customary law – making it difficult to clarify women's legal and social status.

On the positive side, some progress has been achieved, particularly in economic and political rights. In the spring of 2009, for example, Kuwait became one of the few countries in the Gulf with women in national parliament and Saudi Arabia appointed its first female minister. Furthermore, in most countries women have the right to access land and property other than land, as well as to engage in commercial activities. An increasing number of women own and run businesses in countries such as Morocco, Jordan and Bahrain. This is also partly due to a dramatic improvement in women's access to education.

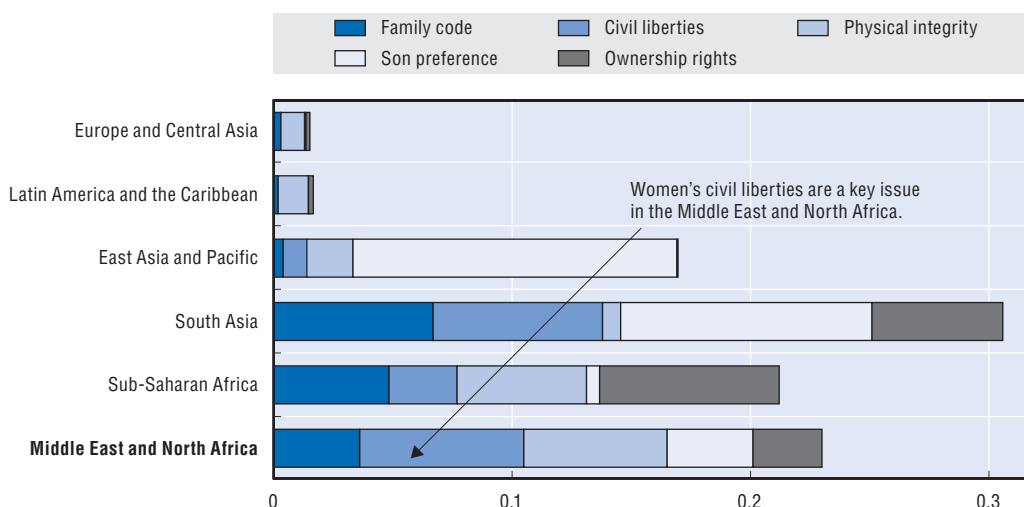
Note of SIGI ranking: Not included in the overall SIGI ranking: Israel, Jordan, Lebanon, Oman, Saudi Arabia, and the Palestinian National Authority.

But serious challenges remain, especially regarding legal rights and family law, which often confer legal authority to the husband. In several countries women have no right to pass on their nationality to their children if the father is foreign. Under *sharia*, inheritance laws grant smaller shares to women than to men: daughters typically inherit only half as much as sons. This is usually justified by the argument that women have no financial responsibility towards their husbands and children. Another challenge concerns women's lack of protection against violence: in many countries, the Penal Code fails to safeguard women from "honour crimes" and sexual assault.

Key issue: Civil liberties

Women's civil liberties are a key issue in the region. Their freedom of movement and of dress is highly constrained. Women must generally obtain permission from a male relative, usually a husband or father, before seeking employment, requesting a loan, starting a business, or even travelling.

Average SIGI score by region (population-weighted)



Algeria

Population	33 852 676
Female population (as % of total population)	49.5
Women's life expectancy (in years)	73.7
Men's life expectancy (in years)	70.9
Fertility rate (average births per female)	2.4



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The situation for women in Algeria is difficult, largely as a result of the country's history and the influence of Islamist movements over the past 20 years. Conditions for women are closely linked to the provisions of the 1984 Family Code, based on Islamic law.

Feminist NGOs are working to change this situation, with some success. In 2003, the government amended the family code in favour of women and created a Ministry of Women's Affairs. Progress is slow, however, due to the moderate Islamist movement.

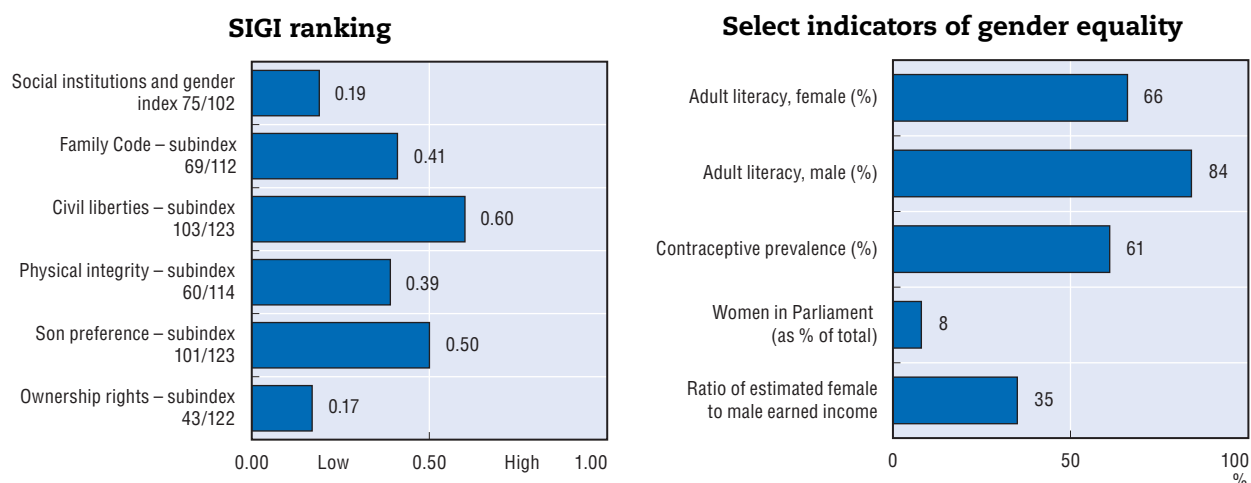
Family code

Women cannot be married against their will and according to the family code, women cannot marry without the consent of their guardians. The minimum legal age of marriage is 21 years for men and 18 years for women, and the age of marriage in urban communities is rising regularly, which has positively increased the national average. A 2004 United Nations report estimated that only 4% of girls between 15 and 19 years of age were married, divorced or widowed. The code prohibits women from marrying men who are not of Algerian nationality.

Polygamy is lawful according to the family code. Recent amendments to the code enforce procedures that make the practice more difficult and polygamous marriages are increasingly rare.

The family code states quite clearly that men and women are not equals within a marriage: "The duty of the wife is to obey her husband". It also states that wives are minors under the authority of their husbands and must stay at home, yet this provision does not always reflect reality. The situation is quite different in urban areas. In principle, married women need their husbands' permission to work or travel, yet the percentage of women in the workforce has grown considerably in the past 30 years.

The code also treats men and women differently in the case of divorce. Men can divorce without any justification, but women can obtain a divorce only under certain conditions. Men who obtain a divorce keep the family house and can immediately evict their wives and children. In such cases, men are legally required to pay child support, yet many allowances remain in arrears. Even if the wife is given custody of the children, the husband retains control over their upbringing. According to Sharia law, in general, the



share women inherit is half that of men. Many families disagree with the existing legislation and re-establish equality between their children by arranging donations or fictitious sales to their daughters.

Physical integrity

Women bore the brunt of Algeria's 15-year civil war, which lasted from 1991 to 2002. Rape, torture and murder, were commonplace. Even today, violence against women is evident, and there is little in the way of legal instruments to protect women. Domestic violence and spousal rape are not considered crimes, nor do they constitute grounds for divorce. Women can press charges but social pressure often prevents them from taking any action.

The penal system is making some progress, particularly in regard to sexual harassment in the workplace, but the government has yet to make any firm commitment on bringing an end to violence against women.

Ownership rights

Women's access to land is limited by traditional provisions. By contrast, they are guaranteed the legal right to access to property other than land.

By law, women in Algeria have the right to access bank loans and are free to negotiate contracts. They are entitled to keep any wages they earn and to own personal possessions. However, these rights, more commonly in rural areas, may be restricted by their husbands.

Civil liberties

Algerian women have freedom of movement, yet it depends on the goodwill of their husbands. Although women are legally granted freedom of dress, day-to-day attire is often dictated by social pressure. Approximately two-thirds of women wear the veil, a share that has grown significantly over the past 20 years. Family members may force women to wear the veil though some women freely choose to wear the veil by choice or for religious reasons.

Bahrain

Population	752 789
Female population (as % of total population)	42.7
Women's life expectancy (in years)	77.5
Men's life expectancy (in years)	74.3
Fertility rate (average births per female)	2.3



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Constitution of 2002 provides equal rights to women and men of Bahrain and has improved the situation of women in many areas. In other ways, the situation of women continues to be affected by patriarchal norms and traditions. Women's level of education is often high, but their employment opportunities are limited. Bahrain's first report on the UN Millennium Development Goals identifies changing traditional views of the role of women – both in society and the workforce – as a main challenge to be addressed.

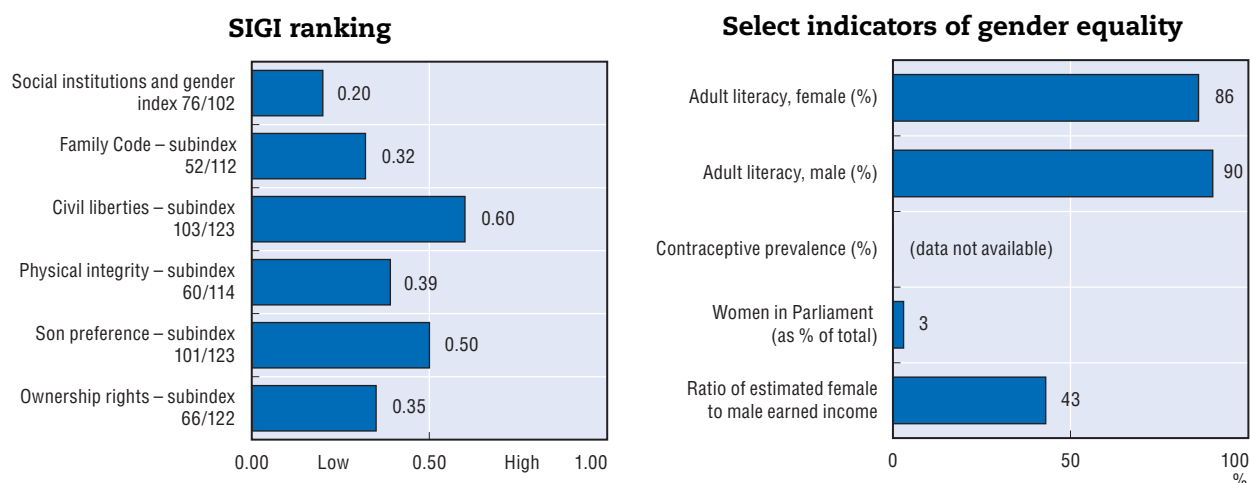
Family code

Legislation in Bahrain offers women a low level of protection within the family context. The average age of marriage for both men and women in Bahrain has increased in recent years, indicating that early marriage occurs less frequently. No minimum age of marriage was defined in Bahrain until October 2007 when the Minister of Justice fixed the legal ages at 18 for men and 15 for women. This decision immediately raised concerns among national women's rights advocates and international organisations concerned with the rights of children. A 2004 United Nations report estimated that 7% of girls between 15 and 19 years of age were married, divorced or widowed.

Polygamy is legal following provisions in Islamic law, which allows a Muslim man to take as many as four wives if he can support them financially. The prevalence of polygamy is reported to be low.

Fathers in Bahrain hold legal guardianship over children. In the event of divorce, the mother is granted custody of daughters under the age of nine and sons under the age of seven. When children attain these ages, custody normally reverts to the father.

Sharia law provides guidelines for calculating inheritance shares. In general, a woman may inherit from her father, her mother, her husband, her children and, under certain conditions, from other members of her family. However, her share is often smaller than a man's entitlement. There is an important distinction between the two primary branches of Islam. In the absence of a direct male heir, Bahraini Shia interpretations allow daughters to inherit the full estate of a deceased father. By contrast, Sunni traditions oblige daughters to share such an inheritance with the brothers or other male relatives of the deceased.



Physical integrity

Social institutions in Bahrain can be said to provide women with a low level of protection for physical integrity. To date, Bahrain has no specific laws concerning violence against women. Several provisions in the Penal Code protect women to some extent. Some critics argue that existing law can be used to justify honour killings, as some provisions in the Penal Code allow for lower penalties when a crime is committed in anger following an unlawful act on the part of the victim. Domestic and spousal abuse is quite common in Bahrain, but the issue is rarely discussed and incidents are seldom reported to the police. The law does not recognise the concept of spousal rape.

Ownership rights

For the most part, legislation concerning ownership rights guarantees equality for women in Bahrain, and the country's economic climate encourages entrepreneurship among both men and women.

The law allows Bahraini women access to land and access to property other than land, although many women still authorise a male family member to manage such assets. Women do not face legal restriction in their access to bank loans: they can open bank accounts and dispose of their own income.

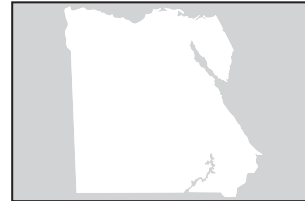
Civil liberties

Women in Bahrain have a relatively low degree of civil liberty. Although the law provides for freedom of movement for all persons, women are sometimes limited by socially imposed restrictions. For example, some women are still pressured to request permission from the male head of the household before travelling abroad or leaving the residence to visit friends or family, even though they are legally entitled to do either freely.

There are no legal restrictions on freedom of dress. Some women take a rather liberal approach to clothing; others indicate they are uncomfortable in public unless completely covered according to Islamic traditions. All women, including foreigners, are encouraged to avoid revealing attire.

Egypt

Population	75 466 539
Female population (as % of total population)	49.9
Women's life expectancy (in years)	73.6
Men's life expectancy (in years)	69.1
Fertility rate (average births per female)	2.9



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Factors such as religion, social class and rural or urban location all affect the situation of Egyptian women, but it is cultural traditions that most strongly shape their lives. The law is partly based on Sharia and does provide for equality between the sexes, however, differences between the sexes are still found.

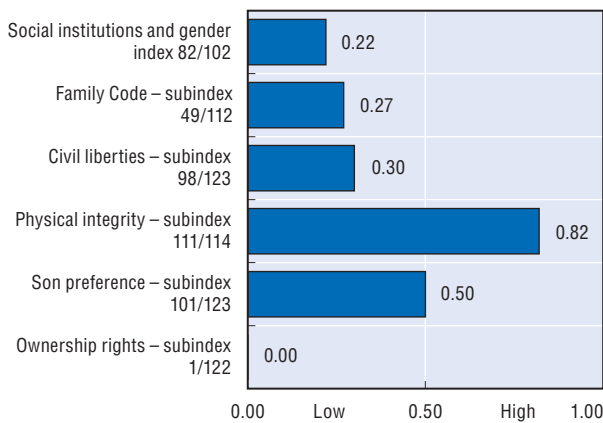
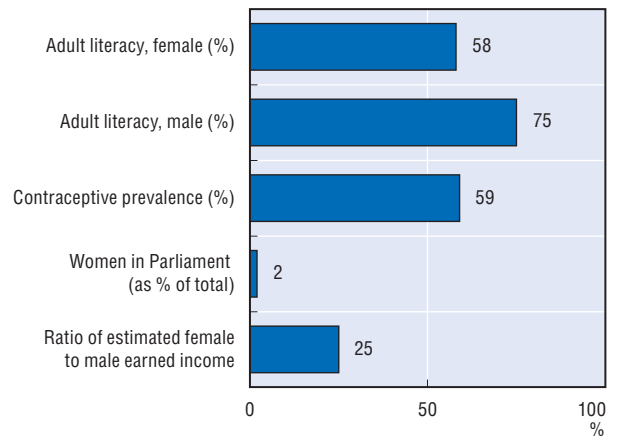
Family code

Women in Egypt face several inequalities in regards to family matters. The minimum legal age of marriage is 16 years for women and 18 years for men. A 2004 United Nations report estimated that 15% of girls between 15 and 19 years of age were married, divorced or widowed.

Polygamy is allowed under Islamic law. The prevalence of this practice, however, is believed to be relatively low. Kurtz estimates that in 2001 less than 3% of Egyptian men had multiple wives. The passing of the *khul'* law granted Muslim women the right to divorce without the husband's consent, but the procedure often requires that they forfeit many of their financial entitlements. Copt women, who make up 9% of the population, do not have the right to *khul'*.

Women in Egypt face discrimination with regards to parental authority: Islamic law views fathers as the natural guardian of children; mothers are the physical custodians. Prior to amendments put in place in 2005, the law stated that in the event of divorce, the mother was granted custody of children until a specified age (10 years for boys and 12 years for girls). The amendments extended the woman's custody to 15 years, irrespective of the sex of the children, and also allowed children to choose with whom they would like to live after reaching the age of 15. Women can now also confer citizenship to children born to non-Egyptian fathers.

According to Islamic law regarding inheritance, women may inherit from their father, mother, husband or children and, under certain conditions, from other family members. However, their share is generally smaller than that to which men are entitled.

SIGI ranking**Select indicators of gender equality****Physical integrity**

Women in Egypt have a very low level of protection for physical integrity. Violence against women, including domestic violence, is relatively common and includes both physical and psychological abuse. The Penal Code criminalises all forms of assault against women but certain provisions are weak, and depend on the victims' age and relation to the perpetrator. Domestic violence is perceived as a private matter and many incidents remain unreported.

Egypt's combined fourth and fifth report to CEDAW claims that female genital mutilation occurs only in remote parts of the country. By contrast, independent sources hold that it is an almost universal practice, with 85% to 95% of the female population having undergone FGM, with equal prevalence among Muslim and Christian women. Despite efforts by NGOs, religious scholars and the Egyptian government to eradicate FGM, the practice remains deeply rooted in Egyptian society.

Ownership rights

Egyptian law does not restrict women's access to land, access to property other than land or access to bank loans. An increasing number of women are engaged in business transactions and financial activities, even though some culturally rooted traditions may restrict their actual control over and management of assets.

Civil liberties

Women in Egypt have freedom of movement, although more so in the cities than in rural areas. To travel outside the country, unmarried women under 21 years of age must obtain their father's permission to obtain a passport; similarly, wives of any age need their husband's permission.

Women's freedom of dress has been the subject of lively debate in Egypt. 70% to 80% of women wear a veil in public. The Associated Press reports that while some women are required by male family members to cover themselves, many others choose to wear the veil.

Iran, Islamic Republic

Population	71 021 039
Female population (as % of total population)	49.3
Women's life expectancy (in years)	72.6
Men's life expectancy (in years)	69.4
Fertility rate (average births per female)	2.0



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Iran is a theocratic republic; as such, the situation of women is very much affected by Islam and Sharia law. The Constitution supports equal rights to a large degree, but its enforcement is generally poor and discriminatory provisions still remain.

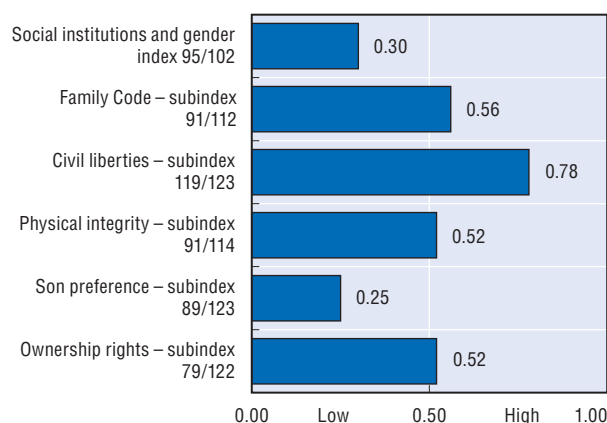
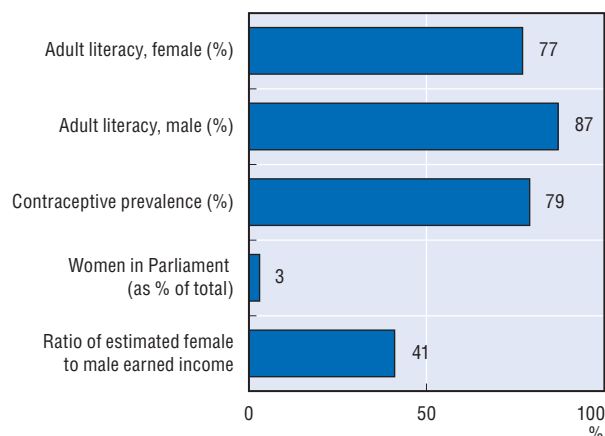
Women's rights activists in Iran continue to face obstacles in their attempts to improve the conditions for women. Some members of the "Campaign for Equality" (a network aiming to end legal discrimination against women in Iran) have even been arrested following demonstrations demanding equal rights. Nevertheless, a study by Moghadam notes that women's human rights in Iran have advanced, especially in regard to family, religion and community.

Family code

Iranian women still face many challenges within the family context. The average age of marriage appears to be increasing for both men and women, but early marriage still occurs. The legal age of marriage is 13 years, and Amnesty International reports that fathers have the right to apply for permission to marry their daughters as early as the age of nine. A 2004 United Nations report estimated that 18% of girls in Iran between 15 and 19 years of age were married, divorced or widowed. Polygamy is legal, following provisions in Sharia that allow Muslim men to take up to four wives.

In a study of Sharia law, Uhlman shows that parental authority generally rests with fathers in Iran, reflecting the Sharia principle that fathers are the natural guardians of their children. In the event of divorce, recent legal amendments automatically grant mothers physical custody of children until the children reach the age of seven years. Previously, mothers could maintain custody of sons only until the age of two.

Islamic law provides for detailed and complex calculations of inheritance shares. Women may inherit from their father, mother, husband or children and, under certain conditions, from other family members. However, their share is generally smaller than that to which men are entitled.

SIGI ranking**Select indicators of gender equality****Physical integrity**

Protection of the physical integrity of women in Iran is low. To date, the law lacks specific legal provisions to protect women who have been victims of physical or psychological abuse. The law does not recognise the concept of spousal rape.

The Integrated Regional Information Networks (IRIN), which collects humanitarian news and analysis for the United Nations, reports that while female genital mutilation is not a general practice in Iran, it is believed to occur in regions bordering Iraqi Kurdistan.

The population sex ratio in Iran tilts slightly in favour of men, suggesting an occurrence of missing women. This may reflect a general preference for sons, who are in a better position to strengthen the household financially as they grow older.

Ownership rights

There are no legal restrictions on women's access to land or access to property other than land, although various reports indicate that the number of female land and property owners is relatively low due to social and cultural norms.

Similarly, women do not face legal discrimination in relation to access to bank loans and other forms of credit. However, because they have limited access to collateral, banks often view women as higher credit risks than men.

Civil liberties

Freedom of movement is not restricted by law, but the extent to which they can move freely outside the household often depends on the husband. The tradition of purdah is practised to varying degrees and limits women's right to move independently. Iranian women also need their husband's permission to travel outside the country.

Women's freedom of dress is very limited in Iran. When in public, they are obliged by law to wear a veil, known as a hijab. This law also extends to Iran's religious minorities and foreign female visitors. Most women also wear a long cloak, called a chador.

Iraq

Population	Data not available
Female population (as % of total population)	Data not available
Women's life expectancy (in years)	61.5
Men's life expectancy (in years)	57.8
Fertility rate (average births per female)	4.3



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Iraq's new Constitution (2005) states that all Iraqis are equal before the law and prohibits discrimination based on sex. It cites Islam as a basic source of legislation and forbids the passing of laws contradictory to its "established rulings". As a result, the situation of women in Iraq very much depends on the implementation of Islamic law.

Women and women's rights in Iraq have been – and continue to be – affected by the country's recent wars and the current internal conflict. Between 1960 and 1980, Iraqi women had successfully gained access to education, health care and employment, and their political and economic participation was significantly advanced. Subsequent armed conflicts worsened the situation for both women and men, and the future remains uncertain.

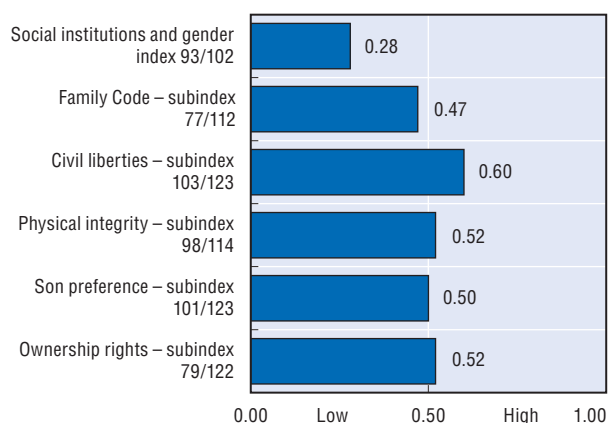
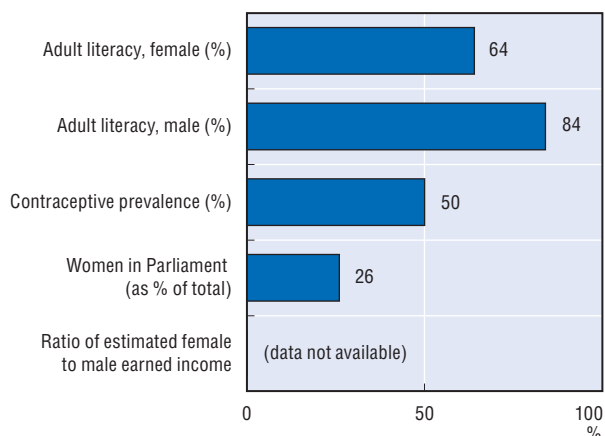
Family code

Family matters in Iraq are governed by the Personal Status Law (established in 1959), which grants Iraqi women moderate status within the family context. The legal age of marriage is 18 years for both men and women, but with parents' consent and judicial permission the age can be lowered to 15 years. Early marriages do occur, particularly in rural areas, but are not legally recognised. A 2004 United Nations report estimated that 21% of girls between 15 and 19 years of age in Iraq were married, divorced or widowed.

Polygamy is legal under the Personal Status Law, allowing Muslim men to take up to four wives. In Iraq, a man wishing to have multiple wives must obtain judicial permission and also prove his ability to financially support more than one wife.

With regards to parental authority, a study by Uhlman illustrates that Islamic law views fathers as the natural guardians of their children. Mothers are considered the physical – but not legal – custodian.

Islamic law provides for detailed and complex calculations of inheritance shares. Women may inherit from their father, mother, husband or children and, under certain conditions, from other family members. However, their share is generally smaller than that to which men are entitled.

SIGI ranking**Select indicators of gender equality****Physical integrity**

Violence against women in Iraq has risen in recent years. Women have been particularly vulnerable in times of armed conflict and many have fallen victim to physical and sexual abuse. Customs effectively permit male relatives to punish women who infringe on traditional codes of honour. Islamic law does not recognise the concept of spousal rape. While female genital mutilation is not a general practice in Iraq, Amnesty International reports that NGOs based in northern Iraq have observed its occurrence in some areas (around Halabja, Germian and Kirkuk).

Ownership rights

Women in Iraq have the legal right to access land and property other than land. They may also enter into financial contracts and have access to bank loans and other forms of credit although various reports indicate the number of female land and property owners is relatively low due to social and cultural norms.

Civil liberties

Women's civil liberties in Iraq have been severely restrained in the past 20 years. According to Rassam, women's freedom of movement was curtailed in the early 1990s by legal restrictions that forbid women from travelling outside the country unless accompanied by a male relative. More recently, women's freedom of movement has been limited by the ongoing conflict; many women are not able – or do not dare – to leave their homes without a male escort. The tradition of purdah is practised to varying degrees and limits women's right to move independently. Religious practice, social pressure and the risk of being harassed play major roles in limiting Iraqi women's freedom of dress. Although not legally required to do so, the majority of women choose to wear a veil in public.

Israel

Population	7 180 100
Female population (as % of total population)	50.5
Women's life expectancy (in years)	82.5
Men's life expectancy (in years)	78.8
Fertility rate (average births per female)	2.9



In Israel, the Women's Equal Rights Law of 1951 guarantees the equal treatment of men and women. But the long-running conflict between religion and state often undermines legally established principles of gender equality. Secular principles govern much of public life, thereby granting women and men the same rights while also subjecting them to the same obligations. Matters related to personal law are administrated by the country's religious courts – including Jewish rabbinic courts, Islamic Sharia courts, Christian courts and Druze courts. In many of these courts, patriarchal norms and traditions still prevail. 76% of Israel's population is Jewish. Muslims make up the second largest group (16%), followed by Arab Christians (1.7%) and Druze (1.6%).

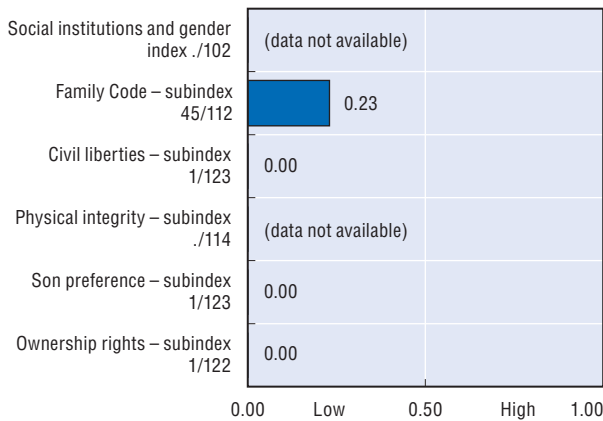
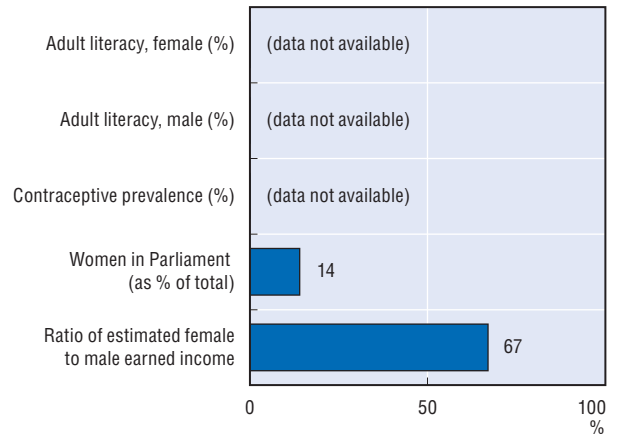
Family code

Women in Israel are protected with regards to family matters. Israel's religious courts have jurisdiction in all matters related to marriage and divorce. The civil family courts have parallel jurisdiction in issues of child support, guardianship, property disputes, inheritance and family violence.

The legal age of marriage is 17 years for both sexes. Early marriage is not a common practice and the average marriage age has increased for both men and women since 1970. A 2004 United Nations report estimated that 4% of girls between 15 and 19 years of age were married, divorced or widowed. However, according to CEDAW this figure might be underestimating the true extent of early marriages.

Although polygamy is prohibited in Israel by state law, it is still practised among the country's Bedouin population and the Muslim population. According to Haaretz-Israel News, approximately 30% of Bedouin men are believed to have more than one wife. Islamic law allows Muslim men to take up to four wives, provided that they can support all wives financially.

Parental authority is equally shared between mothers and fathers and they are treated equally in matters of inheritance. The secular Succession Law of 1965 makes no distinction between male and female heirs. According to Radford, this is one area in which the law of the State of Israel contradicts traditional Jewish law (Halakhah), which allows women to inherit only under very limited circumstances.

SIGI ranking**Select indicators of gender equality**

Islamic Sharia law contains detailed and complex calculations of inheritance shares. Women have the right to inherit, but their shares are generally smaller than that to which men are entitled.

Physical integrity

Women in Israel are protected by law. Violence against women is prohibited under several Israeli laws including the Penal Code, the Prevention of Violence in the Family Law and the Prevention of Sexual Harassment Law. Yet such violence remains prevalent. Judging by the number of complaints filed, domestic and spousal abuse appears to have increased in recent years – or at least women have become more aware of their legal rights. However, honour crimes occur among the Arab population. The US Department of State, in a 2005 report, estimated that each year an average of 10 women are killed by their relatives.

Female genital mutilation is not a common practice in Israel. According to FORWARD, symbolic forms of FGM are believed to be practised among some Bedouin populations and, to a lesser extent, among Ethiopian Jews residing in Israel.

Ownership rights

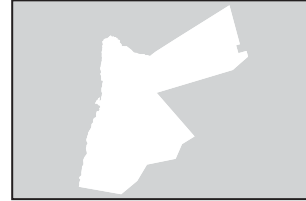
Israeli women do not face any restrictions in regard to exercising their ownership rights. Women have the legal right to access to land and access to property other than land. However, as most land is owned and controlled by the government, access to land is quite complicated for both men and women. There are no limitations on women's access to bank loans.

Civil liberties

In general, Israeli women have a high degree of civil liberty. There are no specific laws or customs that limit women's freedom of movement. However, both men and women may face restrictions on their movement within the occupied territories, and between Israel and the territories. Conservative Muslim women might be expected to respect traditions of purdha.

Jordan

Population	5 718 855
Female population (as % of total population)	48.5
Women's life expectancy (in years)	74.5
Men's life expectancy (in years)	70.8
Fertility rate (average births per female)	3.6



Jordan is a patriarchal society in which cultural traditions and societal norms continue to encourage discrimination against women. In recent years, the status of Jordanian women in society has improved somewhat; however, their economic and social opportunities are still not equal to those of men.

Family code

Family law in Jordan discriminates against women in several ways. In regards to family matters, the country's Muslim majority is governed by the personal Status Law; non-Muslims may apply their own personal status laws. Reflecting the large Muslim majority, the following paragraphs consider only Islamic family law.

The legal age of marriage in Jordan is 18 years; the Chief Justice can lower this to 15 years in cases where early marriage is deemed to be in the best interest of the young bride or groom. A 2004 United Nations report estimated that 8% of Jordanian girls between 15 and 19 years of age were married, divorced or widowed.

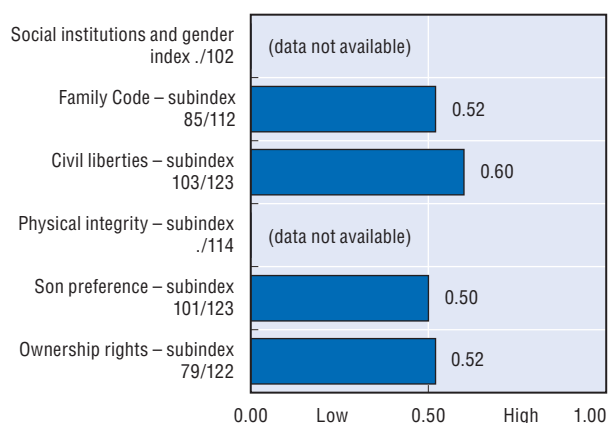
Muslim men in Jordan have the legal right to practice polygamy. They may take as many as four wives, but before marrying a second, third or fourth time, they must prove their financial capability to support another wife.

With regards to parental authority, in accordance with Sharia Law, the personal Status Law recognises only fathers as the legal guardians of children. Mothers are seen as the physical custodians. Women cannot confer citizenship to children born to a non-Jordanian father. According to Islamic law, women may inherit from their father, mother, husband or children and, under certain conditions, from other family members. However, their share is generally smaller than that to which men are entitled.

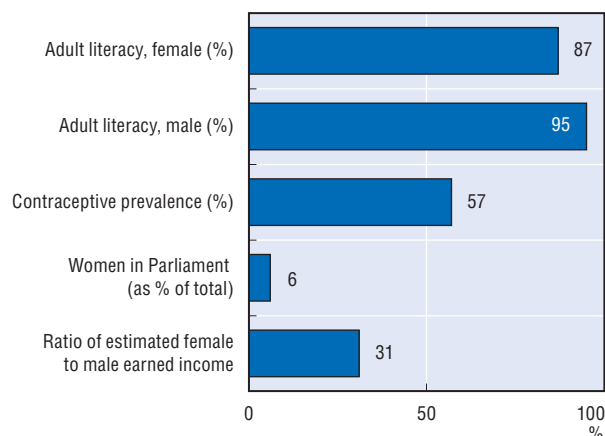
Physical integrity

Violence against women – particularly domestic violence – is common. Women have only limited legal protection through broader provisions on battery and assault within the Penal Code. Social awareness of domestic violence has increased, but there is no specific legislation that criminalises such violence and incidents are rarely reported. So-called honour killings do occur in Jordan. Critics argue that provisions in the Penal Code justify (at least to some extent) these crimes by allowing for lower penalties when a crime is committed in rage following an unlawful act by the victim.

SIGI ranking



Select indicators of gender equality



Female genital mutilation is not a general practice, but IRIN reports that it is known to occur in southern Jordan.

The sex ratio in Jordan is slightly higher than normal in favour of men, suggesting that Jordan may be a country of concern in relation to missing women.

Ownership rights

Women in Jordan have the legal capacity to enter into financial contracts, but the country's social structure still deprives many of them from owning and controlling economic resources by limiting their access to land and access to property other than land. UNIFEM reports that women comprise just over 10% of land and property owners, and that a majority of these women gained ownership through inheritance. Looking at land ownership only, Cotula estimates that women own close to 30% of the land.

Women have the right to access to bank loans and other forms of credit, although some banks and financial institutions might require a guarantee from their husbands and collateral requirements are sometimes higher for women than for men. The situation is improving: some banks now accept the applicant's salary (in lieu of land or property) as collateral. In recent years, various institutions and organisations have developed and expanded micro-finance projects that target women.

Civil liberties

Women in Jordan have limited civil liberty. Current restrictions to women's freedom of movement arise mainly from social norms, but this was not always the case. Prior to 1976, husbands had the legal right to prevent their wives from travelling. Recent amendments to the Passport Act give women the right to apply for their own passports without having to obtain permission from their husbands. According to a study by Hassan, legal restrictions on women's movement remain in other areas of daily life. Women are not allowed to work between 8:00 pm and 6:00 am, and are prohibited completely from working in quarries and other hazardous environments.

Jordanian women enjoy legal freedom of dress. Despite the strong Islamic influences, wearing a veil is optional. The majority of women (about 75%) choose to wear a veil in public, but one of the highest-profile women, Jordan's Queen Rania, does not.

Kuwait

Population	2 662 966
Female population (as % of total population)	39.7
Women's life expectancy (in years)	79.9
Men's life expectancy (in years)	76.0
Fertility rate (average births per female)	2.2



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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By global standards, Kuwait has been late to implement measures that grant women equal protection. Education and employment opportunities opened up for Kuwaiti women in the 1960s. Kuwait's family law discriminates against women in the social sphere, as do customary traditions. However, unlike most of the countries of the Gulf region, Kuwaiti women have been able to vote and run for office since May 2005.

Family code

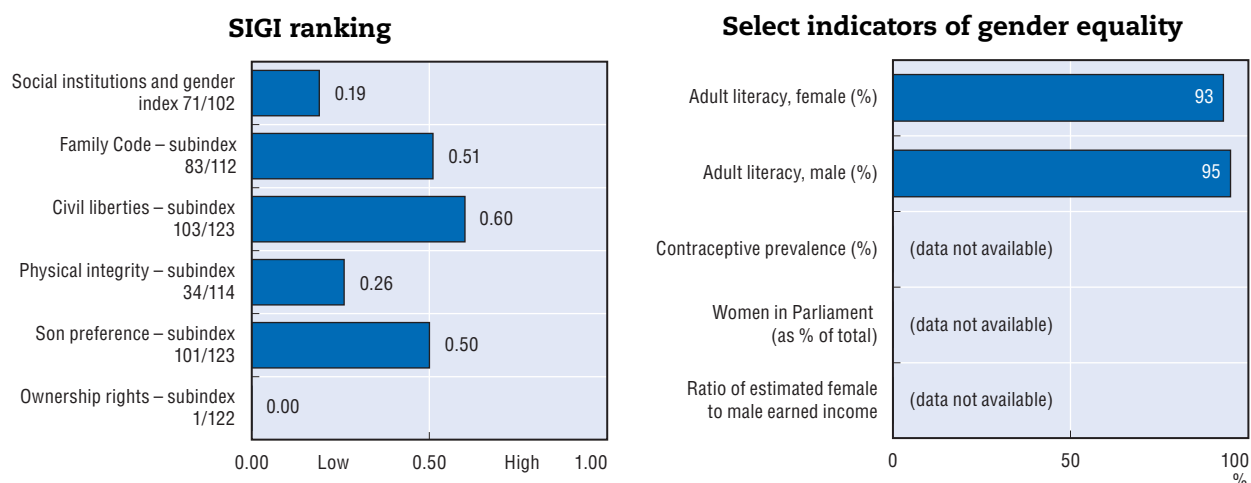
Family matters are governed by Islamic Sharia law. The majority of the population (about 70%) is subject to Sunni family law, while Shia Muslims have their own family law.

The legal age of marriage in Kuwait is 15 years for women and 18 years for men. Early marriage is increasingly rare, but for the most part marriage is still very much an arrangement between families. According to Sunni family law, women cannot freely choose their husbands; they must obtain prior approval from their families or guardians. A 2004 United Nations report estimated that 5% of Kuwaiti girls between 15 and 19 years of age were married, divorced or widowed.

Both Sunni and Shia family laws permit polygamy. Sharia law generally allows Muslim men to take as many as four wives. However, before marrying a second (or subsequent) wife, they must prove their ability to financially support the additional wife.

Kuwaiti women face discrimination in regard to parental authority. Islamic Sharia law views fathers as the natural guardians of children, whereas mothers are seen as the physical, but not legal, custodians. In the event of divorce, Sunni family law gives mothers the right to custody of sons until they are 15 years of age and of daughters until they marry. However, mothers who wish to remarry during this period lose their custody rights. Women cannot confer citizenship to children born to non-Kuwaiti fathers.

Islamic law provides for detailed and complex calculations of inheritance shares. Women may inherit from their fathers, mothers, husbands or children and, under certain conditions, from other family members. However, their share is generally smaller than that to which men are entitled. Daughters, for example, typically inherit half as much as sons. This is commonly justified by the argument that women have no financial responsibility towards their husbands and children.



Physical integrity

Lack of data makes it difficult to estimate the prevalence of violence against women in Kuwait. There are no laws that explicitly address domestic violence or sexual harassment in the workplace. Victims of domestic violence rarely report incidents and there is little assistance or protection for those that do. So-called honour killings do occur in Kuwait. Some critics argue that the law, at least to some extent, justifies these crimes by allowing for lower penalties when they are committed in rage as a response to the victim having committed an unlawful act (such as adultery).

Female genital mutilation is not practised in Kuwait.

Ownership rights

All Kuwaiti citizens over 21 years of age, regardless of sex, have the right to engage in commercial activities. Hence, women have the legal right to access to land and access to property other than land. The law also allows women to have access to bank loans and enter into financial contracts.

Civil liberties

Women's freedom of movement is limited in that they cannot go out at night or travel abroad without first requesting permission from their parents or male guardians. Married women must also have permission from their husbands to apply for a passport, although unmarried women over 21 years of age can apply independently. With the exception of a few professions, women are legally forbidden from working at night. Women in Kuwait have freedom of dress. However, the number of women who wear veils in public has increased in recent years. According to the Associated Press, this is true for both the face veil (even though it is often identified with Islamic fundamentalists) and the headscarf.

Lebanon

Population	4 097 076
Female population (as % of total population)	51.0
Women's life expectancy (in years)	74.2
Men's life expectancy (in years)	69.9
Fertility rate (average births per female)	2.2



Social institutions in Lebanon are complex and closely linked to religion. The country officially recognises a total of 18 religious groups. According to a report by Zaatari, family matters are governed by as many as 15 personal status codes.

Women's situation and level of protection within the family vary depending on religious affiliation. Lebanon's third periodic report to the CEDAW Committee states that "whichever denomination she belongs to, a Lebanese woman is a victim of gender discrimination in her contact with the personal status laws".

Family code

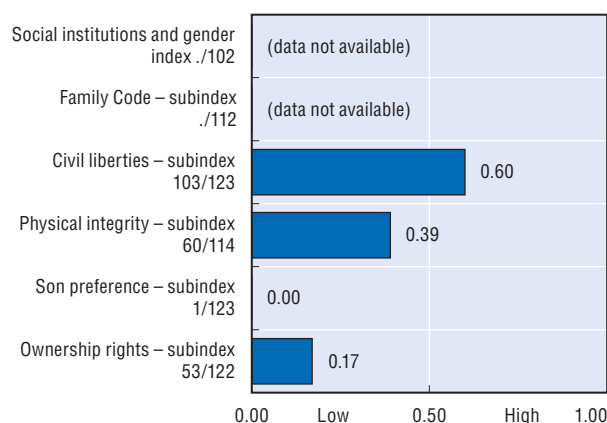
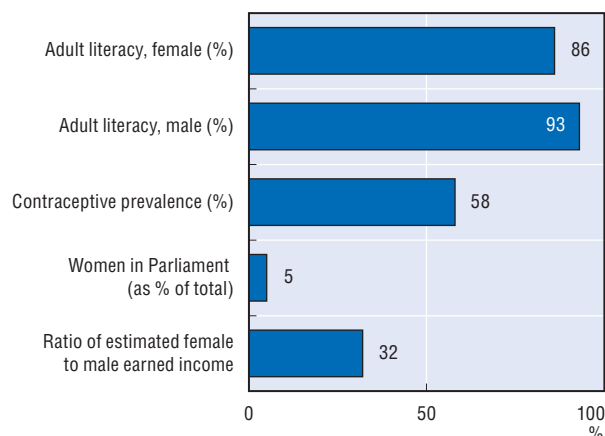
Lebanese women have only a moderate level of legal protection within the family context. The legal age of marriage varies amongst the different personal status codes, but two common features are evident: first, women can generally be wed at a younger age than men; and second, marriages can be authorised at even earlier ages. The recognised marriageable age for women ranges between 12.5 (or puberty) and 18 years, and between 16 (or puberty) and 18 years for men.

Polygamy is permissible only among the Muslim population, following provisions in Sharia law. Muslim men are allowed to take as many as four wives, provided they can support all wives financially and treat them all fairly and equally.

Although some personal status codes assign rights and duties equally to both spouses during married life, parental authority belongs primarily to fathers. Most personal status codes also name men as the rightful guardians, whereas women are merely custodians. Upon birth, children are assigned to the religious sect of their father. Women cannot confer citizenship to children born to a non-Lebanese father.

In the event of divorce, all personal status codes initially grant child custody to the mother. In some cases, custody is transferred back to the father when children reach a certain age. Most Christian denominations and Islamic Shia consider that divorced mothers who wish to remarry forfeit their custody rights. If the mother dies, the Sunni sect normally transfers custody to the closest female relative.

Inheritance laws differ between Muslims and non-Muslims. Islamic law provides for detailed and complex calculations of inheritance shares. Muslim women may inherit from their fathers, mothers, husbands or children and, under certain conditions, from other family members. But their share is generally smaller than a man's entitlement.

SIGI ranking**Select indicators of gender equality**

The Inheritance Act (1959) for non-Muslims establishes that men and women shall be treated equally and receive the same shares of inheritance. In reality, cultural practices and customs sometimes favour male heirs.

Physical integrity

Lebanon provides a moderate level of protection for the physical integrity of women. Awareness of violence against women, including domestic violence, has increased in recent years, thanks largely to efforts by local and regional NGOs. The design and implementation of government policies in this area, however, has been rather poor. Existing law does not recognise the concept of spousal rape. In general, the actual reporting by victims of domestic abuse remains low.

Ownership rights

There are no legal restrictions on women's ownership rights, provided that they are 18 years or older. Patriarchal traditions may work against women in some aspects of ownership, but limitations more often arise from the fact that many women remain unaware of their economic and legal rights. Women are legally entitled to access bank loans and can enter into financial contracts, but some limitations are evident in practice. For example, the CEDAW Committee reports that among an estimated 30 institutions lending to small-scale rural projects, only nine provide men and women with equal conditions. Moreover, women's share of the loans from these nine credit institutions ranges between only 10 and 20%.

Civil liberties

Legally, Lebanese women have a moderate degree of civil liberty, but it is sometimes difficult for them to exercise their rights. There are no legal restrictions on freedom of movement for Lebanese women. In practice, the extent to which Muslim women can move freely outside the household or travel abroad often depends on their husbands and other family members.

Women have freedom of dress, but the number of women who wear a veil in public has increased since the 1980s.

Libyan Arab Jamahiriya

Population	6 156 488
Female population (as % of total population)	48.1
Women's life expectancy (in years)	76.9
Men's life expectancy (in years)	71.7
Fertility rate (average births per female)	2.7



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Most national legislation in the Libyan Arab Jamahiriya supports equal rights for men and women, but many legal provisions that would ensure equality have yet to be effectively enforced. The social position of Libyan women is inferior to that of men, and deeply rooted patriarchal values and traditions still persist.

Efforts to improve the status of women in Libya have been hampered by two major factors: it is illegal to establish women's rights groups that are independent of the state, and individuals are subject to abuse and torture if they are suspected to sympathise with government opposition groups.

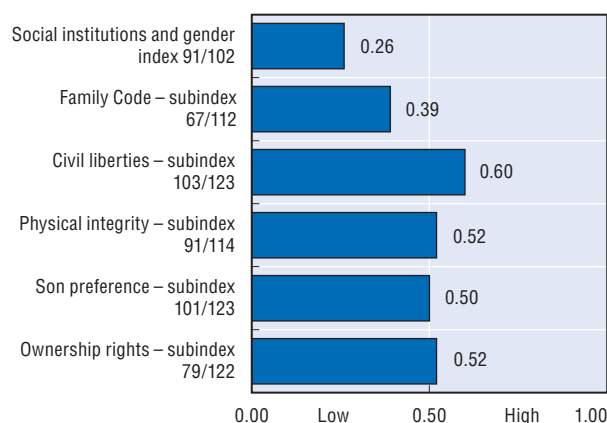
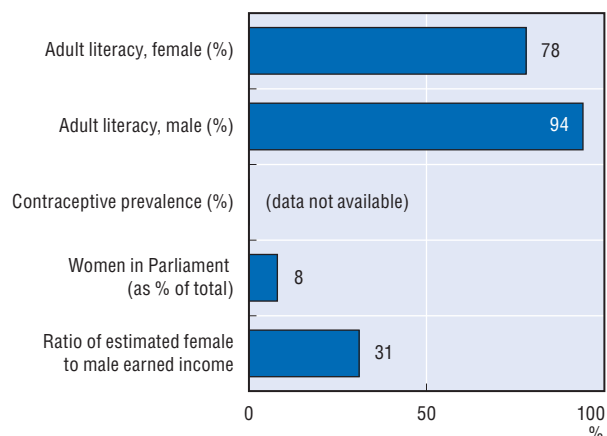
Family code

Women in Libya face several inequalities in regard to family matters. They often find themselves at a disadvantage because Libya's Family Code still contains some discriminatory provisions.

The legal age of marriage is 20 years for both men and women in Libya, but judges can grant permission for marriage at an earlier age. Although marriages are to be based upon mutual consent, arranged marriages do occur in rural areas. According to a 2004 United Nations report, the occurrence of early marriage has declined in recent decades: only 1% of girls between 15 and 19 years of age in Libyan Arab Jamahiriya were married, divorced or widowed.

Polygamy is legal in Libyan Arab Jamahiriya, but relatively uncommon. Islamic Sharia allows Muslim men to take as many as four wives. Before legal permission is granted for a second, third or fourth marriage, Libyan Family Code requires that men secure the consent of their first wives and prove their ability to support more than one wife.

In regard to parental authority, a study by Uhlman reports that Islamic law holds the father as the natural guardian of his children; the mother is regarded as the physical custodian. In the event of divorce, the Libyan Family Code grants initial custody to the mother, followed by her mother, then the father and thereafter his mother. Women cannot confer citizenship to children born to a non-Libyan father. Islamic law provides for detailed and complex calculations of inheritance shares. Woman may inherit from their father, mother, husband or children and, under certain conditions, from other family members. However, their share is generally smaller than that to which men are entitled.

SIGI ranking**Select indicators of gender equality****Physical integrity**

Libyan women have a relatively low level of protection in terms of physical integrity. The most common form of violence against women in Libyan Arab Jamahiriya is domestic violence. To date, there are no laws beyond the general Criminal Code to protect the victim or penalise the perpetrator and the law does not recognise the concept of spousal rape. As a result, most incidents are kept private within the family.

Ownership rights

Women in Libyan Arab Jamahiriya have a substantial degree of financial autonomy, but face restrictions due to social norms and traditions. Theoretically, they have equal legal rights to access land and property other than land, but often face difficulty in retaining ownership or actual control of such assets.

The same is true for financial assets: women have the legal right to access bank loans and to enter into various forms of financial contracts. In most cases, husbands or fathers take responsibility for any financial undertakings and commitments.

Civil liberties

There are no legal restrictions on women's freedom of movement, but societal norms can limit their right to move freely, especially in the evenings or in rural areas. In general, women do not tend to travel alone or without the permission of their husbands or families. The CEDAW Committee reports that women are banned from some occupations that are deemed as "hard, dangerous or otherwise unsuited to their nature and biological make-up". Night work is also discouraged or prohibited. Women in n Arab Jamahiriya enjoy freedom of dress, but the majority wear a veil in public and mostly in rural areas. Many women choose to wear a veil for religious beliefs; others do so in response to social pressure.

Morocco

Population	30 860 595
Female population (as % of total population)	50.8
Women's life expectancy (in years)	73.4
Men's life expectancy (in years)	69.0
Fertility rate (average births per female)	2.4



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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As a result of reform measures imposed by the king in 2004, the situation for women in Morocco has improved significantly. Even though applying the new legislation is taking time and progress is sometimes stalled by attitudes inherited from the past, Morocco can now be counted amongst North African countries with the most improved laws for the protection of women.

Family code

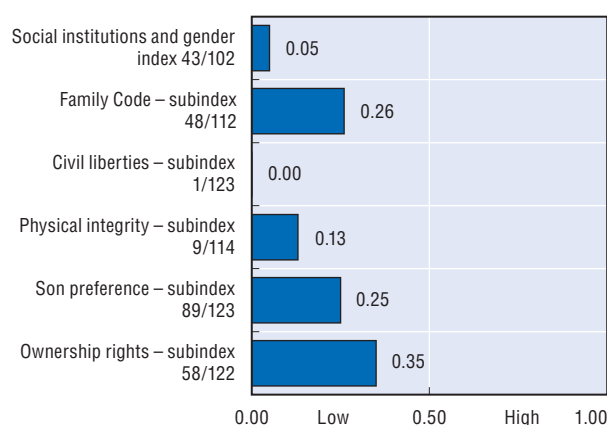
Morocco's new Family Code, adopted in 2004, grants women greater rights within the family, although some discrimination still exists. For example, the legal minimum age for marriage is 18 years for both men and women (it was previously 15 years for women). Marriage under that age now requires permission from a judge, and a 2004 United Nations report estimated that 13% of girls between 15 and 19 years of age were married, divorced or widowed. However, the reform is making it possible to limit the practice.

The new family code does not explicitly prohibit polygamy, but rather includes measures that make it very complicated. Husbands who want to take another wife must obtain a judge's permission and provide documentary evidence of their financial situation. They must also attest that all their spouses will be treated equally. The number of polygamous marriages has decreased rapidly since the reform.

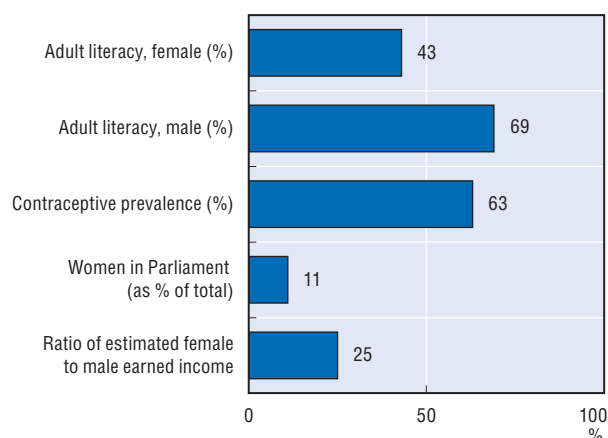
Under Morocco's new Family Code, mothers and fathers share parental authority and have the same rights and responsibilities. The new code eradicated the concept of repudiation. In addition, divorce can no longer be authorised by a notary public but must be granted by a court and only after a conciliation process. The 2004 reform gave Moroccan women the right to divorce on the same grounds as men.

However, it did not remove the inequality in inheritance rights. Moroccan women in rural areas can still be excluded from inheriting land and, throughout the country, daughters still inherit only half the share passed on to sons. Moreover, if there are no sons, daughters do not inherit all of their parents' estate as part of it is distributed amongst aunts and uncles. In effect, the reform changed only the inheritance rules for grandchildren. In cases where the mother is deceased, children can now inherit property from their maternal grandparents.

SIGI ranking



Select indicators of gender equality



Physical integrity

Since 2000, the Moroccan government has taken important steps to protect women's physical integrity. However, in recent years, despite the fact that severe sentences have been handed down to violent men, the number of battered women appears to keep increasing.

Since the reform, battered wives have better protection and more opportunity to leave the family home. They also have easier access to divorce; the time required for divorce proceedings has been reduced to six months. In 2002, the Moroccan government announced a national strategy to eliminate violence against women, and administrative authorities from all concerned government agencies are making concerted efforts to address the issue.

Morocco's Employment Code was recently revised and now recognises sexual harassment in the workplace as an offence.

Ownership rights

By Law, Moroccan women have the same ownership rights as men, but tradition often limits those rights. Despite a favourable legal framework, women's access to land is often restricted. Women are legally entitled to access to property other than land and to manage such property as they wish. Under Morocco's matrimonial system, spouses retain their own property.

Moroccan tradition prevents women from having access to bank loans. In response, the government has launched numerous micro-credit initiatives targeted at women.

Civil liberties

Moroccan women appear to be able to exercise their civil liberties more freely than in the past, but tradition continues to impose some restrictions. Women's freedom of movement does not generally appear to be restricted in everyday life. According to laws implemented in 1994, women no longer need their husbands' authorisation to obtain a passport to travel.

There are no official restrictions on Moroccan women's freedom of dress. Women are not obliged to wear the veil and few do.

Oman

Population	2 599 552
Female population (as % of total population)	43.9
Women's life expectancy (in years)	77.5
Men's life expectancy (in years)	74.2
Fertility rate (average births per female)	3.0



The Constitution of Oman provides for the equal treatment of all its citizens, irrespective of sex. As the country has a predominantly Muslim population, Sharia is recognised as the source of all legislation. This can affect women's status in a negative manner. It should also be noted that any protection offered by the law does not apply to the large share of non-citizens residing and working in the country, many of whom are women.

Despite recent increases in women's level of education and participation in the labour force, their position in Omani society remains inferior to that of men.

Family code

The level of protection for Omani women within the family context is quite low. Family matters are governed by a Personal Status Law. Although less common than in the past, the practice of early marriage still occurs. A 2004 UN report estimated that 16% of girls between 15 and 19 years of age in Oman were married, divorced or widowed.

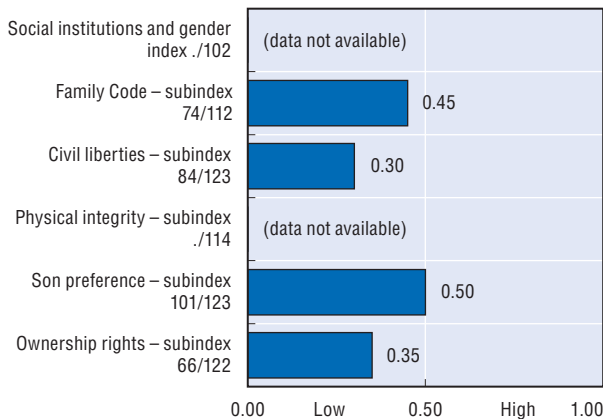
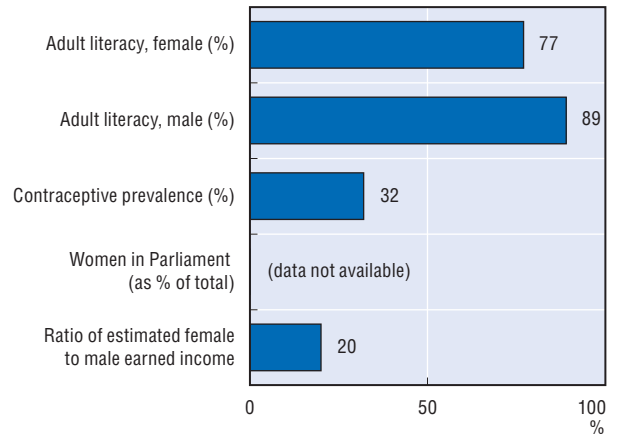
Islamic law supports polygamy, allowing Muslim men to take as many as four wives. According to a 2003 census carried out by the Oman Ministry for National Economy, almost 6% of all married men have more than one wife, with 5.5% having two wives and 0.4% having more than two.

In a study on Sharia in Islamic nations, Uhlman shows that women in Oman face discrimination in regard to parental authority. Islamic law views fathers as the natural guardians of children. Mothers are considered the physical custodians, but have no legal status. In the event of divorce, mothers are normally granted custody until children reach a certain age, at which time custody rights are transferred to fathers.

Islamic law provides for detailed and complex calculations of inheritance shares. Women may inherit from their father, mother, husband or children and, under certain conditions, from other family members. However, their share is generally smaller than that to which men are entitled.

Physical integrity

The Constitution of Oman does not specifically address violence against women, as such abuse falls under more general legal provisions. Domestic violence is thought to be common, though incidents are rarely reported. The law does not recognise the concept of

SIGI ranking**Select indicators of gender equality**

spousal rape. So-called honour crimes do occur. In fact, critics argue that the law to some extent justifies these crimes by allowing for lower penalties when a crime is committed in rage and/or in response to the victim's involvement in an "unlawful" act (such as adultery).

While female genital mutilation is not a common practice in the country, a report by Deeb shows that it does occur among some communities, notably in the Dhofar region. At present, there is no specific legislation against FGM, but the Ministry of Health prohibits doctors from performing the procedure in hospitals. This can be even more harmful for women as FGM is generally carried out by unskilled persons.

Ownership rights

Oman's legal frameworks support the financial independence of women to only a moderate degree. By law, women's access to land and access to property other than land is not restricted. But patriarchal traditions make female ownership difficult: a report by Cotula shows that women own as little as 0.4% of the land.

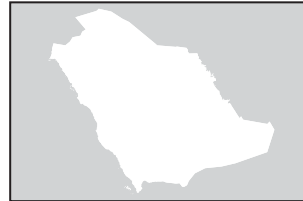
Women in Oman are legally entitled to access to bank loans and to enter into various forms of financial contracts but social practices dominate and limit their activity. A study by Deeb reports that government officials are known to deny women housing loans or land grants because they prefer to deal with applicants' male relatives.

Civil liberties

Women's freedom of movement is limited in the sense that they cannot travel outside the country without first acquiring permission from their husbands or other male relatives. Oman has no legal restrictions on women's freedom of dress, but virtually all Muslim women choose to wear a veil in public, covering at least their hair. Expatriate women in Oman are not subject to any dress restrictions, but are encouraged to respect local customs and wear modest clothing.

Saudi Arabia

Population	24 157 431
Female population (as % of total population)	44.8
Women's life expectancy (in years)	75.3
Men's life expectancy (in years)	70.9
Fertility rate (average births per female)	3.4



Religion affects all aspects of life in Saudi Arabia. The country's Sunni Muslims – comprising about 90% of the population – are governed by very conservative interpretations of Islam. The country's religious police often subject both women and men to harassment, torture (through it is officially outlawed), and physical punishment.

Societal norms and rules are patriarchal. As a result, women in Saudi Arabia have fewer rights than men in family matters, their freedom of movement is restricted, and their economic opportunities and rights are limited. Women's actions and choices frequently depend on the permission or wishes of their husband or closest male relative.

Family code

Saudi women face various restrictions within the family context. In 2005, the country's religious authority banned the practice of forced marriages. However, as legislation does not define a legal age of marriage, early marriage does occur. The degree to which brides are involved in decisions surrounding their own marriages varies between families. A 2004 United Nations report estimated that 16% of Saudi girls between 15 and 19 years of age were married, divorced or widowed.

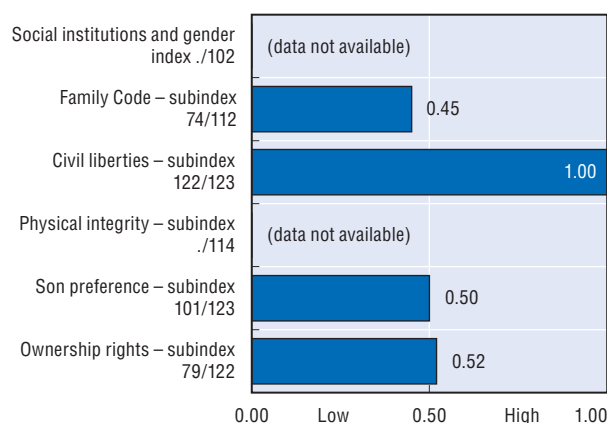
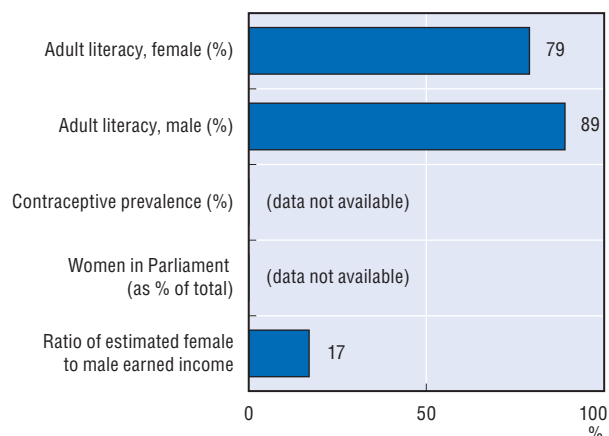
According to Islamic law, polygamy is legal. Muslim men may take as many as four wives, provided that they can support and treat all wives equally.

According to Saudi Arabian family law, children belong to their father who has sole guardianship. In the event of divorce or the death of a husband, women are normally granted custody of daughters until they reach the age of nine and sons until they reach the age of seven. Older children are often awarded to the father or the paternal grandparents. Saudi women cannot confer citizenship to children born to a non-Saudi Arabian father.

Islamic law provides for detailed and complex calculations of inheritance shares. Women may inherit from their father, mother, husband or children and, under certain conditions, from other family members. However, their share is generally smaller than that to which men are entitled.

Physical integrity

There are no specific laws addressing the issue of violence against women, nor any adequate protection for victims. Incidents of domestic violence are rarely reported or even

SIGI ranking**Select indicators of gender equality**

talked about publicly. So-called honour crimes are prevalent, typically involving cases in which a woman is punished or even killed by male family members for having brought “shame” on the family honour.

Saudi Arabia has a large expatriate population. Migrant women, many who work as domestic helpers, represent a particularly vulnerable group.

Ownership rights

By law, women in Saudi Arabia have the legal right to access land and access to property other than land, to engage in financial contracts and to have access to bank loans. However, these rights are largely restricted by social norms. Doumato reports that women who want to establish their own businesses are obliged to hire a male manager in order to receive a commercial license.

Despite the many constraints on women’s economic participation, there seems to be an increased awareness that women’s economic empowerment would benefit everyone. Several initiatives to empower women have been introduced in recent years. For example, the Saudi Arabian General Investment Authority, which is an all-female investment centre facilitating investment in local businesses was established in 2004.

Civil liberties

Women in Saudi Arabia have very few civil liberties. Their freedom of movement is severely restricted. Women are not allowed to drive cars and need their mahram’s permission to travel by airplane, check into hotels or rent apartments. Saudi Arabia also applies rules of strict gender segregation: unrelated men and women are separated in all public places. Mosques, most ministries and some public streets are reserved for men. Doumato reports that women have only limited access to parks, museums and libraries.

Legislation also curtails freedom of dress for women. They are required to cover themselves completely from head-to-toe when in public, including a full black cloak (abaya) and a face veil (niqba).

Syrian Arab Republic

Population	19 890 585
Female population (as % of total population)	49.5
Women's life expectancy (in years)	76.1
Men's life expectancy (in years)	72.3
Fertility rate (average births per female)	3.1



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Constitution of the Syrian Arab Republic grants equal rights to all its citizens. Syrian women have seen their economic opportunities improve in recent years, but they still face various degrees of inequality in the social sphere.

Traditional values and patriarchal societal norms prevail, particularly in rural areas. About 90% of the population is Muslim. According to Bellafronto, some extremist Islamic groups are said to influence government decisions, thereby using legislation to maintain a subordinate status for women.

Family code

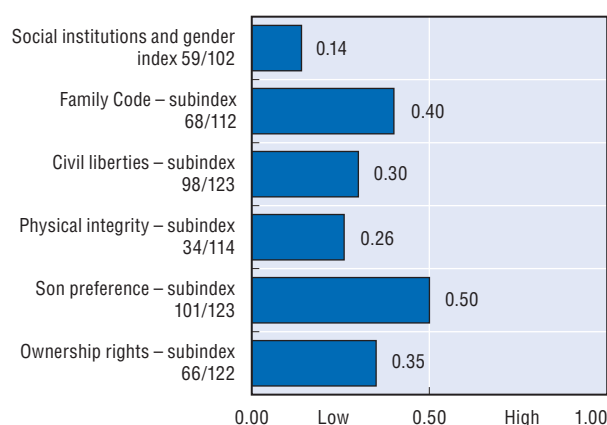
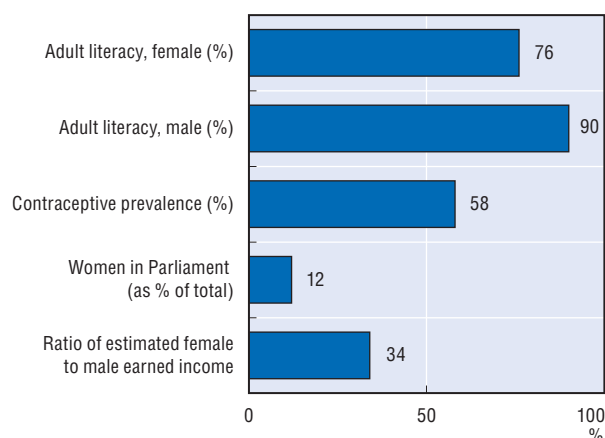
Syrian women governed by the Personal Status Code are considered to be legal dependents of their fathers or husbands.

The legal age of marriage in Syria is 17 years for women and 18 years for men, but judges may authorise marriages at even younger ages: as low as 13 years for women and 15 years for men. Early marriage is still quite frequent, although the female age of marriage has increased in recent years. A 2004 United Nations report estimated that 25% of girls between 15 and 19 years of age were married, divorced or widowed. Women have no role in the marriage contract, as it is signed by the groom and their male guardian.

Under Islamic Sharia law, polygamy is allowed, permitting men to take as many as four wives. However judges frequently prohibit men from taking second (or subsequent) wives if they deem the man to be incapable of providing adequate financial support. Subsequently, the practice of polygamy is believed to be relatively rare.

In the area of parental authority, Syrian law grants fathers more rights than mothers. Mothers can act as the legal guardians of children only if the father is dead, legally incapacitated, stateless or unknown. In the event of divorce, mothers are usually granted custody of sons until they are 13 years and daughters until they are 15 years. Women cannot confer citizenship to children born to non-Syrian fathers.

Under Islamic law, a woman may inherit from her father, mother, husband or children, and under certain conditions, from other family members. However, her share is generally smaller than a man's entitlement. In rural areas in particular, many women are not aware of their inheritance rights and are easily persuaded to transfer their entitled share to a male relative.

SIGI ranking**Select indicators of gender equality****Physical integrity**

Women in Syria have only a low level of protection for their physical integrity. The Penal Code criminalises violence against women, but other laws create loopholes that allow perpetrators to have their penalties reduced or abolished. So-called honour crimes, whereby a woman is killed by male family members for having put shame on the family honour, also occur. Until 2004, the media was banned from reporting such crimes.

Domestic violence has long been a subject of social taboo, but public awareness of the problem appears to have increased in recent years.

Ownership rights

Syrian women have strong legal support in terms of their financial independence. There are no legal restrictions on women's access to land or access to property other than land.

The law does not make any distinction between men and women's access to bank loans and credit.

Civil liberties

Syrian law provides freedom of movement for women but is constrained to their local areas. It is generally not socially accepted for women to travel or to live alone. In the case of married couples, the choice of residence generally lies with the husband. Married women no longer need permission from their husbands to apply for passports, although there are indications that husbands can still stop their wives from leaving the country. Unmarried women over the age of 18 years do not need the permission of their male guardians prior to travelling. There are no legal restrictions on women's freedom of dress and, in the 1980s, women were strongly discouraged from wearing the veil. Recent years have seen an increase in the number of women wearing veils in public.

Tunisia

Population	10 225 400
Female population (as % of total population)	49.6
Women's life expectancy (in years)	76.3
Men's life expectancy (in years)	72.4
Fertility rate (average births per female)	2.0



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Tunisia is a unique example of successful gender equality-related reform in an Arab and Muslim country. Within a few months in 1956, the government changed the former family code and accelerated the enrolment of girls in primary and secondary schools. By the 1980s, enrolment rates for both girls and boys were very high. The 1956 reform, led by President Habib Bourguiba, banned polygamy and repudiation, promoted consensual marriage and introduced equal divorce proceedings. However, there remains a gap between laws and their enforcement, particularly in rural areas.

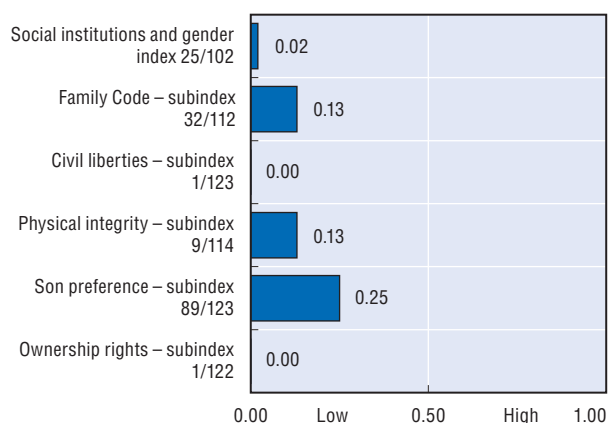
Family code

In 1964, the government raised the legal age of marriage to 20 years for men and 17 years for women (it was previously fixed at 18 years for men and 15 years for women). Today, practices of early marriage and polygamy have virtually disappeared, which is significant considering that in 1960, 48% of women were married before the age of 20. According to a 2004 United Nations report, only 3% of girls between 15 and 19 years were married, divorced or widowed.

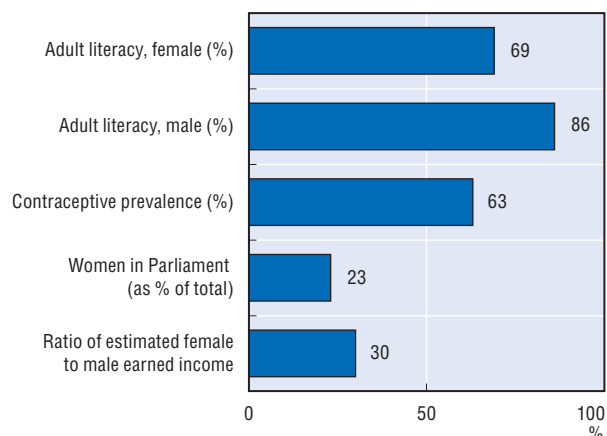
As a result of further reform in 1993, parental authority is now shared between women and men. Wives and husbands jointly manage the family life, including the raising of their children, and both contribute to the household expenditures and joint investments. In the event of divorce, both parents have the same rights over children regardless of who is awarded custody. The government has established a fund to pay subsidies to divorced women whose husbands default on child support payments.

Despite the reforms, inequalities remain evident in inheritance rights, which are governed by Islamic Sharia law. Muslim women may inherit from their father, mother, husband or children and, under certain conditions, from other family members. However, their share is generally smaller than that to which men are entitled. Contrary to Sharia law, Tunisian law states that if a father has no sons, the inheritance passes to his daughter(s) rather than to his own family.

SIGI ranking



Select indicators of gender equality



Physical integrity

The legal framework includes specific punishments for violence against women. However, domestic violence is generally viewed as a private issue and the police typically refuse to intervene. On a more positive note, the state has established a public fund to provide temporary financial aid to married women who leave abusive husbands. The fund provides help to support these women until a court decides upon the proper compensation due to them by their husbands. Tunisian law also regulates the compensation that battered women receive from their ex-husbands. Further, a new law passed in 1993 abolished a previous provision that considered adultery as justifiable grounds for granting pardon to enraged husbands who killed their wives.

Female genital mutilation has never been a practice in Tunisia. The country's sex ratio is slightly in favour of boys, suggesting there may be some incidence of missing women.

Ownership rights

Legislation supports financial independence of women in Tunisia. They have equal access to land and access to property other than land. Legally, women also have equal access to bank loans and can buy, sell and borrow freely.

Civil liberties

Women in Tunisia have considerable civil liberties. There are no constraints on women's freedom of movement, and they have freedom of dress. Many women choose to wear the veil in private enterprises or public spaces; however, wearing the veil is strictly forbidden during working hours for women working in public administration.

United Arab Emirates

Population	4 364 746
Female population (as % of total population)	32.0
Women's life expectancy (in years)	81.5
Men's life expectancy (in years)	77.2
Fertility rate (average births per female)	2.3



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Constitution of the United Arab Emirates (UAE) upholds the principle of equal treatment of all citizens, but does not specifically address gender-based discrimination. All legislation in the UAE is based on Islamic Sharia law. Several laws and national policies continue to restrict women to their traditional roles as wives and mothers.

Only 20% of the total population are officially UAE citizens, therefore being, fully protected or supported by the laws. Large portions of the female population comprise foreign professional women residing temporarily on employment contracts, foreign women employed in the informal sector, or the wives of temporary foreign workers.

Family code

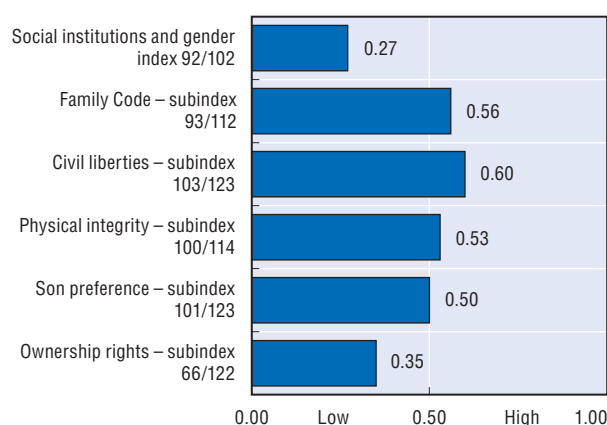
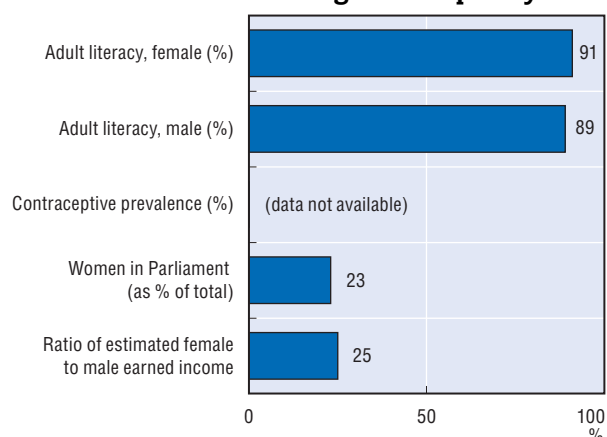
Although progress can be noted, inequalities are also evident in current family law in several areas. For example, despite a steep decline in recent years, early marriage continues to be an issue. A 2004 United Nations report estimated that 19% of girls in this age group were married, divorced or widowed.

Polygamy is legal following provisions in Sharia law, which allow Muslim men to take as many as four wives provided they are able to financially support them all. Polygamists tend to be men aged 60 or older whereas their second, third or fourth wives are considerably younger and often of foreign nationality. Few first wives are happy with this situation, as shown in a study published by the Ministry of Labour and Social Affairs: bigamy or polygamy is cited as the main cause in 31.9% of divorces. Sharia views fathers as the natural guardians of children, while mothers are merely the physical custodians. In the event of divorce, mothers are normally granted physical custody of daughters until they reach puberty and of sons until they reach 13 years. Women who choose to remarry do so at the cost of forfeiting their custody rights.

Under Islamic law, women may inherit from their fathers, mothers, husbands or children and, under certain conditions, from other family members. However, their share is generally smaller than that to which men are entitled.

Physical integrity

Violence against women is quite common and laws that prohibit violence and verbal abuse do not apply in the home, making domestic violence a serious problem. In addition,

SIGI ranking**Select indicators of gender equality**

the law does not recognise the concept of spousal rape. The existing Penal Code gives male guardians the right to discipline women and children at their discretion. A 2005 UAE university study found that 66% of all women permanently residing in the country have experienced domestic abuse.

Violence against women committed by non-family members and outside the home is punishable with fines, prison sentences or even death in the case of rape. Non-citizen perpetrators run the risk of deportation. However, women rarely report their abusers because of shame and fear of social stigma.

Female genital mutilation is not illegal in the UAE, but the Ministry of Health prohibits the practice in state hospitals and clinics.

Ownership rights

Women in the UAE are considered adults at the age of 18, at which point they are legally able to have independent access to land and access to property other than land. The law also provides that when women marry, previously owned assets remain the separate property of the spouses. The assets of unmarried women, however, are not protected from claims of their fathers or brothers.

Women have the legal right to access bank loans and credit. Some banks have opened “women-only” branches at which both clients and staff are female. Women can also engage in commercial activities.

Civil liberties

Despite the fact that the law provides for the freedom of movement of all persons, fathers and husbands have the legal authority to prevent their daughters and wives from participating in professional and social life and from leaving the country. Despite a 2003 law that forbids the practice, many employers withhold the passports of their foreign workers as a condition of employment. This leaves female domestic workers in a particularly vulnerable position.

The degree of freedom of dress in the UAE varies between rural and urban regions, and between national and foreign women. In international cities such as Dubai, women can wear relatively modern dress. Although there are no legal requirements for women to cover themselves, most Emirati women do.

Palestinian National Authority

Population	3 708 069
Female population (as % of total population)	49.1
Women's life expectancy (in years)	75.0
Men's life expectancy (in years)	71.8
Fertility rate (average births per female)	4.6



The West Bank, Gaza and East Jerusalem are, in effect, a group of non-contiguous territories separated by Israeli checkpoints.

The Palestinian Basic Law makes no distinctions between men and women. However, the country's Personal Status Laws are based on religious laws inherited from Jordan (applicable in the West Bank) and Egypt (applicable in Gaza). See notes on Egypt and Jordan for further information.

The situation of women is also affected by Israel's occupation of the country. Poverty is widespread, laws are poorly enforced, and security concerns place severe restrictions on freedom of movement.

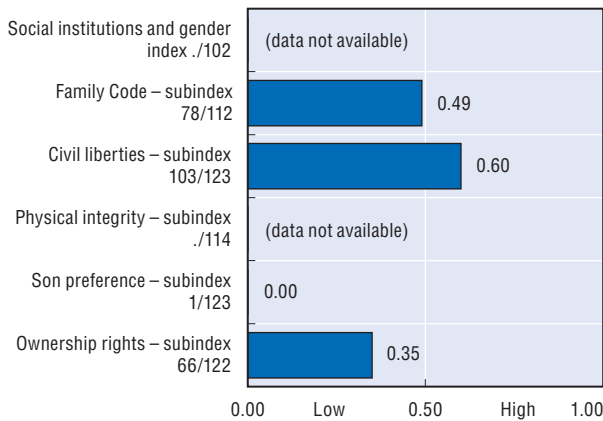
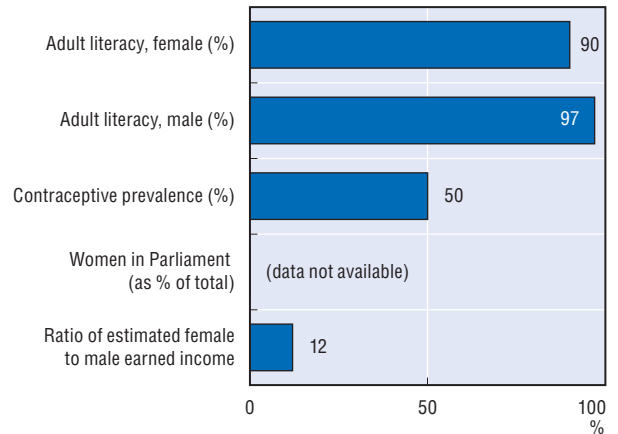
Family code

Various communities within the country have long traditions of early marriage. A 2004 United Nations report estimated that almost 24% of girls between 15 and 19 years of age were married, divorced or widowed. The average age at marriage has increased in recent years, partly because marriage has become unaffordable for many people. A study by Azzouni cites a 1999 survey conducted by the Palestinian Central Bureau of Statistics (PCBS) which reports that 55% of women married out of choice, while almost 40% married following a decision by their parents. In a recent study, Kuttab indicates that the construction of the Separation Wall is distorting marriage patterns by making it more difficult for people to choose spouses from other areas.

Polygamy is legal in accordance with Islamic law, allowing men to take up to four wives. According to the PCBS, less than 4% of men had multiple wives in 1997.

Analysis of Islamic Personal Status Laws, undertaken by Uhlman, reveals a general discrimination against women with regards to parental authority. Fathers are considered to be the natural guardian of children, whereas women are merely physical custodians. A study by Tabet further specifies that in the event of divorce, mothers normally have the right to physical custody of sons until the age of ten and of daughters until the age of 12. These periods can be extended by a judge, but divorced women forfeit custody rights if they remarry.

Woman may inherit from their father, mother, husband or children and, under certain conditions, from other family members. However, their share is generally smaller than to which men are entitled.

SIGI ranking**Select indicators of gender equality****Physical integrity**

As in many conflict-ridden areas, violence against women tends to be exacerbated across the territories. Palestinian women continuously face the risk of arbitrary arrests, harassment at checkpoints and verbal abuse. At present, there are no laws to protect women from domestic violence, and social norms often discourage women from reporting such incidents. A 2006 PCBS survey showed widespread problems: more than 60% of women indicated they had been psychologically abused by their husbands, 23% said they had been beaten, and 11% had experienced sexual violence. So-called honour killings of women are also known to occur. Azzouni reports that, on average, 20 honour-related crimes are documented each year.

Ownership rights

Social norms undermine the legal frameworks designed to give women a degree of financial independence. Women have the legal right to access land and property other than land, but female ownership is low because of social norms. A PCBS survey shows that only 5% of women own (or share ownership of) a piece of land, and less than 8% own (or share ownership of) property other than land.

Women in the West Bank and Gaza have legal access to credit, and are free to dispose of their income independently. However, social norms hinder them from engaging in economic activity. Several women's organisations are actively encouraging female entrepreneurship and have helped to establish micro-credit institutions.

Civil liberties

The specific status of the West Bank and Gaza limits civil liberties of both women and men. Freedom of movement, for example, is limited for all citizens. This is partly due to security concerns than to specific legislation. However, women do face particular restrictions in that they often need their male guardian's permission to apply for a passport. Recent amendments to the legislation revoked this requirement for women over 18 year of age, but government officials continue to demand written consent of their male guardian.

Women in the West Bank and Gaza have full freedom of dress, but many cover at least their hair.

Yemen

Population	22 383 108
Female population (as % of total population)	49.4
Women's life expectancy (in years)	64.4
Men's life expectancy (in years)	61.1
Fertility rate (average births per female)	5.5



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Inequality is widespread in Yemen, largely due to patriarchal traditions and religious beliefs. The population is predominantly Muslim and follows Islamic Sharia law. Yemen's overall poverty also contributes to the difficult situation of women which include limited access to health care, economic opportunities and education. In fact, Yemen has one of the world's largest gaps between net primary school attendance rates for girls and boys. Less than 30% of Yemeni women are economically active; the majority of women who do work are employed in the agricultural sector.

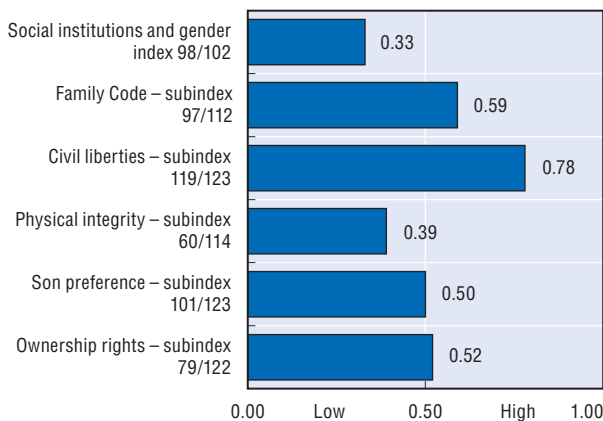
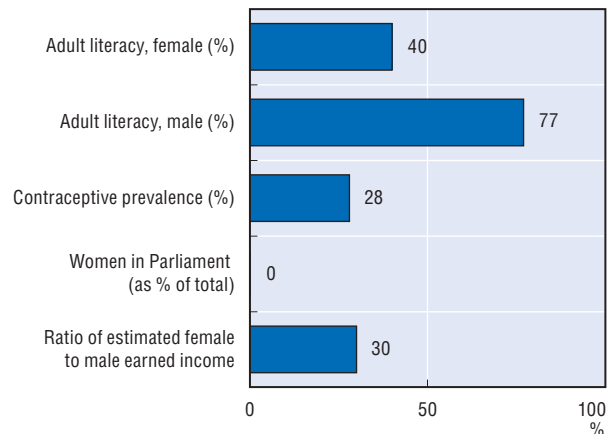
Family code

Family matters such as marriage, divorce and inheritance, are all governed by the 1992 Personal Status Law that does not set a legal minimum age of marriage. A 2004 United Nations report estimated that 27% of Yemeni girls between 15 and 19 years of age were married, divorced or widowed. Women cannot conclude their own marriage contracts; rather the agreement is made between the woman's guardian (always a male) and the groom.

Following provisions in Sharia law, polygamy is legal, allowing men to take as many as four wives provided that they can support all wives financially. Yemeni law does not require that men who wish to practice polygamy inform their first wives of this intention, nor do they need permission to enter into subsequent marriages. A 1997 Demographic and Maternal and Child Health Survey reported that 7% of women were in polygamous unions.

With regard to parental authority, Islamic law views fathers as the natural guardians of children, and the mother is the physical custodian. In the event of divorce, mothers are granted custody of children only until they reach a specified age. Women cannot confer citizenship to children born to a non-Yemeni father.

Islamic law provides for detailed and complex calculations of inheritance shares. A woman may inherit from her father, mother, husband or children, and under certain conditions, from other family members. However, her share is generally smaller than a man's entitlement.

SIGI ranking**Select indicators of gender equality****Physical integrity**

There are no laws against domestic violence. Similarly, the country has yet to establish any laws against sexual harassment in the workplace.

The government has banned the practice of female genital mutilation in official hospitals, but it is known to continue in private clinics. In a survey conducted in 2003, CEDAW estimated that 38% of Yemeni women have undergone female genital mutilation.

Ownership rights

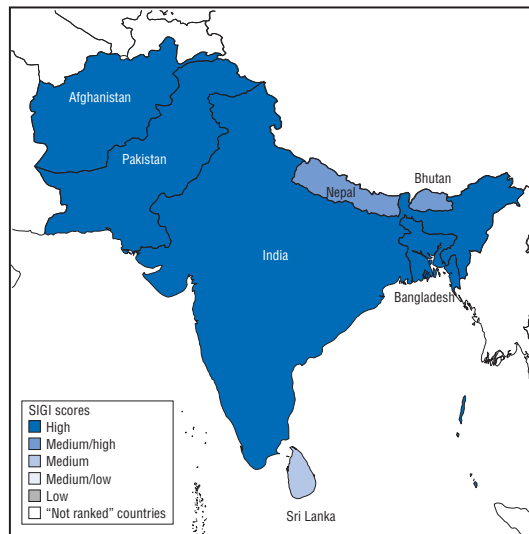
Yemen has taken steps to support the financial autonomy of women. They have the legal right to access land and property other than land. But poverty, illiteracy, lack of awareness of economic rights and patriarchal traditions limit the ability of women to exercise these rights. The National Strategy for Women's Development recently emphasised the need to strengthen women's financial empowerment and enhance their control over economic resources.

Similarly, there are no legal restrictions on women's access to bank loans and credit, but women encounter many limitations in this area. The common view in Yemeni society is that a woman's place is in the home, and that financial matters should be managed by her husband. Statistics reported by the CEDAW Committee are telling: between 2002 and 2004, the Agricultural Credit Bank had over 20 000 male borrowers – compared to fewer than 2 000 female borrowers. The National Foundation for Micro-Financing, Yemen's first micro-credit facility, opened in 2003 with the aim of providing credit and insurance services to women.

Civil liberties

For women in Yemen freedom of movement is subject to numerous limitations. They generally need to ask for their guardian's permission to leave the home or to apply for a passport. Once a passport is obtained, women are legally entitled to travel independently.

Social and religious norms limit Yemeni women's freedom of dress. Although there is no legal requirement to wear a veil, most women cover their heads, faces and bodies.



South Asia

Gender discrimination in social institutions is very high across the seven countries of South Asia, making the region one of the worst performers in the SIGI ranking. The situation is particularly bad in Afghanistan, the lowest ranking country in the region and one of the bottom three performers overall. India and Pakistan are also in the bottom ten. The two biggest concerns for the region are son preference and family code.

Across South Asia, social institutions limit women’s access to education and healthcare. In addition, customs such as purdah – the segregation of women from men – make it harder for women to work outside the home and to move about and dress freely. Similarly, although many women work in farming, social institutions often exclude women from direct access to land.

However, there has been some progress in improving women’s ownership rights. In Nepal, recent legal changes have strengthened women’s inheritance rights and access to property other than land. In Bangladesh, micro-credit loan programmes are allowing women to start and run their own small businesses. There are about 23 million borrowers in total, of which 94% are women.

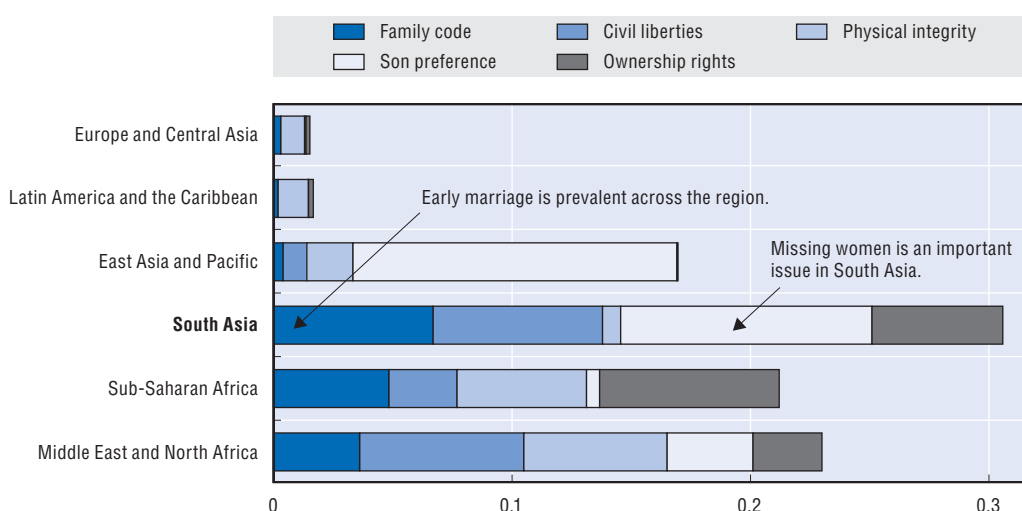
A major challenge is strengthening women’s role in political decision-making. Some efforts are being made to integrate women’s voices at the local government level. Since 2000, Bangladesh has reserved seats for women at selected levels of government. India also has recently decided to reserve at least half the seats in village assemblies for women.

Key issues: Missing women, early marriage

“Missing women”, a term coined by Nobel-laureate Amartya Sen, refers to gender bias in mortality. His work suggests that the preference for sons over daughters has led to some 100 million “missing women” in South Asia, East Asia and the Middle East and North Africa. This is a result of sex-selective abortion, poorer access for girls and women to nutrition, healthcare and abandonment of female infants. In South Asia – with the exception of Sri Lanka – girls are more likely to die than boys among children aged between 1 and 4. Human Rights Watch has found that in India there are just 927 girls for every 1 000 boys.

Early marriage is also prevalent. This is often rooted in tradition and in parents’ wishes to reduce the economic burden on the household. With more than half of women marrying before the age of 15, Bangladesh has the highest rate of early marriage in Asia and among the highest worldwide.

Average SIGI score by region (population-weighted)



Afghanistan

Population	Data not available
Female population (as % of total population)	Data not available
Women's life expectancy (in years)	43.8
Men's life expectancy (in years)	43.9
Fertility rate (average births per female)	7.1



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Afghan women are among the most vulnerable in the world. Under the Taliban regime, women and girls were systematically discriminated against and marginalised, and their human rights were violated. Women and girls were also severely restricted in their access to education, health care facilities and employment.

The overthrow of the Taliban in November 2001 raised hopes that women in Afghanistan would rapidly regain their human rights. Still, ongoing threats to women's security make their participation in public life almost impossible.

Family code

Afghan women have a relatively low level of protection within the family context. Marriage is a community affair and forced early marriage is quite common. Human Rights Watch estimates that 57% of Afghan girls are married before the age of 16.

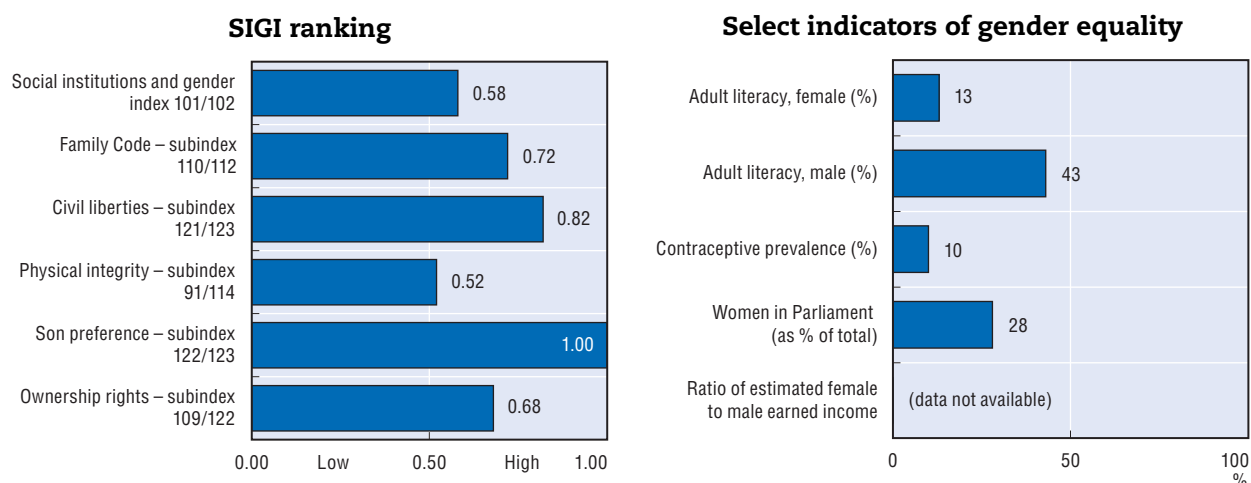
The Afghan Constitution and Islamic Sharia law both support polygamy, allowing men to take up to four wives. Certain conditions apply to polygamous marriages, such as the equal treatment of all wives, but these are not always observed.

Under Islamic law, provisions on parental authority hold that fathers are the natural guardians of their children. In the case of divorce, mothers are usually granted physical custody of children until they reach the age of custodial transfer. At that time, children are returned to the physical custody of the father or the father's family.

Women's right to inheritance in Afghanistan may vary, depending on whether they fall under Islamic and customary law. Under Islamic law, women may inherit from their parents, husbands or children, and, under certain conditions, from other family members. However, their share is always smaller than that to which men are entitled. This is commonly justified by the argument that women have no financial responsibility towards their husbands and children. Under customary law, women do not inherit from their fathers or husbands, but are taken into the care of the husband's family.

Physical integrity

Laws protecting the physical integrity of Afghan women are quite weak. A report by the UN Economic and Social Council identifies four main factors that contribute to the vulnerability of women in Afghanistan: i) the traditional patriarchal gender order; ii) the



erosion of protective social mechanisms; iii) the lack of the rule of law; and iv) the poverty and insecurity in the country following years of conflict.

Violence against women is widely practised and tolerated. Abusers are rarely prosecuted and the authorities seldom investigate complaints of violent attacks, rape, murder or suicide of women. Women who report rape face being locked up and accused of having committed crimes of *zina*. Nonetheless, the recognised need to combat violence against women is gaining ground.

The incidence of missing women is particularly severe in Afghanistan. The country has the world's highest percentage of missing women relative to its total female population. Census data from a study by Hudson show that more than 1.1 million Afghan women were missing in 2001.

Ownership rights

Legislation in Afghanistan provides only weak support for the financial independence of women. Many women work in the agriculture sector, but their access to land is very limited and very few own land of their own. While Islamic law protects a woman's access to property other than land, customary law traditionally deprives women of economic assets, leaving them dependant on their husbands, fathers or brothers, throughout their lives.

Afghan women have only limited access to bank loans, although this is not necessarily a sign of discrimination: most Afghans, men and women, are too poor to provide collateral for loans. Since 2001, foreign aid has helped to establish several micro-finance institutions in the country, available to both women and men.

Civil liberties

Afghan women have a very low degree of civil liberty. Prior to the fall of the Taliban in 2001, women's freedom of movement was severely restricted. Conditions have since improved, but true change has been limited due to ongoing security threats.

The current government imposes no legal restrictions on women's freedom of dress. Nevertheless, following deeply rooted traditions of *purdah* most Afghan women still cover themselves from head to toe. Women who choose to go unveiled in public run the risk of being verbally or physically harassed.

Bangladesh

Population	158 600 000
Female population (as % of total population)	48.8
Women's life expectancy (in years)	65.0
Men's life expectancy (in years)	63.2
Fertility rate (average births per female)	2.8



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Bangladesh is a highly patriarchal society and gender discrimination is evident across all levels. Women are dependent on men throughout their lives. The Constitution affirms gender equality, but state legislation and institutions frequently disregard women's rights. Women and young girls are more disadvantaged than men in their access to education, health care and financial assets.

Traditionally, women were recognised mainly for their reproductive role, and were often discouraged from participating in public life. Due to increased poverty and demand for labour, female employment has risen since the mid-1980s.

Family code

Women in Bangladesh have a relatively low level of protection in the family context. The country has the highest rate of early marriage in Asia, and ranks among the highest worldwide. A 2004 United Nations report estimated that 48% of all girls between 15 and 19 years of age were married, divorced or widowed.

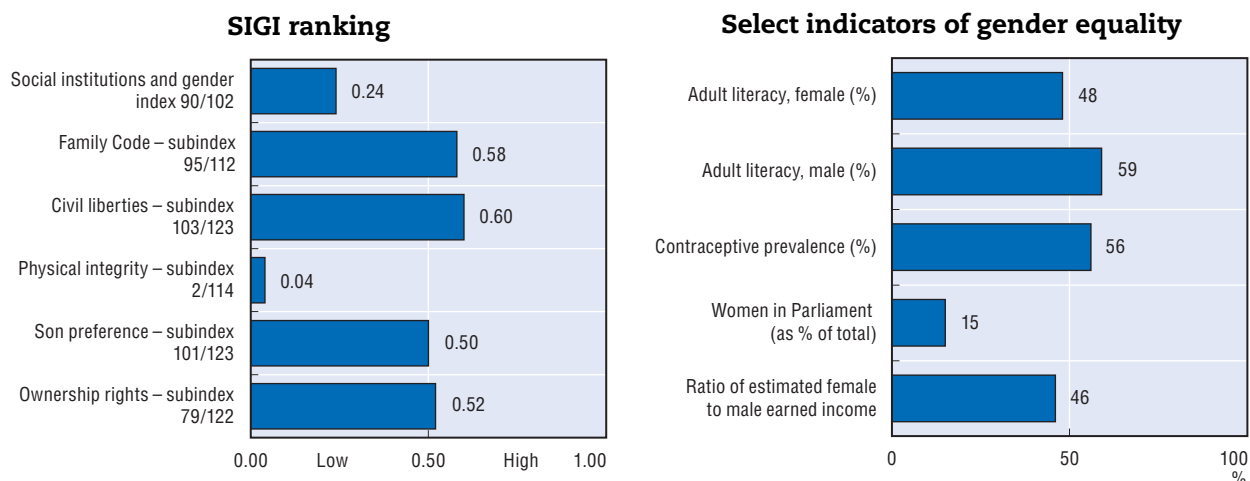
Polygamy is legal in Bangladesh, but many consider the practice to be outdated. The incidence of polygamy has decreased over the past 50 years, and at present, about 10% of married men are in such unions.

Islamic law regards women as custodians but not legal guardians of their children. In the event of divorce, women can retain custody of sons until age seven and daughters until puberty. If a father dies, his children may be taken away by his family. Hindu law also views fathers as the natural, legal guardians of children.

Inheritance practices also follow religious teachings. According to Islamic law, daughters inherit half as much as sons. In the absence of a son, daughters can inherit only after the settling of all debts and other obligations. In principle, wives are entitled to half of the assets of a deceased husband. Under Hindu law, a widow inherits the same share as a son. For Christians, the Succession Act of 1925 provides equal inheritance between sons and daughters.

Physical integrity

Bangladeshi women have a low level of protection for their physical integrity. A study released by the UN Population Fund in 2000 reported that 47% of adult women surveyed



had suffered physical abuse by their male partners. Early marriage and dowry customs are major factors in the ongoing problem of domestic violence.

The government has taken steps to address this problem by passing laws against these practices. The Prevention of Women and Children Repression Act, adopted in 2000, contains several important provisions. It identifies sexual harassment and repression as punishable crimes, and establishes a death penalty for those found guilty of rape charges. However, these laws have proven difficult to enforce, especially in rural areas.

Gender-based violence outside the home includes sexual harassment in the workplace, assaults and rape. Acid attacks are also quite common, and are usually undertaken as an act of revenge by a rejected suitor or in response to land disputes. The lack of social and judicial infrastructure discourages women from filing complaints.

Bangladesh is one of the very few countries in the world in which males outnumber females. Census data reported by Hudson and others show that more than 2.7 million Bangladeshi women were missing in 2001.

Ownership rights

Tradition and social norms limit the ability of Bangladeshi women to achieve financial independence. Despite their growing role in agriculture, social and customary practices effectively exclude women from any hope of direct access to land.

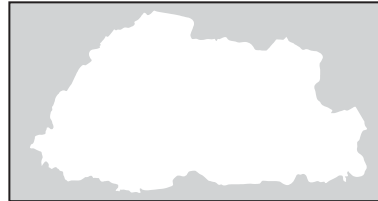
In Bangladesh, women’s access to bank loans and other forms of credit is often determined by the demographic composition of their households. Lack of mobility, particularly in rural areas, forces women to depend on male relatives for any entrepreneurial activities.

Civil liberties

Women in Bangladesh face several restrictions in relation to civil liberties. Their freedom of movement is usually limited to the vicinity of their homes and local neighbourhoods. The Islamic practice of purdah may further limit their participation in activities outside the home. Many women generally need the permission of their husband to engage in any such activities. Though there are no legal restrictions to women’s freedom of dress, it is customary for most Bangladeshi women to cover at least their hair.

Bhutan

Population	657 401
Female population (as % of total population)	47.4
Women's life expectancy (in years)	67.5
Men's life expectancy (in years)	64.0
Fertility rate (average births per female)	2.2



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Bhutan upholds the concept of gender equality. The status of women is largely influenced by the country's Buddhist traditions and values, which view men and women as equals. Because of this general view of equality, however, the country has not yet established specific laws to protect against the discrimination of women, and some traditions and norms continue to limit women's roles.

Women are represented in most spheres of society but still to a lesser extent than men. The exception is the agricultural sector, in which women dominate. Their opportunities and economic participation outside the household vary amongst communities and ethnic groups. Women belonging to the Hindu minority are subject to different norms and religious practices. Until very recently, birth certificates were rare in Bhutan, thus age-specific data in this report should be interpreted with care.

Family code

Legislation in Bhutan provides women with a moderate degree of protection in relation to family matters. Following the Marriage Amendment Act of 1996, the legal age for marriage is 18 years for both men and women. Nevertheless, both sexes engage in common law marriages as early as the age of 15 years. In such cases, the court of law typically does not issue the certificate required for the marriages to be legally recognised.

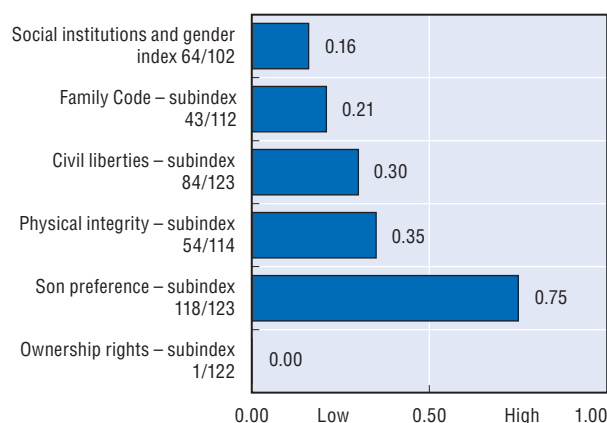
In contrast to many other developing countries, married girls usually stay in their parental homes and their husbands come to live with them. A 2004 United Nations report estimated that 27% of Bhutanese girls between 15 and 19 years of age were married, divorced or widowed.

The practice of polygamy is permissible by law but dependent on consent of the first spouse. The practice is accepted in the south, some parts of western and central Bhutan as well as among some nomadic communities in the north.

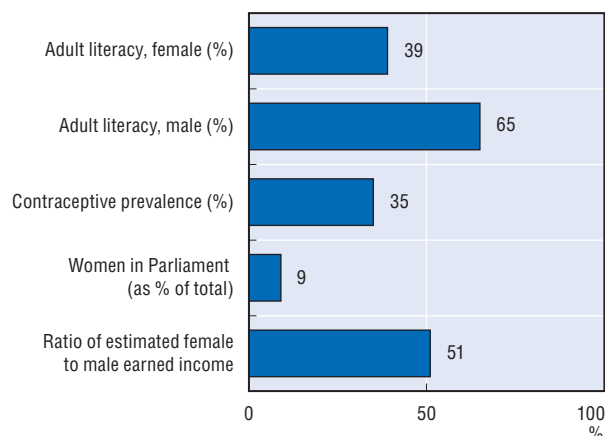
With regard to parental authority, the law grants custody of children under the age of nine years to the mother in the event of divorce. The father is obliged to pay child support until the child reaches the age of 18.

Bhutanese inheritance law provides for equal rights for all children, regardless of sex or age. In western and central Bhutan, inheritance follows matrilineal family systems by which land is usually inherited through the mother. Patrilineal inheritance norms dominate in the south.

SIGI ranking



Select indicators of gender equality



Physical integrity

Women in Bhutan have a moderate degree of protection for their physical integrity. As there is no specific law related to violence against women, these crimes are covered by general judicial provisions. Domestic violence, including spousal rape, occurs but women often do not report these incidences. Further, the law recognises only physical battery as marital violence; psychological and sexual abuses are not specifically included. One particularly vulnerable group is Bhutanese women in Nepali refugee camps. Women in the south are exposed to sexual assault and violence associated with cross-border raids.

With regards to missing women, a study by Hudson and Den Boer calls Bhutan a “country of concern”.

Ownership rights

Women in Bhutan enjoy rights to financial autonomy. Matrilineal inheritance systems grant women access to land, as well as ownership. An estimated 60% of rural women have land registered in their names and a majority of Bhutanese women work in the agricultural sector. Men and women have the same legal rights and access to property other than land.

Women also have access to bank loans and other forms of credit. Reviews of traditional credit patterns, however, show that men dominate in financial decision making.

Civil liberties

Bhutanese women face several obstacles to exercising their civil liberties. Women are not legally restricted in terms of freedom of movement, however, their responsibilities as mothers, wives and homemakers, make them less likely than men to work or travel far from the family residence. This is particularly true in southern Bhutan. It is advised for rural women to have a male companion if they are to move outside of their local community.

All Bhutanese citizens, both men and women, are subject to a national dress code. When in public, women are expected to wear the traditional kira, which they fold to create an ankle-length dress. Men wear a heavy knee-length dress called a *gho*.

India

Population	1 125 000 000
Female population (as % of total population)	48.2
Women's life expectancy (in years)	66.4
Men's life expectancy (in years)	63.2
Fertility rate (average births per female)	2.7



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Since independence, the government of India has promulgated many laws to protect women's rights. In general, application of these laws is weak. An international study by Rhodie goes so far as to state that India "is a good example of a country with an abyssal gap between policy and practice." India's legal framework has less influence on women's rights than do the nation's religions. Some 80% of the population lives according to Hinduism and its customs and laws, while the Muslim population follows Sharia law.

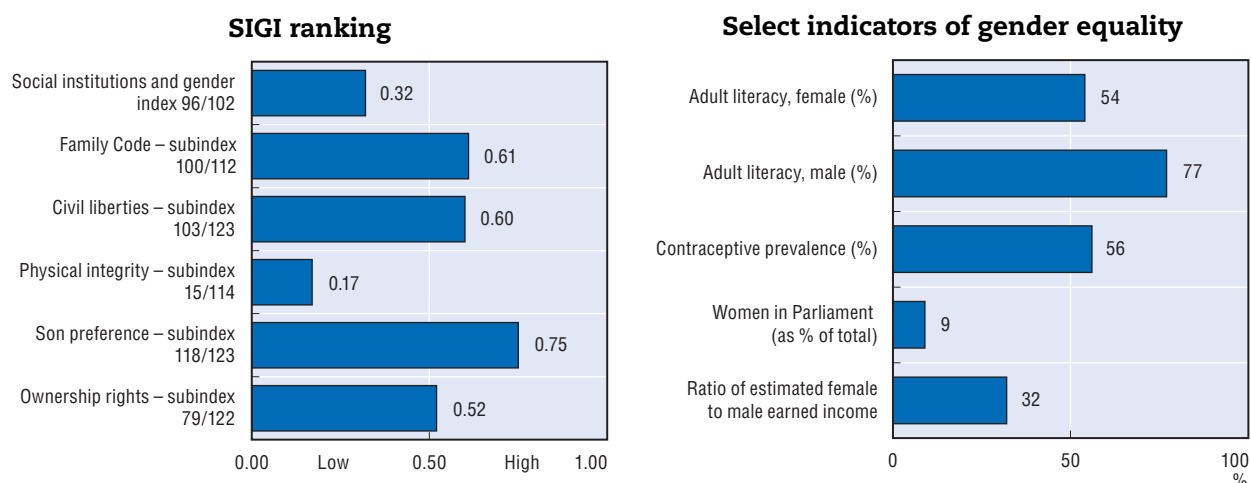
Family code

Indian women hold a moderate level of authority and status in relation to family matters. The Indian authorities have fought against early marriage since the 19th century and have continually raised the legal age of marriage – from 12 in 1891 to 18 in 1976. But the high percentage of women married before the age of 20 shows a lack of respect for the marriage law. A 2004 United Nations report estimates that 30% of girls between 15 and 19 years of age are married, divorced or widowed.

Polygamy is legal for Muslims. It also exists to a lesser extent amongst Hindus, particularly in cases where the first wife has not given birth to any sons. Divorce by mutual consent is the legal practice but women who initiate divorce are usually condemned by public opinion. As a result, divorce remains very rare.

Fathers alone have parental authority in both Hindu and Muslim families. If divorce does occur, the law assures some equality with regard to child custody, but any advantages granted to the mother are often disregarded.

Hindu traditions privilege men in matters of inheritance, as only sons are able to inherit from their parents. These traditions were abolished by law after independence but many women, especially in northern India, are still deprived of inheritance. Contrary to national laws, several local states allow the exclusion of widows and daughters in land inheritance. The situation is more favourable for women in the south, where the national laws carry more weight. The Muslim population follows strict inheritance guidelines set out in Sharia: daughters, for example, inherit half as much as sons.



Physical integrity

Indian legislation protecting women's physical integrity is strong but its application is lacking. Violence against women is frequent: in half of the Indian states, the statistics for battered women range between 10% and 20%. Official figures state that some 6 000 women are killed over dowry disputes each year, but even this number is believed to underestimate reality, since the majority of the murders remain unregistered.

There is strong evidence to suggest that India is a country of high concern in relation to missing women. Census data from a study by Hudson show that almost 40 million Indian women were missing in 2001. In reality, this is not new, but is linked to a centuries-old tradition of killing young girls. In 1870, the authorities forbade this practice and imposed the registration of all births but girl killings continued in many small villages. Today, technological advances make it much easier to perform sex-selective abortions in villages and in cities. In addition, when children are ill, Indian fathers are more likely to pay for treatment for sons than for daughters.

Ownership rights

Indian legislation supports the financial independence of women. Several laws guarantee women's access to land and access to property other than land, but they are often ignored in the north, as are those pertaining to women's access to bank loans. The case is different in the south: recent surveys report that 70% to 80% of women in the south have equal access to land, property, loans and credit.

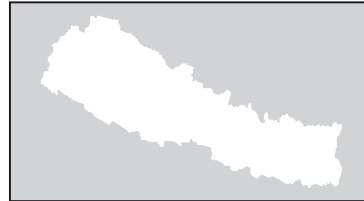
Civil liberties

Women's civil liberty in India is relatively low, largely because of traditions and customs. Women's freedom of movement is limited, particularly in village communities. The Muslim tradition of "purdah" that forces women to remain in the home prevails amongst both Muslim and Hindu communities in the north, where 80% to 85% of women have virtually no freedom of movement. The practice was adopted by Hindus during a time of Muslim rule, largely out of fear.

Women's freedom of dress is similarly influenced by religion. Villages in northern India impose the veil in accordance with purdah; southern villages (where Muslim rule was brief) are less strict about this custom.

Nepal

Population	28 107 592
Female population (as % of total population)	50.4
Women's life expectancy (in years)	64.2
Men's life expectancy (in years)	63.2
Fertility rate (average births per female)	3.0



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Nepalese Constitution of 1990 guarantees all citizens basic human rights and fundamental freedoms. However, statutory laws that discriminate against women still exist in the areas of property rights and family law.

The social status of Nepalese women, as well as their relative equality with men, varies amongst ethnic groups. In most communities, women's position is governed by patriarchal traditions and conventional assumptions of women's role in society have been slow to change. In general, it is believed that a woman's place in Nepal is in the home, where her main duties include child-rearing and household chores. Nepalese women have only limited access to education. As a result, they have very few opportunities to engage in activities that would provide a greater degree of economic freedom.

Family code

Legislation in Nepal provides women with substantial rights in relation to family matters, but the day-to-day reality presents a different picture. The legal age of marriage is 16 years for women and 18 years for men, with parental consent. Without consent, the age rises to 18 for women and 21 for men. Despite the law, early marriage is a common practice. A 2004 United Nations report estimated that 40% of Nepalese girls between 15 and 19 years of age were married, divorced or widowed, and cited 2001 data showing that approximately 7% of girls under the age of ten years were married.

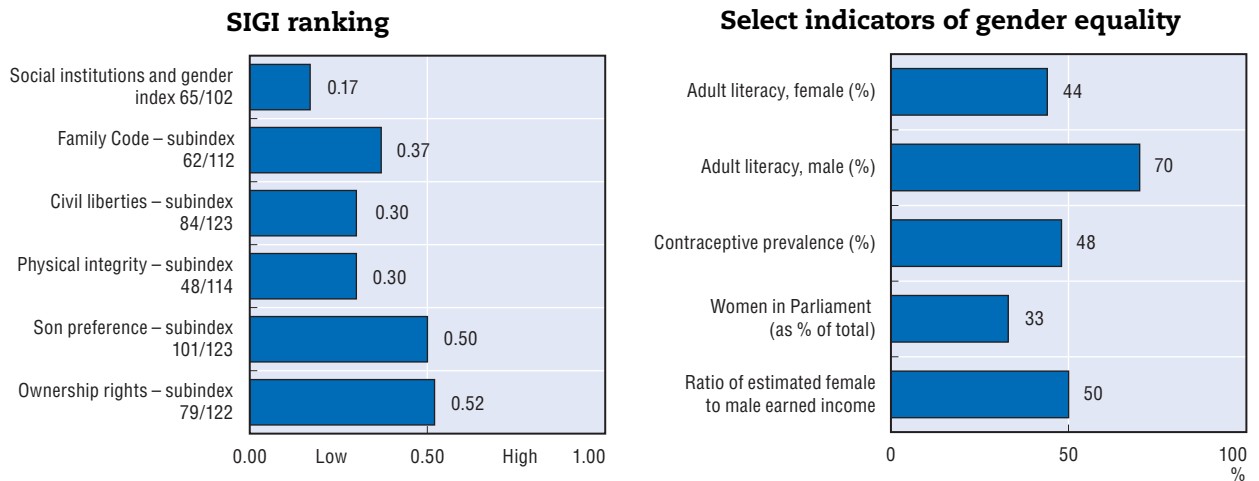
Polygamy is illegal in Nepal and is subject to two months' imprisonment and a fine. Nevertheless, the law does not invalidate the second marriage. A 2001 DHS survey estimated that 4.4% of women in Nepal were living in polygamous marriages.

Legally, parental authority rests with both parents. They are considered equally responsible for raising children, and for providing education and health care.

Recent legal amendments have improved inheritance rights for women in Nepal: daughters, widows and divorced women are now recognised as being rightful inheritors.

Physical integrity

Legislation protecting the physical integrity of Nepalese women is quite effective in theory, but women's rights are poorly enforced. Domestic violence is common and the custom of dowry is the cause of many incidents. In 2004, a bill against domestic violence



was drafted by the Ministry of Women, Children and Social Welfare. Several pieces of evidence suggest that the occurrence of missing women is widespread in Nepal. A preference for sons leading to sex-selective abortions, relative neglect of girls and high maternal mortality ratios has been reported.

Ownership rights

Legislation in Nepal provides women with a relatively high degree of financial independence, but lack of finances often prevents them from achieving full autonomy. Women make up more than 65% of the agricultural labour force but the majority are unpaid family workers. The CEDAW Committee reports that women's access to land is consequently limited. Women account for only 6% of total landowners and hold a combined share of only 4% of arable land.

Recent amendments to the Country Code of Nepal have improved women's access to property other than land. Unmarried daughters now have the right to ancestral property irrespective of age, whereas previous conditions required that they be above the age of 35. The CEDAW Committee reports ongoing restrictions in relation to women's independent use of their property: women are often required to receive permission from a male relative before disposing of any immovable property.

Women in Nepal have legal access to bank loans and other forms of financial credit. The Ministry of Local Development and the Ministry of Agriculture offer loan programmes that target women and the Contract Act (2000) allows women to enter into financial contracts of any form.

Civil liberties

Women's civil liberty in Nepal is relatively low. Their freedom of movement varies between different groups and communities. Women belonging to the Tibeto-Burman group enjoy a relatively high degree of freedom, whereas their counterparts in the Indo-Aryan group often face restrictions on their movements outside of the household.

Nepal's Constitution guarantees freedom of religion to all and, as such, there are no legal restrictions on women's freedom of dress. It should be noted that some conservative Indo-Aryan communities observe traditions of purdah.

Pakistan

Population	162 500 000
Female population (as % of total population)	48.6
Women's life expectancy (in years)	65.8
Men's life expectancy (in years)	65.2
Fertility rate (average births per female)	3.9



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Constitution of Pakistan upholds the principles of equal rights and equal treatment of all persons. As a result of patriarchal traditions, women are subject to systematic subordination to men.

Women are seen to have mainly a reproductive role and their movements are restricted through the Islamic practice of purdah. Even though a slow closing of the gaps between men and women has been observed, women still have limited access to education, employment and health services.

The lack of government resources, high poverty and low levels of literacy all contribute to the fact that very few women are aware of their rights, while also complicating the implementation and enforcement of reforms intended to improve their situation.

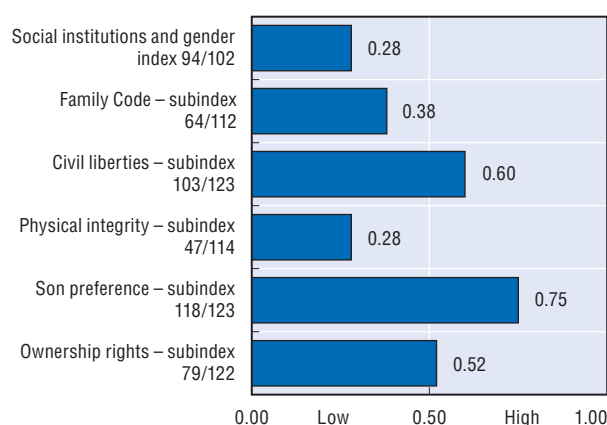
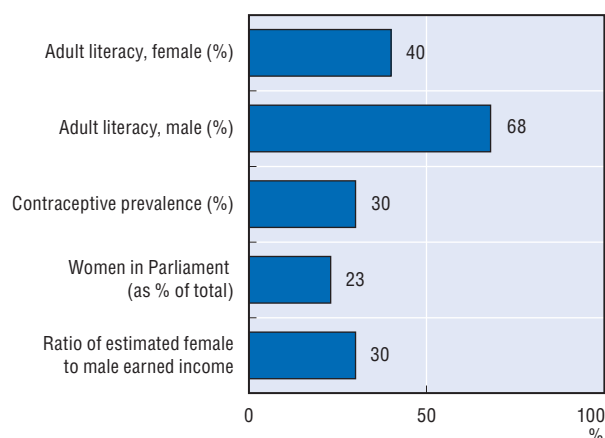
Family code

Under the Child Marriage Restraint Act of 1929, the minimum age of marriage is 16 years for females and 18 years for males. A 2004 United Nations report estimated that 21% of girls between 15 to 19 years of age were married, divorced or widowed. Marriages are sometimes arranged in order to settle disputes between different clans, particularly in rural areas. Recent legal amendments criminalised this type of arrangement.

Polygamy is legal, but only under strict pre-conditions and the practice is generally frowned upon. It is estimated that around 5% of married men are involved in polygamous relationships. Reportedly, men who decide to take more than one wife rarely obtain consent and the required letter of permission from their first wives.

In relation to parental authority, fathers are considered the natural guardian of children, whereas mothers are merely custodians. In the event of divorce, Sharia law grants custody of young children to their mothers. Once children reach a certain age, however, custody normally reverts to the father or his family.

Inheritance practices are to a great extent governed by Sharia law. Women may inherit from their fathers, mothers, husbands or children, and under certain conditions, from other family members. But their share is generally smaller than to which men are entitled. The social status attached to property and land often makes it difficult for widows and daughters to inherit even their entitled shares, as they may face opposition from the deceased man's relatives.

SIGI ranking**Select indicators of gender equality****Physical integrity**

Legal frameworks offer little protection for the physical integrity of Pakistani women. As there is no specific law covering gender-related violence, instead such crimes fall under the general Penal Code. A clear gap exists between legislative measures and enforcement mechanisms. Women have the legal right to press charges against their abusers, but rarely report incidents for fear that their accusations will be distorted to place the blame back on them.

Evidence suggests that Pakistan is a country of concern in relation to missing women. Hudson and others used census data to show that close to six million Pakistani women were missing in 1998.

Ownership rights

Although there are no legal restrictions to women's ownership rights in Pakistan, discriminatory traditions and norms prevail. Women have access to land, but data suggest that the share of female land ownership is very low. A household survey, published in 2005 by ICRW, found that women owned less than 3% of the land. Further, in cases where women do own land, they may not have actual control over it. Increasingly, rural women are forming co-operatives, often with the assistance of micro-credit lending institutions to combat this problem. The law grants Pakistani women access to property other than land on the same grounds as men.

Pakistani women are entitled to access bank loans and other forms of credit, and a number of credit institutions now target women. However, their access is limited by their inability to provide the required collateral. Women with low literacy or limited mobility are further disadvantaged by their inability to obtain the National Identity Card needed to secure a loan.

Civil liberties

The civil liberties of women in Pakistan are severely limited. Although they have the legal right to freedom of movement, some traditions and customary practices limit their ability to exercise this right. Some reports claim that these restrictions have been used to prevent women from voting or submitting candidatures for election. Women do have the right to apply for passports on the same grounds as men.

Sri Lanka

Population	20 010 000
Female population (as % of total population)	50.6
Women's life expectancy (in years)	76.2
Men's life expectancy (in years)	68.8
Fertility rate (average births per female)	1.9



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Despite being subject to patriarchal values and social norms, Sri Lanka has achieved a great degree of gender equality. In the 1940s, the country established equal and free access to health and education services, an important factor in achieving gender equality in primary and secondary education. Today, women comprise the majority of university students, although they continue to face gender barriers in the labour market and in the political arena.

Customs and traditions vary across Sri Lanka's various regions and religions, affecting women in different ways. Most women are employed in the informal sector. Poverty, coupled with political instability and traditions of male leadership, make it difficult for them to challenge or change their situation. War widows – an estimated 40 000 women – are a particularly vulnerable group.

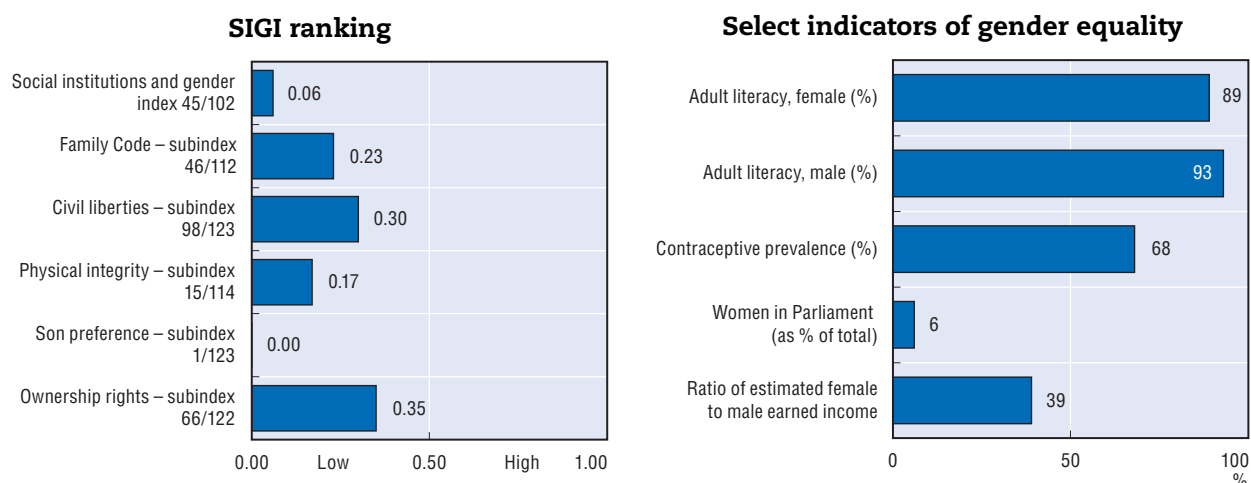
Family code

Women in Sri Lanka have a relatively high level of protection within the family context, with the exception that some Muslim communities (about 10% of the population) follow Sharia law, which contains discriminatory provisions. Family relations in the country are governed by several legal systems; The General Law (a combination of Roman-Dutch and English law) and three parallel systems of law grounded in ancient customary practices: Islamic, Kandyan and Thesavalamai law.

Sri Lanka's legal age of marriage is 18 years for both men and women. A 2004 United Nations report estimated that 7% of Sri Lankan girls between 15 and 19 years of age were married, divorced or widowed.

Parental authority is not equally shared in Sri Lanka. Fathers are regarded as the natural guardians of children while mothers are viewed as custodians and are usually responsible for the daily activities related to child-rearing. Recent judicial developments have reduced discrimination against women in the event of divorce. New legislation emphasises the well-being of children, who may be placed with either parent.

Sri Lanka's Constitution provides for equal inheritance rights for men and women, but is again sometimes superseded by other legal systems. Islamic law discriminates against women in the area of property in that they are typically granted smaller inheritance shares. Following the death of a father, Kandyan law ties the inheritance rights of daughters to marital practices: daughters who marry in *diga* (i.e. the bride is taken into the



groom's home) must transfer any inherited property to their brothers or to sisters who have married in binna (i.e. the groom is taken into the bride's home).

Physical integrity

Despite strong legislation protecting the physical integrity of women, violence against women continues to be a problem, largely due to the long-running conflict between the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam. Throughout this conflict, women have experienced harassment at checkpoints, detainment, rape and other violations of their personal security. Domestic violence, including spousal rape, is another area of concern. The situation may improve following recent amendments to the Penal Code that strengthen measures for both protection and prosecution.

There is no evidence to suggest that Sri Lanka is a country of concern in relation to missing women. Having a small family with children of both sexes is, in fact, often expressed as more desirable than having only sons.

Ownership rights

Women have a moderate degree of financial independence in Sri Lanka. They have access to land in general, but face some discrimination in rural areas. As reported by the CEDAW Committee, the Sri Lankan Land Development Ordinance of 1934 denies women in new settlements the right to own family land if they had no land in locations of origin.

Sri Lankan women have access to property other than land. However, a study conducted by the ICRW shows that most women have acquired their assets through inheritance, with purchase being the second main source for ownership. Women also have equal access to bank loans, mortgages and other forms of credit from a variety of sources.

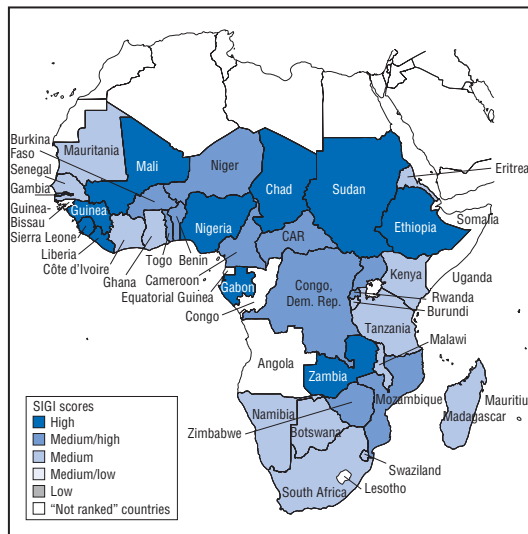
Civil liberties

The civil liberty of Sri Lankan women is hampered by the ongoing conflict and by long-standing social practices. Restrictions on female mobility and autonomy are greatest among Muslim and Indian Tamil communities.

Sri Lankan women have freedom of dress. They are not obliged to wear a veil in public, although traditions of purdah are followed amongst some of the Muslim population.

Low discrimination

MAURITIUS



Sub-Saharan Africa

SIGI ranking

- MADAGASCAR
- NAMIBIA
- BOTSWANA
- SOUTH AFRICA
- BURUNDI
- SENEGAL
- TANZANIA
- GHANA
- ERITREA
- KENYA
- CÔTE D'IVOIRE
- MALAWI
- MAURITANIA
- SWAZILAND
- BURKINA FASO
- RWANDA
- NIGER
- EQUATORIAL GUINEA
- GAMBIA
- CAR
- ZIMBABWE
- UGANDA
- BENIN
- MOZAMBIQUE
- TOGO
- CONGO, DEM. REP.
- CAMEROON
- GABON
- ZAMBIA
- NIGERIA
- LIBERIA
- GUINEA
- ETHIOPIA

High discrimination

- CHAD
- MALI
- SIERRA LEONE
- SUDAN

Gender discrimination in social institutions is very high in the 44 Sub-Saharan African countries. Of the ranked countries, all except six are in the bottom half of the SIGI. Just one – Mauritius – is in the top 20. Overall, the main regional concerns relate to ownership rights, physical integrity and family code.

Most Sub-Saharan African countries operate under a dual or tripartite system of law – civil, traditional or customary, and religious – making it difficult to harmonise legislation and remove discriminatory practices. In many countries, continuing civil wars have further affected the lives of many women. Much discrimination is related to inheritance and ownership rights, since husbands are often considered to be heads of households and women remain dependent on them for financial matters.

There have been isolated improvements with regards to women's financial independence. In Mali, women's access to bank loans has improved since a law was passed in 1994 to strengthen micro-credit programmes; similar progress has been made in other countries, mainly thanks to grassroots organisations. Women are increasingly active in starting up and running small businesses.

Female genital mutilation remains a key challenge. Government efforts coupled with NGO-led educational programmes have gone some way to increasing awareness of the health risks: in Senegal, for instance, more than half of women support the abandonment of the practice. Despite these efforts, and the introduction of laws criminalising it in some countries, the practice remains prevalent in rural areas and among illiterate women.

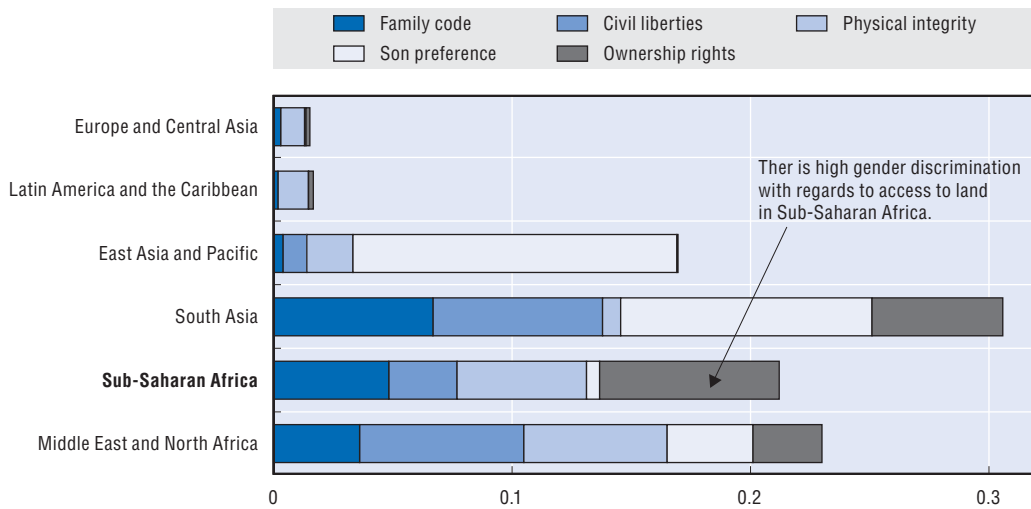
Note of SIGI ranking: Not included in the overall SIGI ranking: Angola, Congo, Guinea-Bissau, Lesotho and Somalia.

Key issue: Access to land

Legal protection may exist in theory, but in practice women's ownership rights remain highly restricted in Sub-Saharan Africa. Discrimination is clearest in access to land, where traditional law often prevails. In Rwanda and Ethiopia, land is transferred from father to son and women can only access it through marriage. This is despite the fact that women often make up a sizeable proportion of farm workers. In Congo, women account for 60% of the agricultural workforce, but own only 25% of agricultural land; in Kenya, women only own 4% of land.

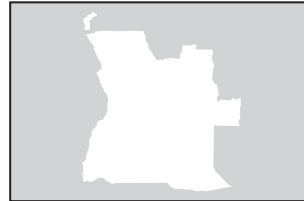
This phenomenon has a knock-on effect when it comes to bank lending. As banks often demand land as a guarantee, women can find it hard to access loans. Finally, access to property other than land often depends on whether a woman is married and under which legal regime her marriage is recognised.

Average SIGI score by region (population-weighted)



Angola

Population	16 948 673
Female population (as % of total population)	50.7
Women's life expectancy (in years)	44.3
Men's life expectancy (in years)	41.2
Fertility rate (average births per female)	5.8



The Constitution of Angola provides for equal rights for men and women. In addition, the government created a Secretariat of State for the Promotion and Development of Women in 1991. This secretariat was reinstated as the Ministry of Family and Promotion of Women in 1997 and remains the primary government agency responsible for implementing policies to support equal rights for women.

The actual situation of Angolan women is difficult due to poverty, displacement and patriarchal norms. The civil war, which lasted 27 years before ending in 2002, left many women widowed and the sole providers of income for themselves and their families. As a result, women have been forced to take on greater responsibilities in all areas of society, including those traditionally dominated by men. Some customary laws still hinder women in their efforts to gain economic independence.

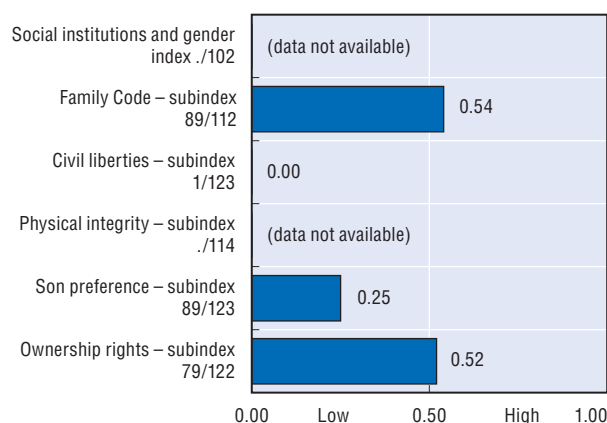
Family code

Women in Angola have a relatively low level of legal protection in relation to family matters. The legal age of marriage in Angola is 18 years for both sexes, however early marriage is relatively common. With parental consent, girls can be married at the age of 15 and boys at the age of 16. A 2004 United Nations report estimated 36% of girls between 15 and 19 years were married, divorced or widowed.

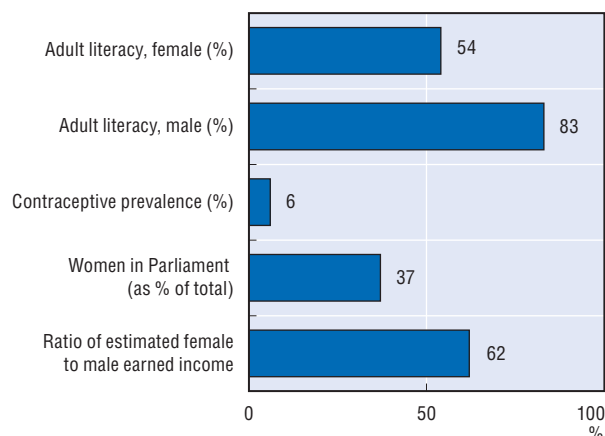
Although Angolan law condemns polygamy, the practice is widely accepted in society. In addition to being common for cultural reasons, many women accept to live in polygamous relationships because of the shortage of men following the civil war. The family code establishes equality between men and women within the family: both spouses have the same rights and are subject to the same duties. These principles extend to matters of parental authority. In reality, it appears that in his traditional role as head of the household, a father has more rights whereas a mother has more duties.

The International Fund for Agricultural Development (IFAD) reports that, according to inheritance law, Angolan women are entitled to 50% of a deceased husband's estate. However, the division of property usually benefits male relatives of the deceased, leaving widows in a particularly vulnerable position.

SIGI ranking



Select indicators of gender equality



Physical integrity

Protection of Angolan women's physical integrity is weak. The prevalence of violence against women is high, and can be attributed to several factors. Customary law gives men certain rights to exercise authority over their wives and daughters. To date, the Angolan government has not enacted specific legislation to protect women from domestic and sexual violence. Many women remain unaware of their rights and victims of violence are socially stigmatised. As a result, women rarely report assaults or rapes to the authorities.

In 2006, local human rights and women's organisations reported an increase in domestic and sexual violence against women and girls, including violence against girls in the school system. Female genital mutilation is not a general practice in Angola, but rare occurrences in remote areas have been reported in recent years. Despite the reduction in the male population due to the war, the population sex ratio suggests that Angola may be a country of concern in relation to missing women.

Ownership rights

Angolan women have very little formal support with regards to obtaining a degree of financial independence. The law gives women and men equal access to land. However, land distribution follows traditional rules that treat men more favourably.

Access to property other than land depends, to a large extent, on the marital status: the "acquired (estates) community regime" deems goods and financial resources acquired during the marriage as common property, and gives each spouse a limited right to independently administer his or her assets. Under the "estates separation regime", each spouse can freely administer his or her own assets. According to the Commercial Code, married women must have the authorization of their husbands in order to run businesses. The CEDAW Committee reports that it appears the more recent Constitution effectively revokes this provision and gives women the legal right to engage in various kinds of contracts, to own and manage property, and to open bank accounts. At the time of publication, no data were available on women's access to bank loans.

Civil liberties

From a legal or institutional perspective, women in Angola have a high degree of civil liberty. There are no restrictions on freedom of movement, but their ability to move freely is hampered considerably by security concerns. Angolan women have freedom of dress.

Benin

Population	9 025 402
Female population (as % of total population)	49.7
Women's life expectancy (in years)	57.8
Men's life expectancy (in years)	55.6
Fertility rate (average births per female)	5.4



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Constitution of Benin prohibits discrimination based on race, sex and religion, and grants men and women equal economic and social rights as citizens. In 1992, Benin ratified CEDAW. A Code of Persons and Family, drafted by the government in 1990, was voted upon and promulgated by the president in 2004.

Despite these measures, traditional laws prevail in various spheres and justify the existence of discriminatory customs. Public awareness is low regarding the Code of Persons and Families, and its provisions are not effectively enforced, as in the case of the ratified international convention.

Family code

Women in Benin have relatively few rights within the family structure. The Code of Persons and Family sets the legal age for marriage at 18 years for both men and women. However, early marriage and forced marriage remain widespread. A 2004 United Nations report estimated that 29% of girls between 15 and 19 years of age were married, divorced or widowed.

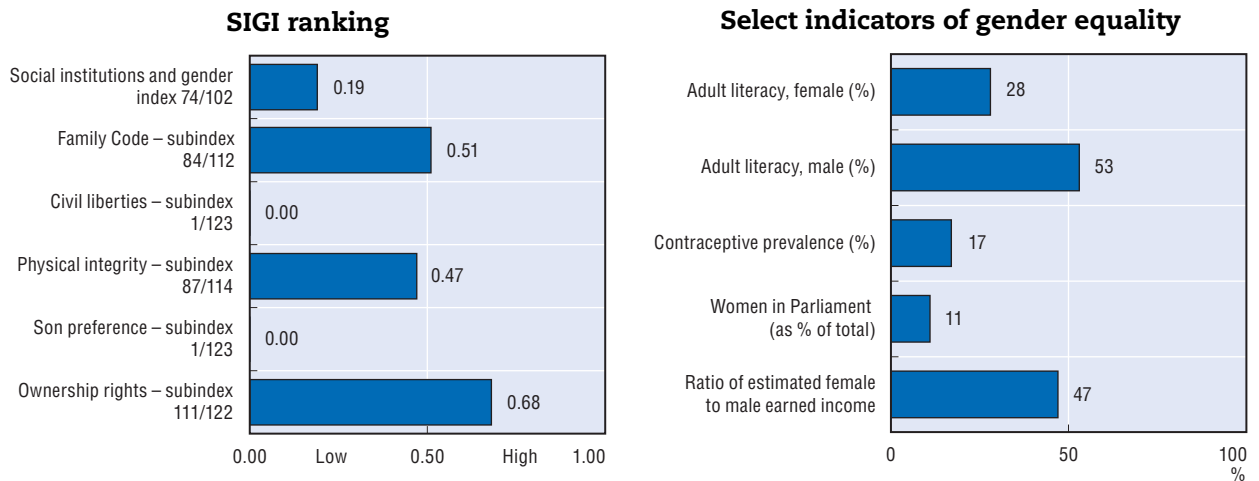
Benin officially outlawed polygamy in 2004. According to the CIA World Factbook, Beninese traditional religions and Islam permit polygamy, and extramarital relations outside of monogamous and polygamous arrangements are common.

The Code of Persons and the Family established equal parental authority. However, the level of protection of women in the family remains low in that a woman cannot declare her children as dependents because she is considered to be a dependent of her husband.

The Code of Persons and Family grants children, regardless of gender, equal rights to inheritance, according to the CEDAW Committee. By contrast, women remain subject to traditional law (Coutumier du Dahomey) that denies their right to equal inheritance. In the absence of a male child old enough to inherit the property, the relatives of a deceased man will typically claim inheritance rights.

Physical integrity

Legislation to protect the physical integrity of women in Benin is weak. Although few statistics are available, violence against women is known to occur. The Penal Code prohibits domestic violence and imposes jail terms of 6 to 36 months. NGO observers believe that



women remain reluctant to report cases and although the press sometimes reports incidents of abuse, police and judges rarely intervene in domestic disputes. The law prohibits rape but enforcement is weak. Young girls in Benin face a particular threat to physical integrity due to the practice of *vidomegon*. To avoid the financial burden children represent, poor families often voluntarily place young children (90% to 95% of whom are girls) in the homes of wealthier families, where they work in exchange for food and lodging. There is considerable abuse in this practice, including instances of sexual exploitation.

There is no evidence to suggest that Benin is a country of concern in relation to missing women.

Benin outlawed female genital mutilation in 2003. By 2005, UNICEF considered that only 17% of women had been subjected to FGM – strong indication that if trends continue, the practice could be eradicated by 2015.

Ownership rights

Traditional laws keep Beninese women on the low end of the scale in relation to ownership rights and hinder their ability to attain financial independence.

Access to land is extremely restricted for women in Benin. In fact, they may be prohibited from owning any land at all and customary practices make it practically impossible for them to inherit property. This situation is most evident in the agricultural sector. Women make up 80% of the agricultural workforce but very few own land. In addition, income they earn by working in the fields may be taken away by their husbands or their husbands' families.

In principle, the Constitution makes it possible for women to gain access to property other than land. However, traditional law prevails and denies women's legal rights.

The situation is similar in relation to women's access to bank loans, although various micro-credit programmes that focus specifically on women have been set up. At present, overall, most Beninese women remain dependent on their husbands for financial matters.

Civil liberties

Legal frameworks in Benin provide women with a high level of civil liberty. There are no reported incidents relating to restrictions on freedom of movement or freedom of dress.

Botswana

Population	1 881 432
Female population (as % of total population)	50.4
Women's life expectancy (in years)	50.7
Men's life expectancy (in years)	50.5
Fertility rate (average births per female)	2.9



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Officially, women in Botswana have the same civil rights as men. However, the country has a dual legal system in which common law and customary law exist side by side, as well as a long history of traditional laws, which are enforced by tribal structures and customary courts. As a result, societal discrimination against women persists in practice, particularly in rural areas and in terms of property rights and economic opportunities.

Family code

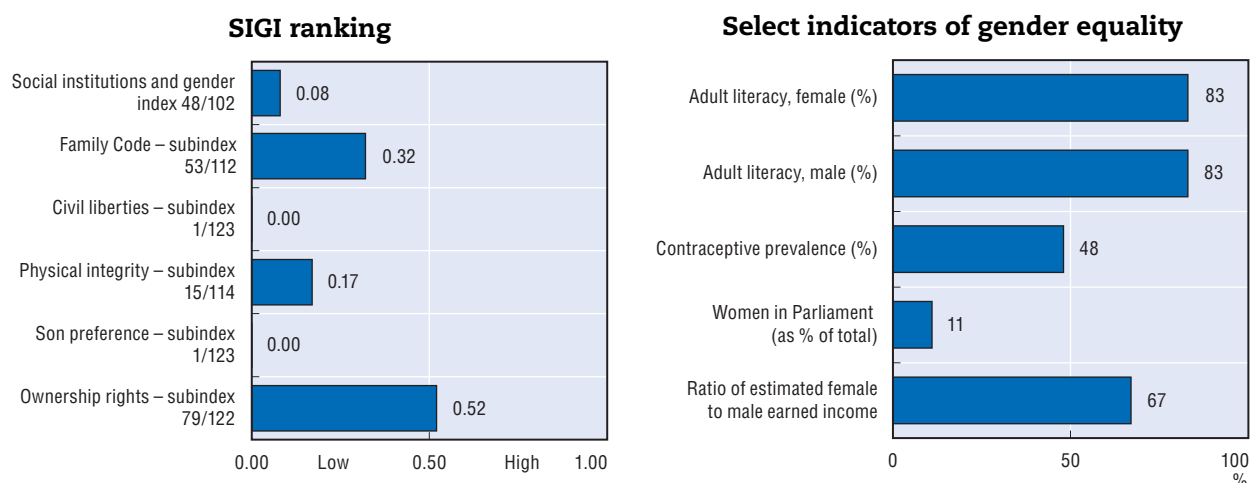
Legislation in Botswana falls short of granting women an equal level of protection within the family context. In 2001, the government changed the marriage law and increased the legal age of marriage to 18 for both sexes, conditional on parental consent. According to available statistics, the prevalence of early marriage is much lower than in many other African countries. A 2004 United Nations report estimated that 5% of girls between 15 and 19 years of age were married, divorced or widowed.

Marriage can be entered under three different laws, each of which has significant implications in relation to ownership rights (see below). With regards to women's place in the home, all marriage laws give husbands a superior status. Traditional law allows for polygamy contingent on consent of the first wife, but the practice is not common. All marriages must be registered, regardless of the law under which they are recognised.

Parental authority within marriage generally rests with the father of the child. According to traditional law, a child born to an unmarried woman "belongs" to the mother's family. Under more recent common law, unmarried mothers may use the Affiliation Proceedings Act to argue for sole custody. Both common and traditional laws grant children the right to inheritance from their parents. By contrast, under most traditional laws, wives are not entitled to inherit the bulk of the estate of a deceased husband.

Physical integrity

To date, the law in Botswana does not specifically prohibit violence against women, including domestic violence which remains widespread. Greater public awareness and improved legal protection have resulted in increased reporting of domestic violence and sexual assault. Nonetheless, police intervention is still rare.



The law prohibits rape, but does not recognise the concept of spousal rape. The minimum sentence for rape is 10 years. Sexual exploitation and harassment continue to be problematic, particularly with men in positions of authority.

Legislation in Botswana generally protects the physical integrity of women. Female genital mutilation is reported to not exist in Botswana, although information on specific legislation against FGM is limited. There is no reported evidence to suggest that Botswana is a country of concern regarding missing women.

Ownership rights

Despite recent changes that support somewhat greater independence, Botswana's legal framework grants women only limited ownership rights in relation to access to land, access to property other than land and access to bank loans. For the most part, women's rights in these areas remain tied to marriage arrangements.

Women married under traditional law "in common property" are viewed as legal minors and require their husband's consent for access to property other than land, access to bank loans and any other legally binding contract. Women married under "community of property" are permitted to own immovable property in their own names; in this case, the law stipulates that neither spouse can dispose of joint property without the consent of the other. Under marriage "out of common property", women are recognised as adults and retain full legal ownership rights. Increasingly, women in Botswana are exercising their right to marry "out of common property".

Married women often control the day-to-day activities in the fields as well as the resulting food products and related income, but usually only during the first few years of marriage. Thereafter, the man and his relatives frequently assert control over all assets. In the past, unmarried women required the assistance of male relatives to submit applications for land; they can now have independent and direct access to land.

Civil liberties

Common law provides women in Botswana with civil liberty regarding freedom of movement and freedom of dress.

Burkina Faso

Population	14 777 431
Female population (as % of total population)	50.0
Women's life expectancy (in years)	53.8
Men's life expectancy (in years)	50.7
Fertility rate (average births per female)	6.0



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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In Burkina Faso, the government has taken steps to improve women's rights by enacting new legislation. However in many situations, both the Family Code and the Penal Code are disregarded by society and by the authorities.

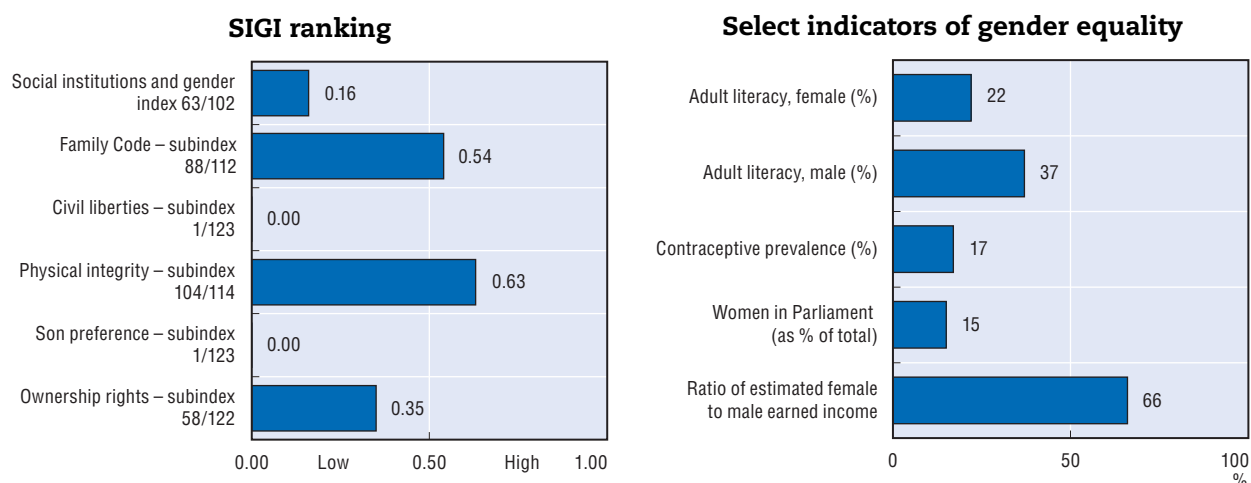
Family code

Burkinabe women within the family are very poorly protected. The 1989 Family Code sets the minimum legal age for marriage at 17 years for both men and women, but permits marriage from the age of 15 years under special circumstances. A 2004 United Nations report estimated that 35% of girls between 15 and 19 years of age were married, divorced or widowed.

In addition, despite recent legislation that makes it illegal, many families continue to force their daughters into marriage. Polygamy is legal: half of Burkinabe women and nearly one-third of men live in polygamous unions. Some Burkinabe women are forced into polygamy, but others are willing participants: in Burkinabe society, any marriage is preferable to remaining single. The family code abolishes the notion of the man as head of the family, thus, both mothers and fathers have equal share in parental authority. In the event of divorce, child custody is awarded to the parent who can provide the best care. In rural areas, men are still considered to be the heads of families. In urban areas, on the other hand, most men do not earn enough to support their families and are obliged to allow their wives to work. With regard to inheritance, widows are entitled to inherit property, but those in rural areas regularly face discrimination. In urban areas, inheritance law applies only to civil marriages celebrated according to the family code; most couples live in concubinage or have married under common law, which means the surviving spouse has no legal rights. Daughters and sons are treated equally under Burkinabe inheritance law.

Physical integrity

Burkinabe law does not sufficiently protect women's physical integrity, especially with regards to violence against women. Many women are subjected to abuse or rape, but cases are seldom brought to court. In 1990, the government established a national committee to address the issue of female genital mutilation, and it was criminalised in 1996. The Penal Code provides for prison sentences ranging from six months to three years and fines of between CFA 150 000 and CFA 900 000 (USD 290 and USD 1 750) for offenders. A 2003



Demographic and Health Survey indicated that 77% of Burkinabe girls had been subjected to FGM. However, statistics indicate that the incidence of FGM is falling, as a significant number of Burkinabe mothers say they do not intend to force their daughters to such mutilation. More than 80% of women aged over 35 years had undergone FGM in their younger years, but amongst women now aged 15 to 19 years, the figure is 65%.

There is no evidence to suggest that Burkina Faso is a country of concern in relation to missing women.

Ownership rights

Women in Burkina Faso face numerous restrictions in relation to ownership rights. Although the law grants men and women equal rights to obtain access to land, there is a wide gap between the legislation and reality. In 1984, all land was nationalised by law, but in the 1990s, the government again allowed individual ownership. Laws on ownership rights are generally respected in urban regions, where women can acquire land and have access to property other than land.

In towns, Burkinabe women have recently started their own businesses. However, women are disadvantaged with regards to access to bank loans in that formal financial institutions are rarely prepared to lend them money. Thus, their only option is to borrow from micro-credit organisations. To date, tens of thousands of Burkinabe women have received micro-credit.

Civil liberties

Many Burkinabe women have freedom of movement, with the exception of Muslim women, who are severely restricted by customs that limit their social interactions. Historically, women in Burkina Faso had a relatively high degree of freedom of dress. More recently, fundamentalist religious sects that oblige women to cover their heads have become more popular, and Islamic fundamentalism is overall on the rise in northern Burkina Faso.

Burundi

Population	8 495 915
Female population (as % of total population)	51.2
Women's life expectancy (in years)	51.0
Men's life expectancy (in years)	48.1
Fertility rate (average births per female)	6.8



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Article 17 of Burundi's Constitutional Act of Transition establishes the equality of men and women before the law. However, the government often falls short of effectively implementing the Act's provisions. Burundi is a traditional society, with strong patriarchal and patrilineal elements. Women have more duties than rights, and must submit to the customs and practices governing the relation between men and women.

The situation of women in Burundi is further complicated by the fact that the country was a war zone until 2005. Gender equality was not taken seriously even before the conflict, and the situation deteriorated further with the war. Many women have suffered displacement and have been victims of rape, murder and slavery.

Family code

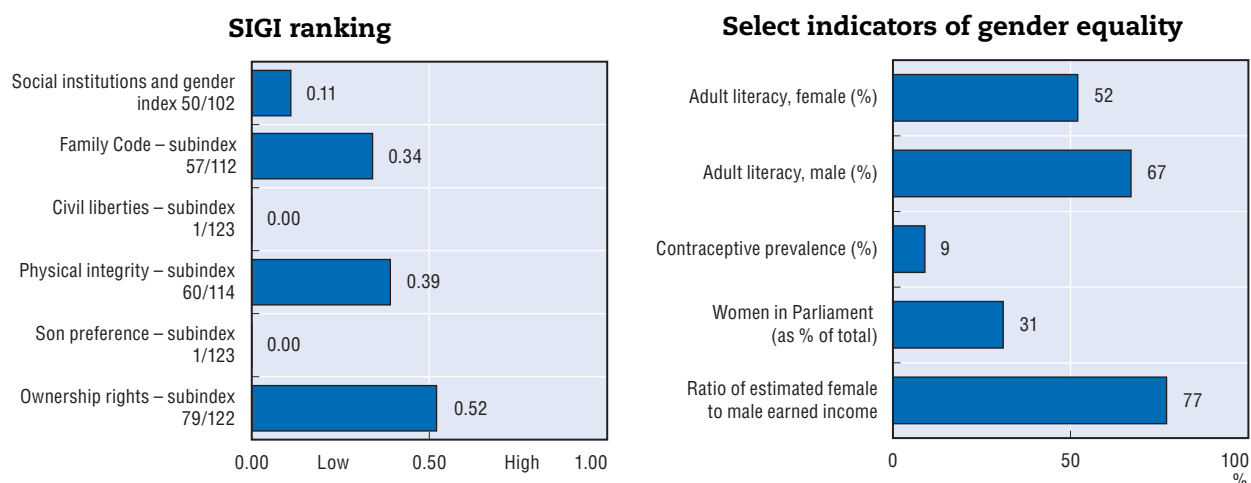
Women in Burundi have little legal protection from discrimination with regard to family matters. The Code of Person and Family was modified in 1993, ostensibly to eliminate provisions that legalised discrimination. However, important aspects of family life are still governed by customary law.

The legal age of marriage in Burundi is 18 years for women and 21 years for men. Early marriage does occur, but is less frequent than in many other developing countries. A 2004 United Nations report estimated that 7% of girls between 15 and 19 years of age were married, divorced or widowed. The 1993 amendments officially abolished polygamy. However, the practice is known to still occur, especially in some remote border regions partly in response to the conflict and crisis, and amongst ethnic groups living on the more remote Imbo and Moso plains. According to the 1993 amendments, men and women share parental authority.

Burundian jurisprudence recognises the rights of women in the area of inheritance, although it has not been sufficiently publicised. Many rural areas continue to follow customary laws and traditions, which dictate that peasant women cannot inherit from their fathers or husbands.

Physical integrity

Despite laws to protect their physical integrity, violence against women has been an ongoing problem, and it was particularly severe during the armed conflict. Despite the



December 2002 ceasefire, women's security remains a problem, mainly in rural areas. The law in Burundi prohibits rape, but does not specifically recognise spousal rape. In 2003, the police registered 983 cases of sexual violence; by 2004, the number had risen to 1 675. It should be noted that because of cultural constraints, many cases of rape remain unreported or are settled amongst the families involved. Similarly, domestic violence continues to occur and also remains unreported, and the police do not normally intervene in domestic disputes.

Female genital mutilation reportedly does not exist in Burundi, although information on the existence of specific legislation prohibiting the practice is limited. The population sex ratio is close to average and has been stable for several years, suggesting that Burundi is not a country of concern in relation to missing women.

Ownership rights

Men and women in Burundi have the same legal position in matters related to the conclusion of contracts and the administration of property. With regards to access to property other than land, the 1993 amendments provide for joint management of family property but with some limitations. Traditional law is also discriminatory regarding access to land, since women cannot inherit land from their fathers or husbands. Finally, women's access to bank loans is also restricted: legally, women no longer need to obtain their husband's permission to open bank accounts, engage in business or obtain loans. But the number of loans granted to women is insignificant: in 1995, a mere 1.4% of loans were made to women. More recently, this number has increased and more women have acquired loans for commercial activity or to purchase homes. Some micro-credit financial institutions encourage women to save, and grant them credits at favourable rates. The Credit Union Bank reports that more than 67% of its loans are granted to women.

Civil liberties

Legally, women in Burundi are well protected in areas of civil liberty. The 1993 amendments granted women the right to freedom of movement, although exercising the right to move freely can sometimes still be difficult because of remaining security concerns. The law stipulates that married couples should collectively choose their place of residence. There are no reported limitations to women's freedom of dress.

Cameroon

Population	18 532 799
Female population (as % of total population)	50.1
Women's life expectancy (in years)	50.8
Men's life expectancy (in years)	50.0
Fertility rate (average births per female)	4.3



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Cameroon's Constitution upholds the principle of gender equality. However, the country has a complex legal system comprising a mix of Napoleonic Code and common law, as well as customary and written law. This structure is often an obstacle to gender equality. Local traditions also remain very strong, and have negative effects on the situation of Cameroonian women.

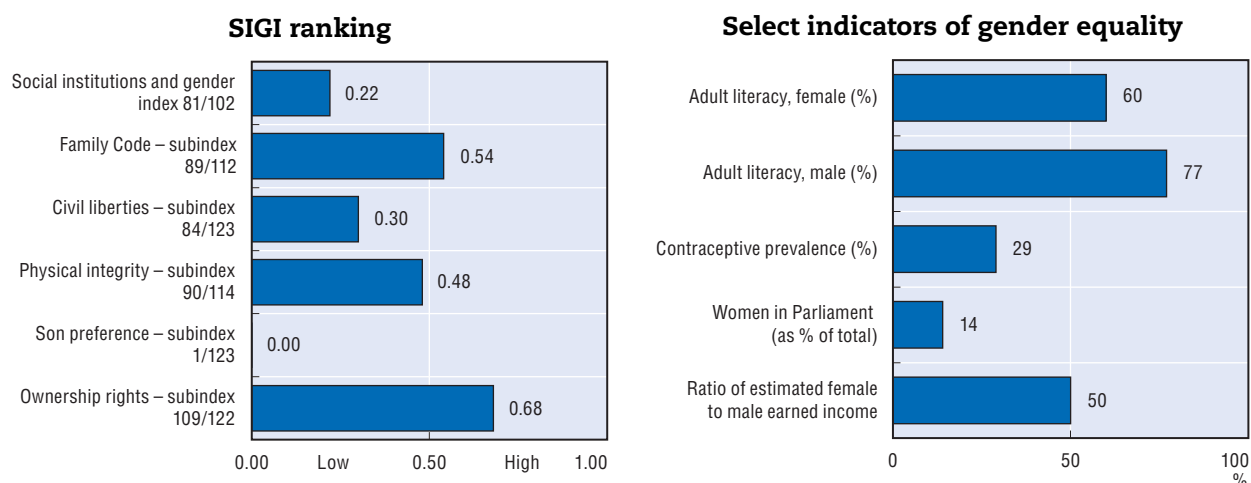
Family code

Cameroonian women have little protection in regard to family matters. The law fixes the minimum age for marriage at 15 for women and 18 for men. Early marriage is pervasive, particularly in remote provinces. Many girls are married off by their families by the age of 12. A 2004 United Nations report estimated that 36% of girls between the ages of 15 and 19 were married, divorced or widowed. Polygamy is permitted by law and deeply rooted in tradition: more than 50% of Cameroon's men are estimated to have multiple wives. Parental authority is shared equally by fathers and mothers, unless one spouse is deprived of parental rights because of questionable behaviour, or loss of physical or mental capacity. In the event of divorce, the husband's wishes determine the custody of children over the age of six. Cameroon's national courts affirm the principle of gender equality with respect to inheritance rights on intestacy (absence of a valid will). Customary practices such as levirate, forcing women to marry a man from the family of a deceased husband, infringe upon women's right to inherit. In the absence of a will, the extent to which women may inherit from their husbands is normally governed by traditional law and customs that vary between ethnic groups.

Physical integrity

Women in Cameroon have few laws to protect their physical integrity. Violence against women remains high, in part because the law fails to impose effective penalties against men who commit acts of domestic violence. Spousal abuse is not viewed as legal grounds for divorce. Rape is a criminal offence, but men are exempted from punishment if they agree to marry the victim.

Cameroon does not have in place a law to prohibit female genital mutilation. While not practised across the entire country, FGM does continue to be prevalent in isolated areas in three of the ten provinces. Internal migration has contributed to the spread the practice



to different parts of the country. The World Health Organization, reports that it affects some 20% of all Cameroonian women. This masks the actual prevalence in particular communities such as in the southwestern and far northern provinces where it is estimated to affect virtually all Muslim girls and two-thirds of Christian girls.

There is no evidence to suggest that Cameroon is a country of concern in relation to missing women.

Ownership rights

Legislation in support of women's financial autonomy is weak in Cameroon, often because of the conflicting legal systems and customs. The law itself does not discriminate against women, but socio-cultural practices continue to restrict women's access to land. Legally, any person may individually or collectively acquire land rights with a valid land title. However, under most customs women are considered stateless and therefore unfit to own land.

Both the Civil Code and the Commercial Code fall short of fully recognising women's right of ownership and access to property other than land. Husbands manage the community property and also administer any personal property owned by their wives with no obligation to obtain consent. Wives are also at a disadvantage before the customary courts in that they must provide evidence of their contribution to conjugal assets.

Cameroon's current credit legislation does not discriminate against women, but several factors make it difficult for the majority of women to gain access to bank loans. For example, legislative provisions restrict women's legal capacity to offer guarantees; thus, some banks demand the husband's guarantee as a condition for granting a loan.

Conflicting legal systems also affect women's ability to participate in the workforce. The 1981 Civil Code allows husbands to oppose their wives' constitutional right to work. However, at the same time the law gives women the freedom to organise their own businesses.

Civil liberties

Women in Cameroon have relatively little civil liberty in regard to freedom of movement. Husbands make the choice of family residence, and the wives are obliged to follow. By contrast, they are not restricted in terms of freedom of dress.

Central African Republic

Population	4 343 405
Female population (as % of total population)	51.3
Women's life expectancy (in years)	46.1
Men's life expectancy (in years)	43.3
Fertility rate (average births per female)	4.6



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The 1994 Constitution of the Central African Republic guarantees equal rights to men and women in all domains of society. Due to chronic poverty and a lack of funding, the Central African Republic government admits that it has been unable to meet its obligation regarding general human rights. Moreover, local traditions that are unfavourable to women remain strong amidst the predominantly rural population.

Family code

The Central African Republic enacted a Family Code in 1998 with the aim of strengthening women's rights, but several conflicting customary laws prevail. As a result, women have a relatively low level of protection within the family. Husbands are generally considered the family leaders.

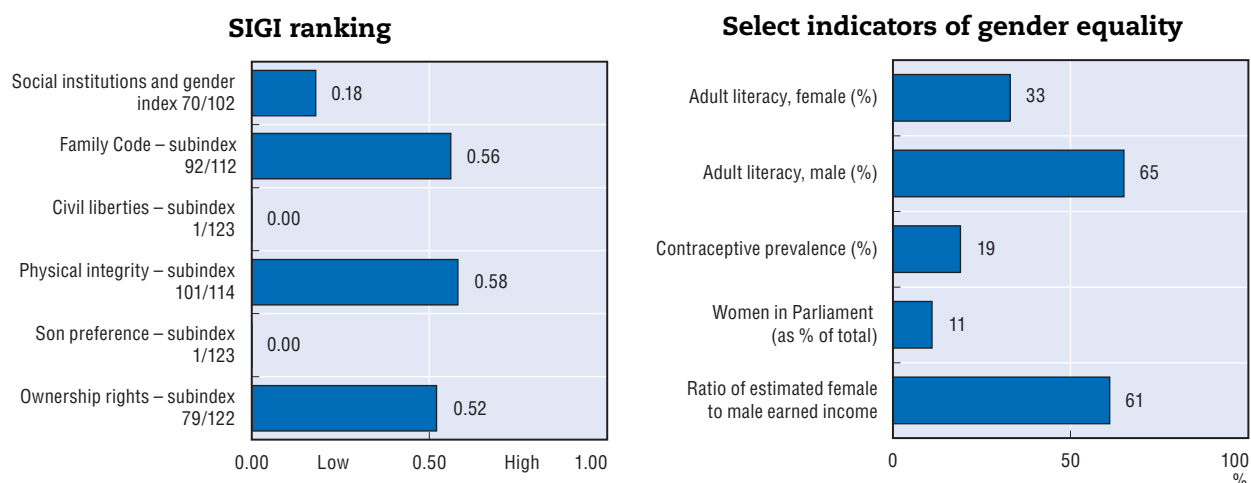
Early marriage is pervasive in the country. A 2004 United Nations report estimated that 42% of girls between 15 and 19 years of age were married, divorced or widowed. Early marriage has serious consequences in terms of limiting opportunities for girls to acquire adequate schooling or pursue careers.

The practice of polygamy is legal in the Central African Republic but faces growing resistance among educated women. The law allows a man to take up to four wives, but he must indicate at the time of his first marriage contract whether or not he intends to take additional wives. According to a survey undertaken by UNICEF in 1995, 28.4% of women lived in polygamous relationships, including 21.3% of girls between 15 and 19 years of age.

Men have the right to exercise parental authority; they also choose the family residence. Legally, women have full rights to inheritance. However, discriminatory customary laws often prevail over statutory rights, particularly in rural areas.

Physical integrity

Protection for the physical integrity of women in the Central African Republic is low. Violence against women, including wife-beating, is common in the Central African Republic. The law prohibits violence against any person and provides for penalties of up to 10 years' imprisonment, but does not specifically mention spousal abuse. Victims of domestic abuse seldom report incidents to the authorities. In the event that such incidents are reported and addressed, it is usually done within the family or local community.



Similarly, the law prohibits rape but has no specific provisions against spousal rape. Rape in general remains a problem. Amnesty International reports that rape was used as a weapon of war in 2002-03.

According to law promulgated in 1966, female genital mutilation is prohibited and punishable by up to 10 years' imprisonment, but young girls continue to be subject to FGM in certain rural areas. The World Health Organization estimates that FGM affects more than 40% of women across the country, with the figure rising to 90% in specific regions. In 1996, the government established a national committee against traditional practices that affect women's health. The government and NGOs have also organised numerous campaigns to reduce FGM in rural areas. Data show that its prevalence is declining: the incidence of FGM is 35% among women aged 15 to 19, as compared to 53% among women aged 45 to 49.

There is no evidence to suggest that the Central African Republic is a country of concern in relation to missing women.

Ownership rights

The 1994 Constitution states that every person in the Central African Republic has the right to property. The relevant laws prohibit discrimination in access to land, access to property other than land and access to bank loans. However, the day-to-day reality and practices observed under customary law often contradict the Constitution and the intent of formal law. Customary law places husbands at the head of the family, thereby granting men *de facto* authority to limit the rights of women to access land, property and bank loans.

Civil liberties

Women's civil liberty in the Central African Republic is, for the most part, legally guaranteed. Their freedom of movement is high with regard to daily life, but restricted by the fact that husbands choose the family's place of residence. The UN Human Rights Committee has asked the Central African Republic to accelerate the process of adapting the family code to reflect international standards, particularly with regard to the choice of residence.

There is no reported limitation to women's freedom of dress.

Chad

Population	10 763 638
Female population (as % of total population)	50.3
Women's life expectancy (in years)	52.0
Men's life expectancy (in years)	49.3
Fertility rate (average births per female)	6.2



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The population in Chad is characterised by a distinct division between ethnic groups who inhabit the north and those who live in the south, a fact that is relevant to certain gender issues. The north is home to the Arab, Peul and Hausa ethnic groups, who are Muslims and often livestock farmers; collectively, they represent half of the population. In the south, the dominant groups include Animists, who make up 39% of the population, and Christians, who make up 11%. The country's largest ethnic group is the Saras, who live off agriculture.

Family code

The Family Code of Chad grants very few rights to women. Many marriages are arranged when girls are just 11 or 12 years old, and sometimes involve the payment of a dowry. Despite a law that prohibits sexual relationships with girls under the age of 14 years, including those who are married, the incidence of early marriage is extremely high. A 2004 United Nations report estimated that 49% of girls between 15 and 19 years of age were married, divorced or widowed. The high incidence of marriage before the age of 16 years contributes to the very low level of girls' enrolment in secondary education.

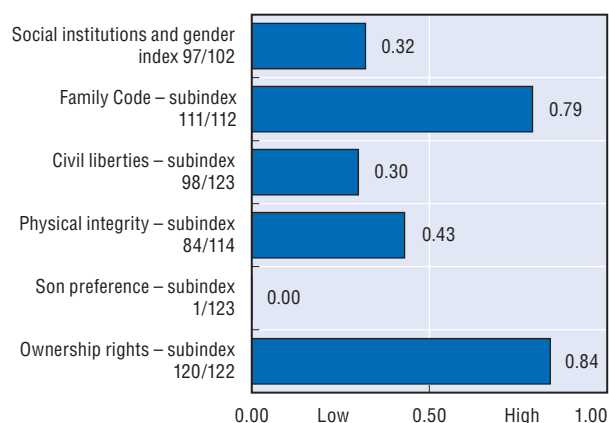
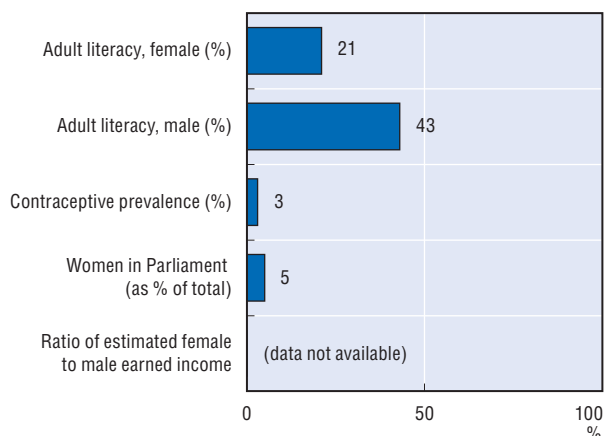
Polygamy is common in Chad: it is practised throughout the country and affects more than one-third of married women.

According to tradition, only men can be heads of families and exercise authority. Regulations concerning parental authority are highly unfavourable to the mother. In the event of divorce, mothers can maintain custody only until children reach the age of five or six years.

Physical integrity

The physical integrity of women in Chad is very poorly protected. There is legislation prohibiting violence against women, but there are no specific provisions to protect women. Domestic violence remains common, but victims rarely initiate legal proceedings; families and the traditional authorities try to settle such cases themselves.

Female genital mutilation has been prohibited in Chad since 2002 and the government has embarked on a campaign to eradicate the practice. About half of Chadian women have been subjected to FGM: sometimes only a single, symbolic cut is made but about one-third of women have undergone more severe forms. The prevalence of FGM varies widely

SIGI ranking**Select indicators of gender equality**

depending on ethnic group, region, religion, education and standard of living. To date, it does not appear that the 2002 legislation is having much effect. Statistics for FGM remain stable and the percentages of those forced to submit to the practice are similar across all age groups. There is, however, a decrease in the number of mothers who have subjected their daughters to FGM, or intend to do so. Thus, the 2002 legislation and educational efforts may yet have a positive impact.

Chad does not appear to be a country of concern in relation to missing women.

Ownership rights

Women in Chad have virtually no ownership rights. Access to land is very difficult for women as tradition reserves this right for men. In fact, Chadian men rarely grant women the right to own even a small plot of land. In general, Chadian women have very little access to property other than land.

In Chad, women's access to bank loans is severely limited by the need to obtain their husbands' consent to open a bank account.

Civil liberties

In general, women in Chad have few civil liberties. Women do, in principle, have freedom of movement, but in some regions they must be accompanied by a man even for everyday tasks such as shopping. If a woman's husband is away, she will ask one of her sons to accompany her. Freedom of dress exists for women in the south, but nearly all women in northern Chad are obliged to wear the veil.

Congo

Population	3 766 751
Female population (as % of total population)	50.5
Women's life expectancy (in years)	56.6
Men's life expectancy (in years)	54.0
Fertility rate (average births per female)	4.5



The Republic of Congo's Constitution of 8 December 1963 proclaims equality before the law for all citizens and upholds the full legal capacity of women, irrespective of their marital status. Nevertheless, discriminatory provisions persist in the laws governing inheritance, marriage and parental authority. The fact that the Republic of Congo is based on a dual legal system, with a French-inspired form of modern law super-imposed upon customary laws, also creates challenges for Congolese women.

Family code

Women in the Republic of the Congo have a low level of protection within the family context. Congolese law sets the minimum legal age of marriage at 18 years for women and 21 years for men, although the State Procurator may grant a dispensation from this rule. Despite the law, the incidence of early marriage is very high: a report published by UNICEF in 2005 indicated that 56% of girls between 15 and 19 years of age were married, divorced or widowed.

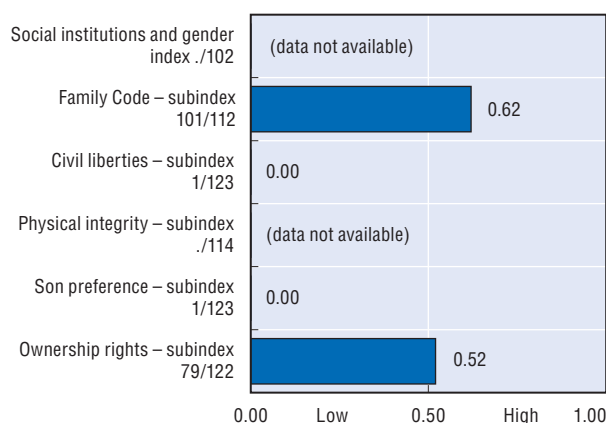
Many Congolese practise a tradition of “pre-marriage”, recognised by the family code, whereby a man and woman, with the consent of their families and usually in the presence of the chairman of the village committee, make a mutual, solemn agreement to enter into marriage. Moreover, the majority of Congolese couples cohabit under this statute without ever becoming formally married.

Polygamy is legal in Congo, but the law also gives women the right to choose whether or not they are willing to agree to the practice. Husbands who later wish to contract a second wife must inform their first wives of this intended change of plans. If the first wife consents, the couple must revise their original marriage contract.

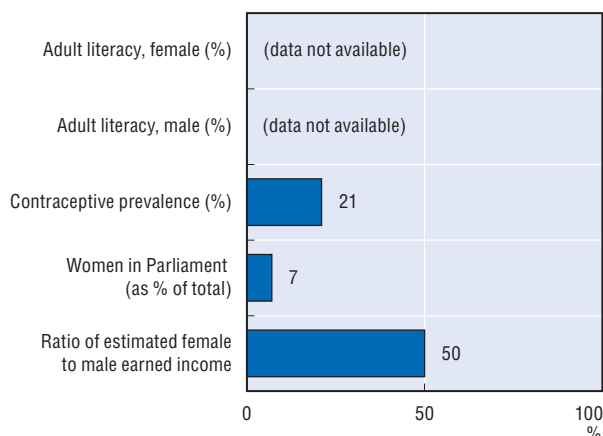
Constitutionally, parental authority is shared equally by both spouses: they have the same rights and power to exercise authority in respect to raising their children. The law, however, recognises men as the heads of household and stipulates that they “exercise this function in the common interest of the marriage and of the children”.

Many Congolese women have difficulties accessing inheritance, largely because their inheritance rights depend on the property arrangements associated with the type of marriage. If the couple married under “community of property”, the husband's estate is divided between the wife and his family and children. If the marriage is based on a “separation of property”

SIGI ranking



Select indicators of gender equality



contract, the widow has no right to ownership, but does retain the right of usufruct. In reality, wives often lose all rights of inheritance upon the death of a spouse, especially in traditional or common-law marriages.

Physical integrity

Congolese law aims to provide a moderate degree of protection for the physical integrity of women. The Criminal Code prohibits several types of violence against women. Domestic violence is rarely reported but believed to be widespread. It should be noted that a significant increase in the number of cases of sexual violence was recorded in the past few years, primarily in connection with armed conflict.

Female genital mutilation is not widely practiced in the Congo, but there is no specific legislation forbidding it. There is no evidence to suggest that the Republic of Congo is a country of concern in relation to missing women.

Ownership rights

Women in the Congo face some discrimination in their attempts to gain financial independence. They have access to land through three main channels: i) matrilineal or patrilineal filiations (most often, the head of the lineage is a man and the filiation patrilineal, but it is possible to choose to allocate the land to a woman.); ii) marriage (at the husband’s request, the head of the lineage may allocate land to the wife); or iii) rent and purchase. Overall, their land holdings are limited. Women currently account for 60% of the agricultural workforce, but own only 25% of agricultural land. There is no legal discrimination against women in regard to access to property other than land.

Congolese women often face practical difficulties in regard to access to bank loans. The banking sector has a rather rigid approach to giving loans to women, in part due to their lack of training in management and bookkeeping.

Civil liberties

Women in the Congo have a high degree of civil liberty. The Constitution upholds women’s right to freedom of movement, although pre-married women are required to live in the home chosen by the pre-married man. There is no reported limitation to women’s freedom of dress.

Congo, Democratic Republic of

Population	62 399 224
Female population (as % of total population)	50.5
Women's life expectancy (in years)	47.7
Men's life expectancy (in years)	45.2
Fertility rate (average births per female)	6.3



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Constitution of the Democratic Republic of Congo (Congo DR) upholds the principle of equality between men and women. However, certain provisions of Congolese law still discriminate against women, particularly in the areas of ownership rights and women's lack of any capacity to sign legal contracts. The ongoing conflict with high levels of sexual violence has also had a major impact on women and girls.

Family code

Women in Congo DR have a low degree of protection in regard to family matters. The family code decrees that men are the head of the household and women must obey them. The legal minimum age for marriage is low: only 15 years for women and 18 for men. As a result, the incidence of early marriage is very high. A 2001 report by UNICEF estimated that 74% of girls in Congo DR between 15 and 19 years of age were married, divorced or widowed.

The official matrimonial system in Congo DR is monogamy. Polygamy is not practised but a phenomenon known as the *deuxième bureau* (literally, the "second office") has developed, whereby married men enjoy extramarital relationships with several women. They act and consider themselves to be genuine spouses, and may even carry the identification cards of married women, but they do not have the legal status of a wife.

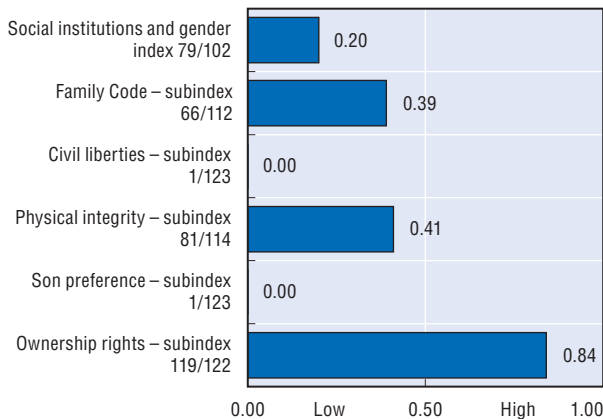
In theory, spouses have equal parental authority. However, married women must receive authorisation from their husbands for any legal act, which clearly limits their capacity to independently fulfil activities associated with parental authority.

Concerning inheritance rights, the family code gives preferential treatment to the children of the deceased but does not discriminate between women and men within the second category of heirs. However, following the death of a husband, wives must share the running of the household with a male relative of the deceased.

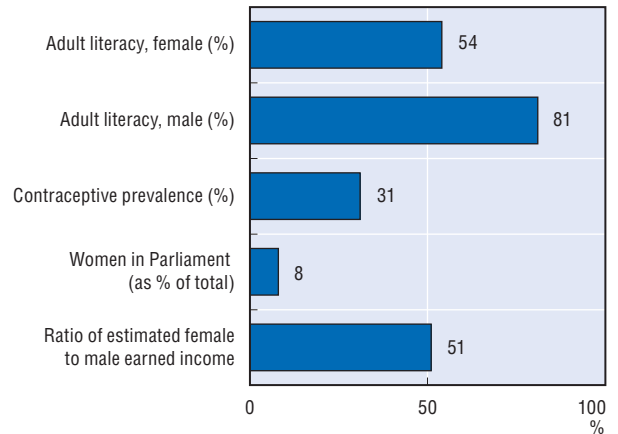
Physical integrity

Laws protecting the physical integrity of women in Congo DR are relatively weak. Violence against women is a general problem and has been exacerbated by armed conflicts. The magnitude of more common forms of abuse, such as rape, is very high. In a report published in 2002, Human Rights Watch notes that sexual violence has been used as a weapon of war.

SIGI ranking



Select indicators of gender equality



Congo DR law criminalises rape, but the government has not effectively enforced this law, and victims and experts cite widespread impunity as the main reason for ongoing sexual violence. Although there are no official statistics, domestic violence against women, including rape, also appears to be common.

Legislation does not prohibit female genital mutilation. In general, FGM is not widespread but it is practised among isolated groups in northern parts of the country. The WHO reports that about 5% of women in Congo DR undergo FGM.

The population sex ratio in Congo DR has been stable for the past 50 years, suggesting it is not a country of concern in regard to missing women.

Ownership rights

Congo DR law is weak in terms of supporting financial independence for women. As mentioned above, married women do not have the legal capacity to sign certain acts and contracts without the consent of their husbands.

Women have very limited access to land. By law, the right to land concessions can be given to men and women without distinction but traditional attitudes and customs that discriminate against women remain strong in this area. Women in Congo DR do not have access to property other than land, since everything must be administered by their husbands. Moreover, they must seek a court order to prevent mismanagement of property, should such a situation arise.

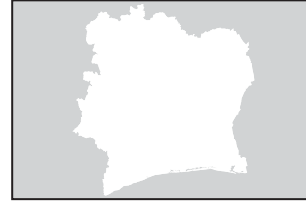
Similarly, as Congolese wives cannot sign any legal acts without the authorisation of their husbands, they have virtually no access to bank loans and bank accounts.

Civil liberties

By law, Congolese women have full civil liberty. There are no restrictions on women’s freedom of movement, except that wives are obliged to live in the residence of their husband’s choosing. There is no reported limitation to women’s freedom of dress.

Côte d'Ivoire

Population	19 268 303
Female population (as % of total population)	49.2
Women's life expectancy (in years)	49.3
Men's life expectancy (in years)	47.5
Fertility rate (average births per female)	4.5



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Constitution of Côte d'Ivoire prohibits discrimination on the basis of sex, and government policy encourages full participation by women in social and economic life. Nevertheless, Ivorian women remain confined to traditional roles, especially in rural areas.

Family code

Women in Côte d'Ivoire have a moderate degree of legal protection with regards to family matters. The state recognises only marriages that are performed by a registry, and the law prohibits the payment and the acceptance of a bride-price. Legislation regarding the age of marriage is quite strict: the law forbids the marriage of men under the age of 20, of women under the age of 18, and of any persons under the age of 21 without parental consent. Still, the incidence of early marriage is quite high. A 2004 United Nations report estimated that 25% of girls between 15 and 19 were married, divorced or widowed.

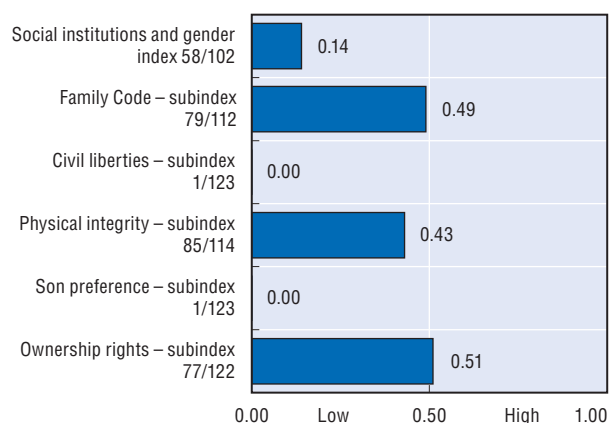
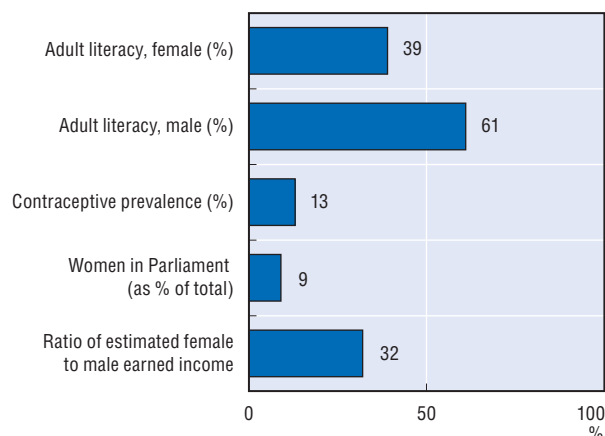
Polygamy was abolished by the Civil Code in 1964, and is now punishable by a fine of CFA 50 000 to CFA 500 000 (USD 80 to USD 800) or by six months to three years imprisonment. Parental authority is legally the right of fathers, who are regarded as the heads of households and have sole paternal rights over their children. In case of divorce, custody of the children is generally awarded to the spouse who obtained the divorce.

The system of inheritance rights is somewhat unusual. In the case of a spouse's death, the surviving spouse ranks fifth among those eligible to inherit, and is excluded from inheritance if the couple had children.

Physical integrity

Laws protecting the physical integrity of women in Côte d'Ivoire are quite weak. Violence against women, including spousal abuse occurs frequently and is not penalised. Domestic violence is regarded as a family problem with severe social stigmas attached. A study undertaken by the Ivorian Association for the Defense of Women (AIDF) reported that 90% of the interviewees had experienced violence in the home.

The law prohibits rape and imposes prison terms of five to ten years. The government appears to enforce this law where possible. Nonetheless, according to Human Rights Watch, both pro-government and rebel forces in Côte d'Ivoire have subjected thousands of women and girls to rape and other brutal sexual assaults with impunity. The law does not recognise spousal rape.

SIGI ranking**Select indicators of gender equality**

Legislation introduced in 1998 made it illegal to practice female genital mutilation in Côte d'Ivoire and established criminal penalties for those who perform the act. Still, the practice remains common, especially among the rural population in the north and in the west. According to the World Health Organization and the AIDF, as much as 60% of the female population has undergone FGM.

In turn, a 2005 report from UNICEF estimates that 45% of women aged 15 to 49 have undergone some form of FGM, a slight increase from 43% in 1994. The incidence varies significantly according to religion, ethnicity, region and educational status: FGM is most prevalent among Muslim women (78%) and least prevalent among Catholic (19%) and Protestant women (13%). Support for the practice is higher among rural and less-educated women than among those living in urban areas.

The population sex ratio in Côte d'Ivoire has been stable for the past 50 years, suggesting that it is not a country of concern in relation to missing women.

Ownership rights

Ivorian women and men have equal ownership rights. There is no gender discrimination regarding access to land. However, it should be noted that according to an act adopted in 1998, all rural land is state-owned and, thus, inaccessible to both men and women. Both genders have equal access to usufruct of rural land, which can be transferred by one of five means: purchase; inheritance; donation among living people; intestate succession; or through bonds.

Legally, there is no gender discrimination regarding access to property other than land. This right is, however, limited under the option of “marriage with community of property” which considers husbands to be the head of the household.

Access to bank loans is difficult for women, because of their situation. Very often, they are unable to meet the lending criteria established by banks, such as a title to a house and production of a profitable cash crop.

Civil liberties

Legally, women in Côte d'Ivoire have civil liberty. However, years of civil war have affected freedom of movement for the entire population. It should be noted that women comprise 52% of the nation's internally displaced people.

Equatorial Guinea

Population	507 543
Female population (as % of total population)	50.6
Women's life expectancy (in years)	52.8
Men's life expectancy (in years)	50.4
Fertility rate (average births per female)	5.4



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Constitution of Equatorial Guinea provides for equal rights for men and women. The country has a dual legal system based on both civil law and customary law, which creates obstacles to the advancement of women's place in society. National legislation contains non-discrimination provisions but these laws are rarely enforced.

As a result, women continue to be deprived of their rights, are often relegated to an inferior position and face discrimination in many areas. They are often confined by customs and traditional roles, particularly in agriculture, in which they make up the majority of workers (81.5%). Polygamy and a lack of educational opportunity also contribute to women's secondary position.

Family code

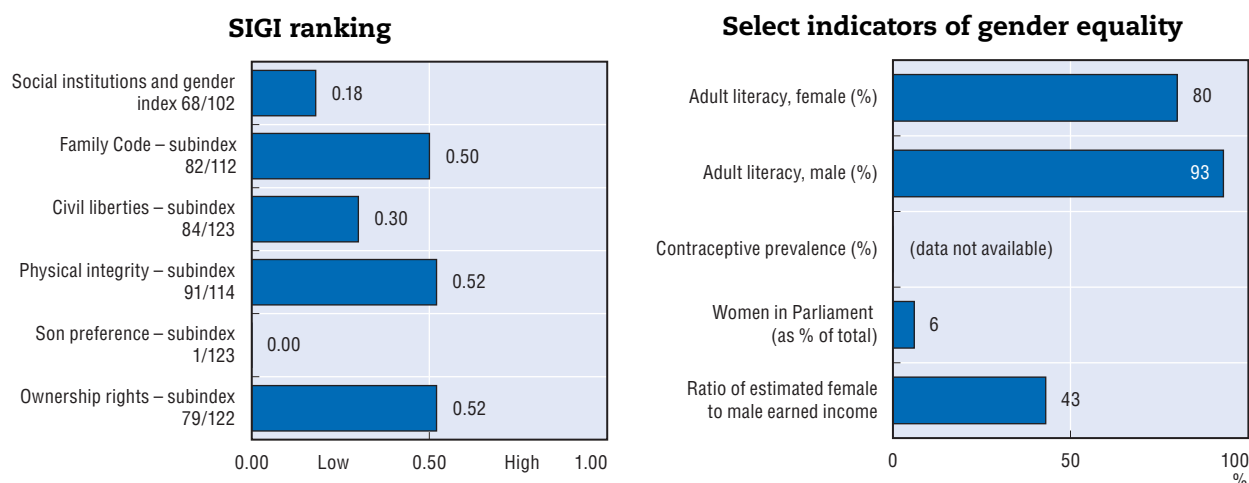
The government of Equatorial Guinea is taking steps to improve the rights of women within the family context. A law regarding the family code is at the drafting stage and discussion is underway concerning a law to regulate customary marriages. In practice, customary law and written law are generally considered to have the same status.

The legal minimum age for civil marriage in Equatorial Guinea is 18 years. However, there are no age restrictions in respect to customary marriages and early marriage is quite common. A 2004 United Nations report estimated that 26% of girls between 15 and 19 years of age were married, divorced or widowed. Early marriages and early pregnancies are reported to be a main explanation of the very low school attendance rate for girls.

Polygamy is not considered illegal by the state and is widespread, particularly among the Fang ethnic group.

By law, in civil or religious marriages, the spouses have the same rights and responsibilities regarding guardianship. But customary marriages dominate and parental authority derives largely from customary law, which grants husbands virtually all rights. The traditional perception is that the dowry given by the groom to the bride's family at the time of marriage constitutes a transaction by which a woman is sold to her husband and is considered to become his "property".

For an estimated 90% of women in Equatorial Guinea, tradition dictates that if a marriage is dissolved, the wife must return the dowry given to her family by the bridegroom at the time of marriage. In many instances, the woman has no money or property with which



to repay the dowry and, as a result, is incarcerated. The government passed a decree that forbids this practice but has yet to implement it.

There is no gender-based discrimination in legislation related to inheritance, however, traditional and discriminatory practices dominate. Women become members of the husband's family upon marriage and thus are usually not perceived as rightful heirs.

Physical integrity

Women's physical integrity is moderately protected in Equatorial Guinea. Violence against women, including spousal abuse, is illegal but the government does not enforce the law effectively. The traditional perception that women are “property” leads to a widespread belief that men have the right to control their wives by whatever means necessary, short of death. A government decree forbids the public beating of wives but violence at home is generally tolerated, and the government does not prosecute perpetrators of domestic violence. Rape is illegal, but the law is poorly enforced and the reporting of rape is considered shameful to the families involved. Spousal rape is not specified in the law.

Female genital mutilation is reportedly not practised in Equatorial Guinea, and there is no evidence to suggest it is a country of concern in regards to missing women.

Ownership rights

Officially, women in Equatorial Guinea have the legal right to financial autonomy. The law does not discriminate against women in terms of access to land but in reality there is structural discrimination. Concerning access to property other than land, women theoretically have the legal right to buy and sell property and goods. However, the male-dominated society makes it very difficult for women to access sufficient funds to engage in more than very small-scale trading or to purchase property.

Similarly, women have the legal right to access bank loans but prevailing customary laws discriminate against them in this area as well.

Civil liberties

Women in Equatorial Guinea have limited civil liberty. However, in regard to freedom of movement, women are no longer required to obtain permission from their husbands if they wish to travel.

Eritrea

Population	4 841 773
Female population (as % of total population)	51.0
Women's life expectancy (in years)	60.3
Men's life expectancy (in years)	55.6
Fertility rate (average births per female)	5.0



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Eritrea gained independence from Ethiopia in 1991, after 30 years of war. During the conflict, the central leadership of the country (the Eritrean People's Liberation Front) made efforts to introduce the National Democratic Program, a platform to challenge gender inequality. Eritrea's Constitution and Transitional Civil Code of Eritrea (TCE) now prohibit discrimination against women, however, as yet, the laws are not always fully implemented due to lack of capacity in the country's legal system.

Much of Eritrean society remains traditional and patriarchal; men retain privileged access to education, employment, and control of economic resources. As a result, women have an inferior status to men in both their homes and communities. Such disparities are more common and more extreme in rural areas than in cities.

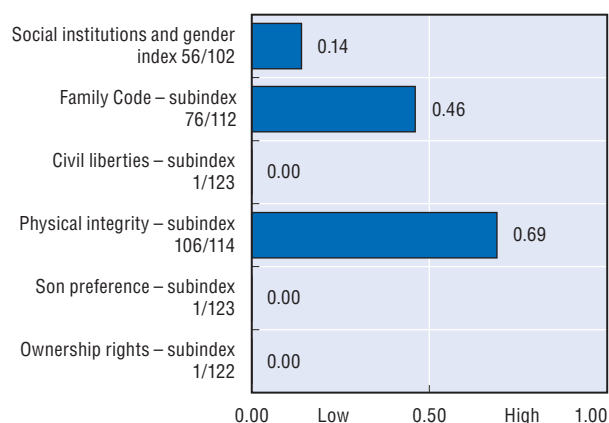
Family code

In 1991, the TCE abolished previously discriminatory clauses in existing legislation. Today, the law gives women a relatively high level of protection within the family. The TCE recognises three types of marriage: civil, religious and customary. The code explicitly states that all three types follow several binding conditions enhancing women's rights, including setting the minimum age of marriage at 18 years (not applicable to marriages governed by Sharia). Despite this condition, early marriage is pervasive. According to a 2004 United Nations report, 38% of girls between 15 and 19 years of age were married, divorced or widowed. For the most part, customary marriage disregards the TCE's minimum age condition and sets its own, much lower minimums: the age for girls is 8 to 15 and that for boys is 12 to 15. According to the Demographic and Health Survey, the median age at first marriage for women in Eritrea has risen steadily in recent years. The median age is now 18 years among women aged 20 to 24. Despite the formal illegality of polygamy, Sharia permits polygamous unions for Muslim men.

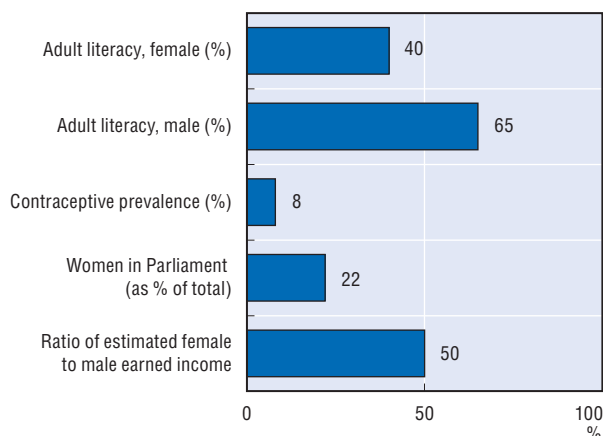
The Constitution accords parental authority to both parents, along with equal rights. However, in most cases, fathers are still considered as head of the household and are given right of custody.

Eritrean law does not discriminate in relation to inheritance rights. However, the Muslim community follows Sharia under which women may inherit from most of their family members, but their share is generally only half of that to which men are entitled.

SIGI ranking



Select indicators of gender equality



Physical integrity

Women in Eritrea have relatively low protection for their physical integrity. Violence against women is widespread, particularly domestic violence and wife beating. It was estimated in 2001 that more than 65% of women in the Asmara area had been victims of domestic violence. Rape is punishable by law, with a maximum sentence of imprisonment of up to 15 years.

Female genital mutilation is widespread in Eritrea, and is practised by almost all ethnic and religious groups. According to the US Department of State, about 89% of women in Eritrea undergo FGM. To date, there is no law prohibiting the practice, but several groups are taking steps in a positive direction. The Eritrean government and other organisations sponsor education programmes that discouraging the practice.

The population sex ratio in Eritrea has been stable for the past 20 years, indicating that it is not a country of concern regarding missing women.

Ownership rights

The Eritrean Constitution provides for full ownership rights for women, but the application of legal provisions tends to favour men and limit women's ability to achieve financial independence. The Eritrean People's Liberation Front established a policy on land redistribution to improve women's access to land by granting extensive land rights to divorced, widowed and childless women. Despite this effort to institutionalise land rights, many women still lack the means of working the land and face specific difficulties, especially in regions in which cultural norms prevent women from clearing land. With regard to access to property other than land, Eritrean women have equal rights to conclude contracts, administer property and run businesses. According to business licensing office statistics, women own around 30% of businesses.

Women in Eritrea also have access to bank loans. Most micro-credit programmes are open to both men and women; however, some programmes provide greater encouragement to women.

Civil liberties

Women in Eritrea have a high degree of civil liberty. The law guarantees freedom of movement to both men and women. Women are, however, restricted in that deeply rooted traditions expect women to hold the domicile of their husbands.

There are no legal limitations to the women's freedom of dress.

Ethiopia

Population	79 086 894
Female population (as % of total population)	50.3
Women's life expectancy (in years)	54.3
Men's life expectancy (in years)	51.7
Fertility rate (average births per female)	5.3



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Despite recently introducing policy instruments and legislative commitments designed to serve women's interests, Ethiopia remains one of Africa's most tradition-bound societies. A vast majority of Ethiopian women, particularly in rural areas, live in a state of poverty and dependence, and they rarely benefit directly from development initiatives.

Following traditional socio-cultural installations and practices, women in Ethiopia are considered to be subordinate to men.

Family code

The situation for Ethiopian women within the family context shows some signs of improving. In early 2001, the federal government enacted a new family code based on the principle of gender equality. Its effect has been limited in that the Constitution gives full sovereignty to most regions. As a result, seven out of nine regions have their own family law – six of which continue to apply the previous law.

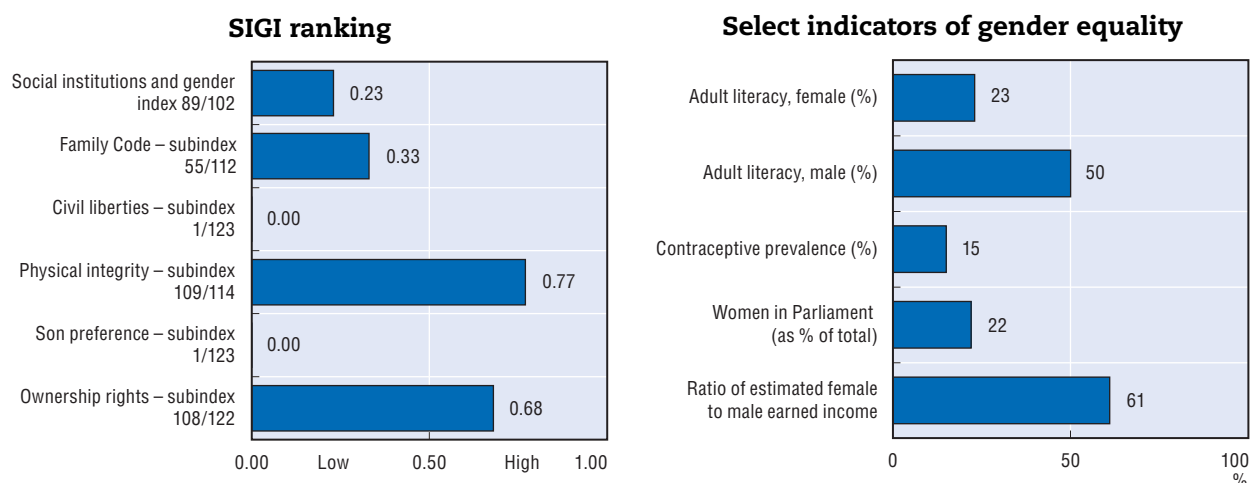
According to the 2001 Family Code, the minimum age for marriage in Ethiopia is 18 years. Early marriage is nevertheless common, particularly in rural areas, and affects children far younger than the legal age. The situation is exacerbated by the fact that birth dates are rarely recorded and parents' declarations of their children's ages are accepted at face value. A 2004 United Nations report estimated that 30% of girls between the ages of 15 and 19 years of age were married, divorced or widowed. Young motherhood is considered one of the main causes for Ethiopia's high levels of maternal mortality. Although a criminal offense, the practice of abducting young women for marriage purposes is still quite common.

Polygamy has been abolished, backed by sanctions outlined in the Penal Code. No information was available on whether it is currently practised or generally accepted.

With regards to parental authority, the 1960 Civil Code recognised the husband as the legal head of the family and the sole guardian of children older than five years. This provision was changed in the 2001 Family Code, which granted equal rights to both parents but problems of enforcement remain. In the case of divorce, children typically remain with their mother until the age of five. Although the federal law grants women and men equal rights in matters of inheritance, traditional customs usually pass land to sons, on the grounds that daughters eventually move to their husbands' homes. It is known that some customs require widows to marry a male relative of the deceased spouse.

Physical integrity

Women in Ethiopia have a very low level of protection for their physical integrity. Violence against women is widespread and culturally-based abuses, including wife beating and spousal rape, are pervasive social problems. A 1999 World Bank study estimated that



88% of rural women and 69% of urban women believe their husbands have the right to beat them (quoted by the US Department of State). Thus, even though they have recourse through the police, strong societal norms and lack of access to relevant infrastructure prevent many women from seeking legal redress.

Even though the new Penal Code criminalises female genital mutilation by imprisonment of no less than three months or a fine of at least ETB 500 (USD 58), it is estimated that 80% of Ethiopia's female population is subject to the practice. Genital infibulation (that is, the closing of the outer lips of the vulva) is also punishable by law, with imprisonment of five to ten years. To date, there have been no criminal prosecutions for practising FGM.

Evidence suggests that there is no cause for concern regarding missing women in Ethiopia.

Ownership rights

Women's ownership rights are very limited in Ethiopia, even though land reforms enacted in March 1997 tried to improve access to land by stipulating that women have the right to lease land from the government. In fact, during the land redistribution exercise carried out in the Amhara Region, almost 130 000 poor rural women became landowners. Despite these reforms, it is frequently the case that women's only chance to access land is through marriage. It is generally accepted that only the head of the household can be a landowner. Women who separate from their husbands are likely to lose their houses and property, and when a husband dies, other family members often claim the land over his widow.

A study by Gebreslassie identifies two main factors that work against women's legal right to control land: lack of ownership of oxen with which to plough the land and cultural taboos that constrain women from the work of ploughing and sowing. According to statistics, only about 20% of households are currently female-headed families, many of which are headed by widows. The Civil Code remains discriminatory in regard to access to property other than land. It grants husbands control of common property and allows them to make all decisions related to such property. Ethiopian women have only limited access to bank loans. Public financing for women may be granted to female heads of households who own land; by contrast, married women who wish to obtain loans must first seek permission from their husbands.

Civil liberties

Women have civil liberty in Ethiopia. Their freedom of movement is not subject to any legal limitations. Ethiopian women do not face restrictions in regard to their freedom of dress. The Constitution grants freedom of religion to all citizens and an estimated 45% of the population is Muslim; however, the law contains no specific provisions regarding the wearing of a veil by women.

Gabon

Population	1 330 182
Female population (as % of total population)	50.1
Women's life expectancy (in years)	57.1
Men's life expectancy (in years)	56.4
Fertility rate (average births per female)	3.1



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Constitution in Gabon recognises men and women as equals before the law. However, discriminatory legal provisions within both the Civil and Penal Codes continue to constrain the status of women, particularly within the context of marriage and family relations. Social attitudes and cultural practices also represent genuine obstacles to the advancement of women.

Family code

Women in Gabon have few rights in the area of family matters. The minimum legal age of marriage is 15 years for women and 18 years for men, and the incidence of early marriage is high. A 2004 United Nations report estimated that 22% of girls between 15 and 19 years of age were currently married, divorced or widowed.

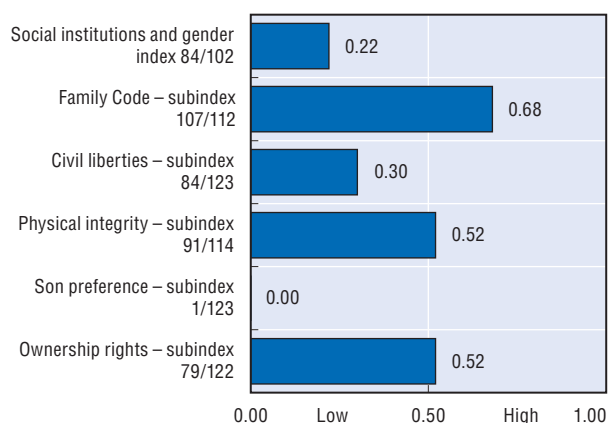
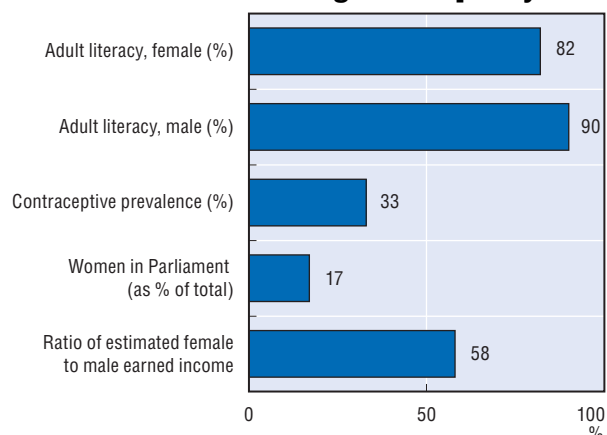
Polygamy is legal under Gabon's Penal Code, which allows both men and women to have several spouses. The law states that couples must stipulate at the time of marriage whether they intend to adhere to a monogamous or a polygamous relationship. Within the family, husbands are considered the heads of the household and have responsibility for parental authority. By law, widows cannot inherit property from their husbands without written authorisation of the family of the deceased. Currently, they are deprived of their right of usufruct if they remarry into a family other than that of their deceased spouse.

Physical integrity

Gabon provides a low degree of protection for the physical integrity of women and violence against women is common. Rape is a criminal offence and carries a penalty of five to ten years' imprisonment, but cases are seldom prosecuted. In recent years, domestic rape has become widespread. At present, victims of rape have only limited access to medical and legal assistance. Female genital mutilation is illegal, but it is believed to occur among non-Gabonese residents. There is no evidence to suggest that Gabon is a country of concern in relation to missing women.

Ownership rights

Women's ownership rights are weak in Gabon. Land laws do not distinguish between men and women with respect to access to land for building purposes, but land itself is

SIGI ranking**Select indicators of gender equality**

always considered the property of husbands. Married women can never own land independently. Women's access to property other than land is subject to a number of constraints. Single women can independently hold and administer assets (including property). For married women, administration of assets is governed by the regime under which they marry. For example, under the "separation of assets" regime, each spouse remains responsible for his or her own assets. By contrast, under the "joint estate" regime, husbands are the sole administrators of property. This system, which is socially accepted and practised widely, grants women virtually no property rights.

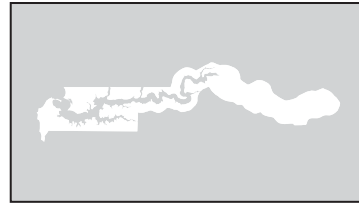
Gabon gives all persons – male or female – equal legal right to access to bank loans. Nevertheless, certain discriminatory attitudes persist in relation to women: some banks require wives to obtain permission from their husbands before opening an account. Women are often excluded from the classic banking services because of their low incomes, a practice that effectively denies their legal right to access to loans.

Civil liberties

Women in Gabon have moderate civil liberties. Married women face restrictions in terms of freedom of movement. Husbands choose the family residence and wives are obliged to accept their choice. In addition, the National Office for Documentation and Immigration requires that married women wishing to travel outside the country provide proof of the husband's permission. By contrast, women in Gabon do not face restrictions regarding their freedom of dress.

Gambia

Population	1 706 767
Female population (as % of total population)	49.9
Women's life expectancy (in years)	60.3
Men's life expectancy (in years)	58.6
Fertility rate (average births per female)	4.7



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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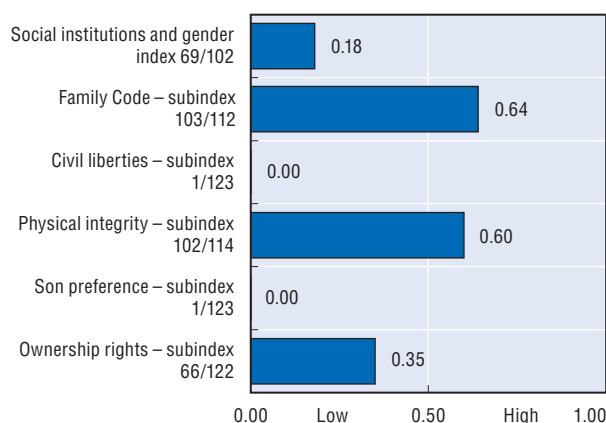
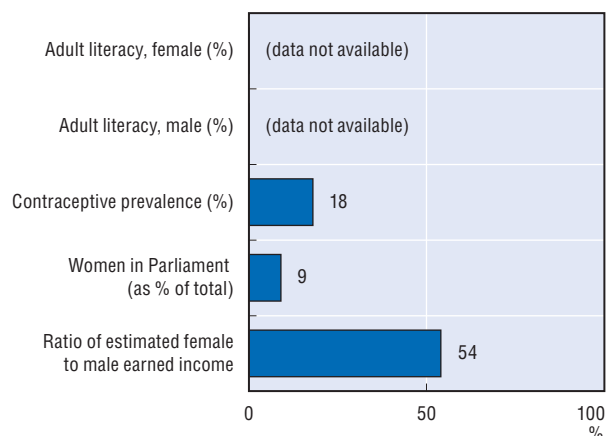
Under the 1997 Constitution, women in the Gambia are accorded equal rights with men. Yet they continue to experience discrimination and inequality, largely because the patriarchal nature of Gambian society reinforces traditional roles of women. In addition, the country has a dual legal system that combines civil law (inspired by the British system) and Islamic law. Provisions under the latter law are generally viewed to be discriminatory towards women, particularly in relation to marriage, divorce and inheritance.

Family code

Women in the Gambia face many discriminations and inequalities with regards to family matters. The laws recognise four forms of marriage: Christian, civil, customary and Mohommedan (which are governed by Sharia). The 1997 Constitution states that all marriages shall be based on the free and full consent of the intended parties, except under customary law which still supports the tradition of child betrothal. More than 90% of Gambian women are governed by customary and Sharia law *vis-à-vis* their family relationships. The Gambia has no minimum legal age for marriage and the incidence of early marriage is high: a 2004 United Nations report estimated that 39% of girls in the Gambia between 15 and 19 years of age were married, divorced or widowed. Child marriage is not prohibited by law, and some girls are married off as young as the age of 12 years. Polygamy is permissible under Sharia and is practised.

Women also face discrimination with regards to parental authority. Sharia considers husbands to be the natural head of the family; as such, they have sole responsibility for matters concerning the raising of children.

Women's rights with regards to inheritance depend on the law applied. Sharia provides for detailed and complex calculations of inheritance shares, whereby women may inherit from their father, mother, husband or children and, under certain conditions, from other family members. However, their shares are generally only half of that to which men are entitled. Under customary law, wives are not entitled to the property of their husband unless they agree to let themselves be inherited by the husband's family.

SIGI ranking**Select indicators of gender equality****Physical integrity**

Protection for the physical integrity of Gambian women is weak. Violence against women, including domestic violence and abuse is rarely reported, but its occurrence is believed to be quite common. Even though wife-beating is a criminal offence, the police typically consider such incidents to be domestic issues that lie beyond their jurisdiction. The Gambia does have laws prohibiting rape and assault, which are generally enforced. Spousal rape, however, is not specifically recognised. Female genital mutilation is widespread, especially in the Gambian countryside. The practice of FGM is illegal under the Penal Code but, to date, there have been no prosecutions for violations. Data from the CPTAFE (Cellule de coordination sur les pratiques traditionnelles affectant la femme et l'enfant), a local NGO dedicated to eradicating FGM and ritual scarring, suggests that 65% to 75% of Gambian women have undergone FGM. This represents a decline over recent years, largely due to efforts by women's rights groups to raise awareness about the health risks associated with the practice.

There is no evidence to suggest that the Gambia is a country of concern in relation to missing women.

Ownership rights

Women in the Gambia have very few ownership rights. Concerning access to land, only a small proportion of women have titles to land property. In rural areas, traditional and cultural practices allow women to have the right to usufruct over land but forbid them from owning it. All women, whether married or single, have access to property other than land.

The law does not discriminate against women in the area of access to bank loans or credit facilities, but women face several obstacles in this area. For example, most financial institutions will not grant credit facilities unless the applicant has adequate security or collateral: in most cases, they will insist on property in the form of land. Since access to land is problematic for Gambian women, so is access to credit. Because of tradition and cultural practices, rural women are, strictly speaking, thereby effectively denied access to loans and credit.

Civil liberties

Women in the Gambia have civil liberties. There are no restrictions on women's freedom of movement or freedom of dress.

Ghana

Population	23 461 523
Female population (as % of total population)	49.4
Women's life expectancy (in years)	60.5
Men's life expectancy (in years)	59.6
Fertility rate (average births per female)	3.8



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Ghana's 1992 Constitution officially bans all cruel and inhumane aspects of cultural and traditional norms. The Criminal Code imposes sanctions with respect to defilement, forced marriages, customary servitude, female genital mutilation, abuse of widowhood rites and the practice of banishment of "witches".

In practice, women in Ghana frequently face abuse and violation of their constitutional rights, especially in rural areas. Many women remain subject to traditional male dominance and to practices and social norms that deny their statutory entitlements to inheritance and property, a legally registered marriage, and the maintenance and custody of children.

Family code

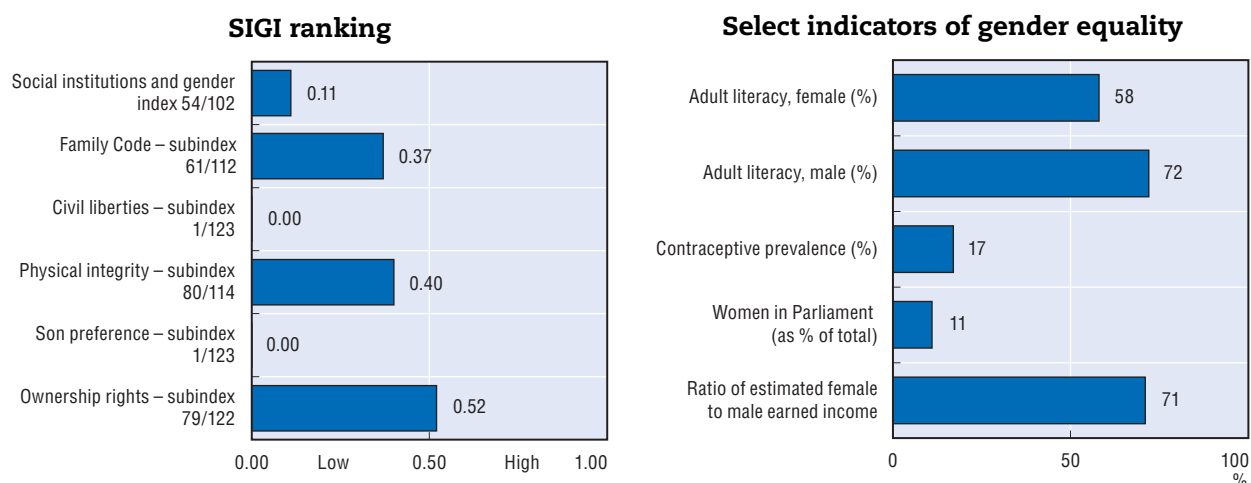
Legal frameworks in Ghana do not yet fully protect women's rights in the family context. The Children's Act of 1998 sets the minimum age for marriage at 18 years. However, customary practices still lead to child betrothals and child marriages. A 2004 United Nations report estimated that 16% of girls between 15 and 19 years of age were married, divorced or widowed.

The Marriage Ordinance states that marriages are to be monogamous and prohibits men from marrying again. This contradicts customary law and Islamic law, both of which allow polygamy. The Marriage Ordinance makes no allowance for a second marriage under customary or Sharia law. Similarly, men who have a first wife by customary law cannot contract a subsequent marriage under the Marriage Ordinance. Despite these legislations, a considerable number of men married under classical law are in bigamous marriages. The Children's Act of 1998 grants parental authority to both parents. Under patrilineal systems of customary law, children are deemed to belong to the father's extended family.

The Intestate Succession Law of 1985 covers inheritance rights. The law does not address polygamy and, thus, has no mechanism to ensure equity in relation to distributing property upon the death of a man with multiple wives.

Physical integrity

Ghanaian legislation is quite effective in relation to protecting women's physical integrity, although violence against women, including domestic violence and rape, remains common in Ghana.



The law does not prohibit domestic violence; in fact, the Criminal Code grants husbands spousal immunity from charges of assault against their wives. As a result, the police typically do not intervene in domestic disputes. Amendments to the Criminal Code in 1998 doubled the mandatory sentence for rape. To date, spousal rape is not specifically prosecuted. Under the Criminal Code Amendment Act of 1994, Ghana was the first African country to explicitly criminalise female genital mutilation. Nevertheless, the practice still exists. According to a 2005 UNICEF report, around 5% of women have undergone FGM. The practice is most prevalent among ethnic groups in northern Ghana.

There is no evidence to suggest that Ghana is a country of concern in relation to missing women.

Ownership rights

Legal frameworks in Ghana provide women very limited access to ownership rights. The land tenure system is currently governed by customary law. As a result, women's access to land and to agricultural inputs is relatively poor. Article 22(2) of the 1992 Constitution provides that the Parliament should "as soon as practicable" enact legislation to regulate the property rights of spouses during and at dissolution of marriage. To date, no such legislation has been put in place, which means that women's property rights are unclear and their access to land is often restricted. Strong regional disparities are apparent regarding access to land: the percentage of female landholders ranges from 2% in the north to 50% in the Ashanti region.

Women and men in Ghana have equal rights in relation to access to property other than land. However, customary law considers property as a family asset to be administered by the family head, who is usually a man.

Women's access to bank loans is more limited than that of men. Weak access to land limits their ability to provide collateral and makes it difficult to obtain credit. Several current initiatives aim to provide micro-finance schemes to rural farmers, particularly rural women.

Civil liberties

There is no indication that women face any legal restrictions in relation to freedom of movement and freedom of dress.

Guinea

Population	9 380 197
Female population (as % of total population)	49.5
Women's life expectancy (in years)	57.6
Men's life expectancy (in years)	54.4
Fertility rate (average births per female)	5.4



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Constitution of Guinea upholds equality between men and women as a fundamental right, but many forms of discrimination remain evident. Guinean women are forced into polygamous marriages and do not have equal rights under divorce laws. Female genital mutilation remains widely practised. Discrimination is most prevalent in rural areas, where women do not have access to land and have difficulty accessing farming equipment and other resources.

Guinea's Civil Code is being amended to remove a significant number of discriminatory measures regarding parental authority, divorce, child custody and the choice of a place of residence. Revisions of the Civil Code are discussed below, but certain discriminatory measures are liable to be removed in the future.

Family code

The family code remains largely unfavourable to women in Guinea. The minimum legal age for marriage is 17 years for women and 18 years for men, but the incidence of early marriage is extremely high in Guinea, in part due to the continued custom of sororate marriage: after the death of his wife, a man marries her younger sister to safeguard the alliance between the families. A 2004 United Nations report estimated that 46% of girls between 15 and 19 years of age were married, divorced or widowed.

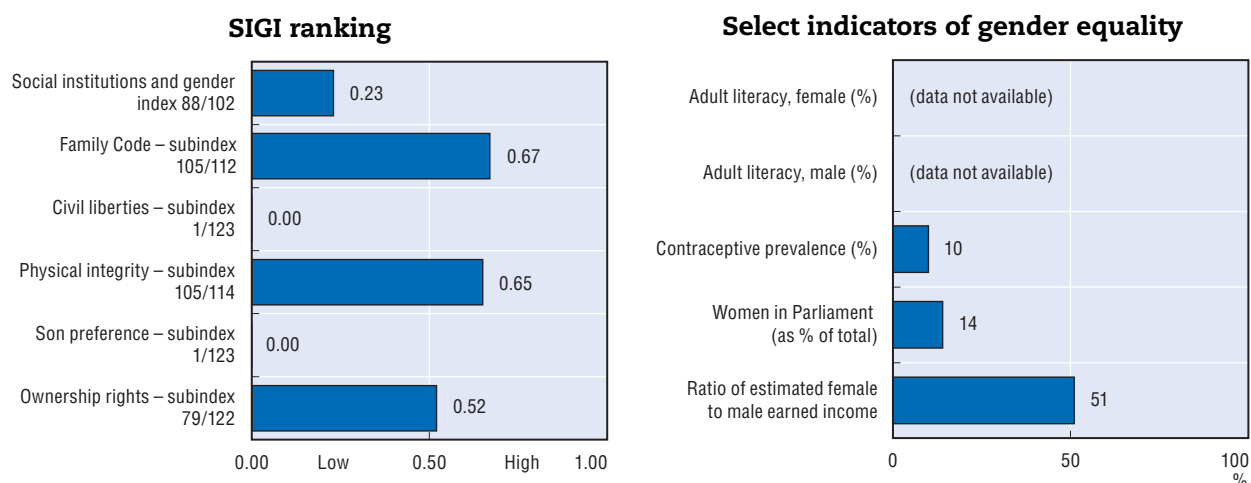
Polygamy is prohibited by law in Guinea, but the authorities recognise that the practice affects more than half of the women in the country.

Husbands head Guinean households, have parental authority and benefit from all the related legal rights. In the event of divorce, women are awarded custody of children under seven years of age.

Under the country's Civil Code, widows only receive one-eighth of the total inheritance, the bulk of the estate being distributed to the couple's children and first-degree descendants.

Physical integrity

The physical integrity of Guinean women is not sufficiently protected. Violence against women is common, but the extent to which it occurs is difficult to assess. Domestic violence is an offence under the Penal Code and constitutes grounds for divorce according to civil law,



but the police rarely intervene. Rape is also punishable under the law, but a strong social stigma discourages women from pressing charges. The law does not recognise the concept of spousal rape, and thus makes no special provisions for its punishment.

Female genital mutilation is illegal according to the Penal Code. Yet Guinea's Committee for the Prevention of Harmful Traditional Practices against Women and Children states that the practice remains extremely common. In addition, despite the law, there is no evidence that a perpetrator of FGM has ever been convicted of the crime. The high incidence of FGM is likely an underlying factor in the high rate of infant and maternal mortality observed in Guinea. However, some evidence suggests that the practice of FGM is on the decline.

Guinea does not appear to be a country of concern in relation to missing women.

Ownership rights

Guinean legislation on ownership rights is quite favourable to women. However, tradition prohibits women from having access to land even though the land law grants equal rights to women and men. Women are entitled to hold land only on a usufruct basis, which authorises them to work family-owned land and draw a wage.

The Guinean Constitution guarantees men and women equal access to property other than land and, at the time of marriage, spouses can establish a contract specifying the division of ownership. The law also guarantees equal rights and responsibilities for men and women in the area of economic activity, but some marriage contracts restrict women's ability to exercise their rights. Access to bank loans is difficult for Guinean women, particularly in rural areas, mainly because they are unable to meet the conditions set by commercial banks. As a result, traditional tontines remain the main source of ready cash for women.

Civil liberties

The civil liberties of Guinean women are not fully guaranteed. Freedom of movement within the national territory is a constitutional right, but married women are not entitled to choose their place of residence: this is the husband's right as head of the household. There are no reported restrictions on women's freedom of dress.

Guinea-Bissau

Population	1 694 653
Female population (as % of total population)	50.6
Women's life expectancy (in years)	47.9
Men's life expectancy (in years)	44.9
Fertility rate (average births per female)	7.1



The Constitution and legislation of Guinea-Bissau prohibit all forms of discrimination on the grounds of gender, race or religion. In practice, the government is not in a position to enforce the principle of non-discrimination, and violence and discrimination against women remain serious problems. Traditionally, women do most of the agricultural work, but in certain ethnic groups, they do not have access to land or property.

Family code

The Family Code of Guinea-Bissau is known to discriminate against women in various ways. The government reports that it is undertaking a review of the code, but has not provided any information on the content of the reform.

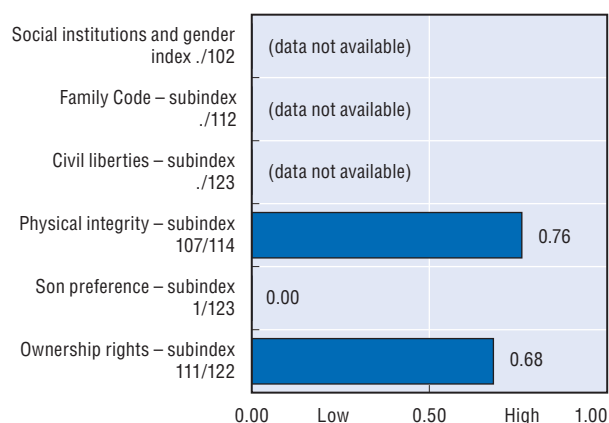
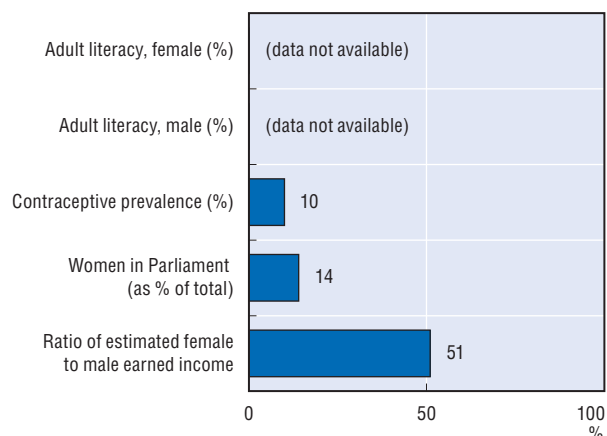
The legal age of marriage in Guinea-Bissau is 14 years for women and 16 years for men. Though precise statistics are not available, early marriage appears very frequently and it is not uncommon to see girls married at the age of 13 or 14 years.

Polygamy is a common practice. In 1994, the World Bank estimated that nearly one-third of households in Guinea-Bissau were polygamous. It is difficult to ascertain the extent to which the practice is accepted by society in general.

In Guinea-Bissau, parental authority belongs to the head of the family, typically the father. In regard to inheritance, the customary laws that govern some ethnic groups are discriminatory in that they prohibit women from inheriting property. Land is handed down from father to son or from the eldest to the youngest brother.

Physical integrity

The physical integrity of women is not sufficiently protected in Guinea-Bissau and violence against women is commonplace (including domestic abuse, rape, incest and other forms of violence). In the absence of any legislation to prohibit it, domestic violence is widespread and often considered an acceptable means of settling family disputes; thus, the police are unlikely to intervene if called. Moreover, the authorities have not yet taken steps to address the social pressure that prevents victims of violence from filing complaints. Rape is a criminal offence, but a lack of resources makes it difficult to apply the legislation.

SIGI ranking**Select indicators of gender equality**

Female genital mutilation or fanado is common in Guinea-Bissau. The World Health Organisation estimates that half of women in Guinea-Bissau have been subjected to FGM and the percentage rises from 70% to 80% in the Fula and Mandigue communities living in rural regions. All Muslim women in Guinea-Bissau are thought to have undergone some form of the procedure. A 2003 United Nations report estimated that 20% to 30% of women in urban areas had been subjected to the practice.

In the mid-1990s, the government of Guinea-Bissau established a National Committee against Harmful Practices to run a national awareness campaign about FGM. Five years later (1995), parliament rejected a law that would have prohibited the practice. But some progress is reported: parliament has since adopted a bill that criminalises FGM if the woman dies from the procedure and is now in the process of adopting a new law (proposed in 2001) that would penalise FGM. There is no evidence to suggest that Guinea-Bissau is a country of concern in relation to missing women.

Ownership rights

Several factors undermine women's ownership rights in Guinea-Bissau. In certain ethnic groups, women have no access to land, largely because of discriminatory customary laws relating to inheritance. Women's access to property other than land and their access to bank loans are also heavily restricted in that, as heads of households, men hold sole authority over most family matters.

Civil liberties

Very little information is available about the civil liberties of women in Guinea-Bissau, thus, it is not clear whether they have freedom of movement. There are no reported restrictions on their freedom of dress.

Kenya

Population	37 530 726
Female population (as % of total population)	50.2
Women's life expectancy (in years)	55.2
Men's life expectancy (in years)	53.0
Fertility rate (average births per female)	5.0



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Kenya is characterised by the co-existence of several institutional frameworks. Unofficial “family codes” and ownership rights vary substantially between three main groups: the Muslim population, traditional society and modern society. In some cases, a given couple may belong to two of these societies. For example, a customary marriage may be followed by a statutory marriage, thereby creating conflicts in relation to the rights and obligations of each spouse. Moreover, some judges do not respect modern institutions, which impacts negatively on the situation of women.

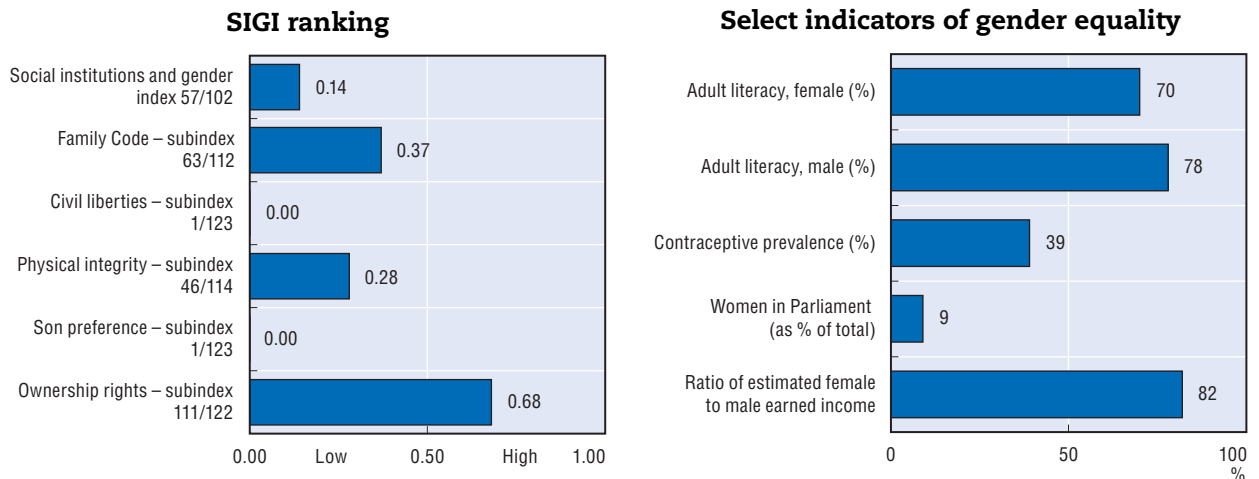
Family code

The government of Kenya sets the minimum age for statutory marriage at 16 years for women and men. However, there is no such limit for Muslim or customary marriages. A 2004 United Nations report estimated that 17% of girls between 15 and 19 years of age were married, divorced or widowed.

Polygamy is forbidden in statutory marriages, but allowed in Muslim and customary marriages (an estimated 60% of total marriages). In the event of divorce, only statutory marriage requires that couples follow legal procedures and provides any degree of equality for women. Repudiation is permissible for Muslim and customary marriages, both of which allow husbands to end the union without following official divorce procedures.

Statutory marriage stipulates that parental authority be equally shared by men and women. However, Muslim and customary marriages are discriminatory in this matter. Following divorce in statutory marriage, mothers typically maintain custody of children until the age of 16 years. In the case of Muslim families, young children usually stay with the mother, but the father is awarded custody of sons older than 7 years and daughters older than 14 years. Custody is almost always awarded to the father when a customary marriage ends in divorce.

In 1991, Kenya established an inheritance law that enforces equality between men and women, but it is not applied to all citizens and some judges do not respect the law. For example, judges sometimes rule that married daughters are ineligible to inherit or, in cases in which the heirs are in dispute, they may transfer the issue to an elder’s council that follows discriminatory customs. Islamic law is discriminatory in that daughters typically inherit only half of the share to which sons are entitled.



Physical integrity

The Constitution officially provides equal protection against threats to physical integrity for all citizens. However, violence against women remains an issue. There is no specific law against such violence, which is generally accepted by public opinion. Women are frequently beaten by their husbands, and sexual acts with very young girls (less than 14 years of age) and spousal rape are not recognised as criminal acts. The police and the justice system rarely prosecute other cases of rape.

The government of Kenya forbids female genital mutilation in public hospitals and the health minister is taking steps to eradicate this practice altogether. However, FGM is far from being eliminated. It is estimated that about 40% of women have undergone FGM; the figure may be lower in urban areas but is much higher in some rural regions.

There is no evidence to suggest that Kenya is a country of concern in relation to missing women.

Ownership rights

The Constitution guarantees equality of ownership rights for all Kenyan citizens. Women are free to buy, own and sell assets as they choose. However, in practice women's access to land and access to property other than land are severely restricted by custom, which essentially prohibits women from owning land. In fact, women only own 4% of land in Kenya. Even when women are able to acquire assets, their husbands often act as intermediaries in the transaction.

This situation also has negative implications for women's access to bank loans. Since they rarely have assets of their own, Kenyan women cannot provide the collateral required by lending institutions. These constraints to ownership and borrowing are more prevalent amongst women in Kenya's lower class and less common for middle or upper class women.

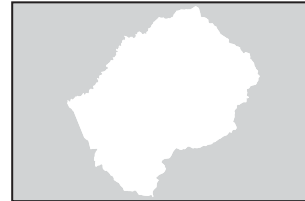
Civil liberties

There are no legal constraints on women's freedom of movement in Kenya. However, cases are reported of husbands refusing to let their wives travel or visit friends.

Freedom of dress is generally well respected.

Lesotho

Population	2 005 826
Female population (as % of total population)	53.1
Women's life expectancy (in years)	42.3
Men's life expectancy (in years)	42.9
Fertility rate (average births per female)	3.4



The Kingdom of Lesotho is an enclave within South Africa. Its Constitution, amended in 1993, grants civil and political rights to all individuals but also recognises customary law and, thus, continues to uphold discrimination in some areas. In fact, Lesotho has a dual legal system, incorporating both civil and customary law.

According to customary law, women are legal minors who are dependent on men throughout their lives. This significantly limits women's rights in several areas, particularly in regard to inheritance and ownership.

The economic situation in Lesotho also affects women. Job opportunities are very limited and nearly half of the mainly male labour force works in South Africa. As a result, women effectively head a large proportion of households.

Family code

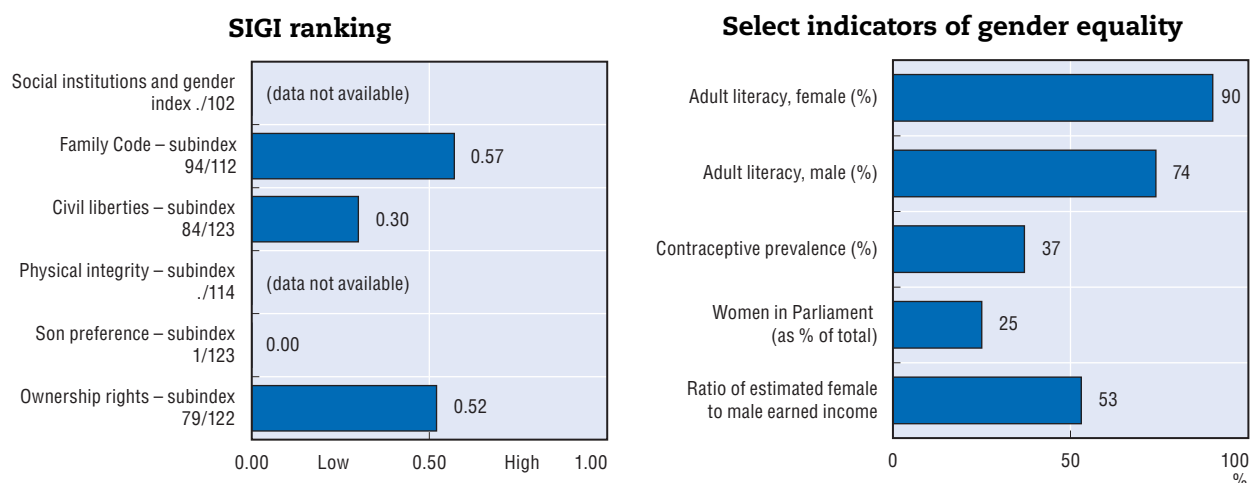
Women in Lesotho have a highly disadvantaged position within the family. A 2004 United Nations report estimated that 18% of girls between 15 and 19 years of age were married, divorced or widowed. In contrast to trends in nearby countries, the average age of first marriage for women in Lesotho appears to be static and may even be dropping. Polygamy is legal in Lesotho, but it is practised by only a very small proportion of the population.

In keeping with highly patriarchal traditions, husbands in Lesotho are regarded as the head of the family and have the sole right to exercise parental authority. In the event of divorce, custody of the children is granted to the father. If a father dies, parental authority reverts to his family, not to the children's mother.

According to the customary law on inheritance, married women have no right to inherit the goods and property acquired by the couple. The estate passes to the eldest son of the husband's first wife. The situation of daughters is not known, but it is likely that the same discrimination applies.

Physical integrity

The physical integrity of women in Lesotho is not sufficiently protected. Violence against women appears to be common, although no statistics are available. Traditionally, a woman who is sexually abused by her husband can return to her parent's home. Civil law recognises domestic violence as a criminal act, but there have been very few convictions.



Punishments vary according to the severity of the violence, and often depend on the judge's assessment of the case. In recent years, domestic violence has become less socially acceptable, largely due to awareness-raising programmes and actions undertaken by NGOs. The law also prohibits rape, including spousal rape, and provides for a minimum sentence of five years in prison, which cannot be replaced by a fine.

Female genital mutilation is practised in Lesotho, but no information is available about its prevalence or whether there is specific legislation forbidding it. Lesotho does not appear to be a country of concern in relation to missing women.

Ownership rights

Lesotho's civil legislation on property ownership provides for equal rights for men and women, but customary law limits women's ability to exercise these rights.

Access to land is still largely determined by customary law, which states that men alone have ownership rights. In 2006, the government passed a civil law that aimed to eliminate the discrimination currently imposed upon married women through customary law; to date, the new law has had little effect.

The situation is equally discriminatory in regard to access to property other than land. Marriage under customary law gives men full rights to manage their spouses' property, but prohibits married women from entering into any type of contract without the prior consent of their husbands. Under the civil law, women in Lesotho have the right to access to bank loans. But women who have married under customary law must obtain consent from their husbands before applying for loans. Because land is often required as security, women's limited access to land effectively restricts their access to loans.

Civil liberties

Women's civil liberties in Lesotho are highly restricted by tradition, particularly in relation to their freedom of movement and their ability to travel abroad. Women married under customary law cannot obtain a passport without the consent of their husband. There are no reported restrictions on women's freedom of dress in Lesotho.

Liberia

Population	3 713 868
Female population (as % of total population)	50.0
Women's life expectancy (in years)	46.6
Men's life expectancy (in years)	44.8
Fertility rate (average births per female)	5.2



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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In 2005, Liberia became the first African country to elect a woman, Ellen Johnson-Sirleaf, as president.

The Constitution of Liberia prohibits discrimination. In 2001, the government created a Ministry for Gender and Development and in 2006 published a National Gender-Based Violence Plan of Action. In 2009 the government also published “The Liberia National Action Plan for the Implementation of United Nations Security Council Resolution 1325”. Liberia is one of the first African countries to write this four year plan to advance women’s equality and mainstream gender in the country. Currently, the position of women in Liberia varies according to region, ethnic group and religion. Customary laws are a major contributing factor to inequality: women who are married according to these laws are considered to be legal minors. The civil war and widespread sexual violence that ravaged Liberia has also had grave consequences for women.

Family code

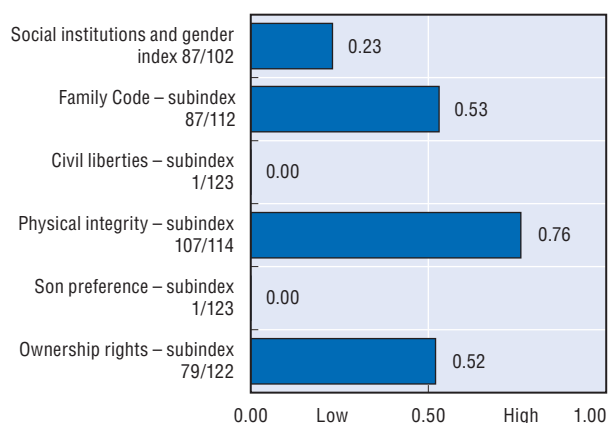
Liberia’s Family Code grants very few rights to women. The new law on family relationships sets the minimum legal age for marriage at 18 years for women and 21 years for men. In reality, the custom of early marriage is very widespread, especially in rural areas, where girls marry from the age of just 12 or 13 years. A 2004 United Nations report estimated that 36% of girls between 15 and 19 years of age were married, divorced or widowed.

Liberia’s civil law prohibits polygamy but customary law allows men to have several wives. More than one-third of married women between 15 and 49 years of age live in polygamous marriages.

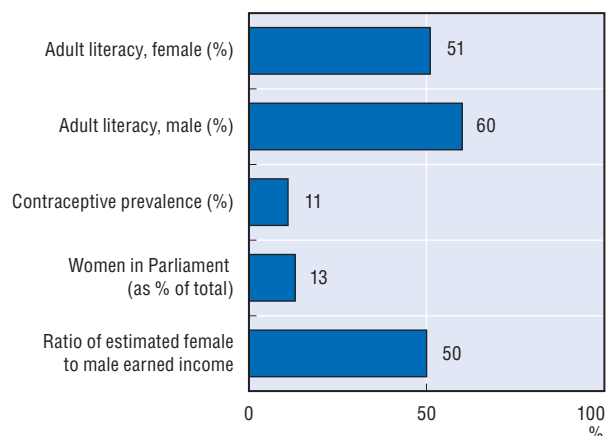
According to customary law, married women have no right to parental authority. In fact, if a woman’s husband dies, she has no right to custody of their children. The government passed a new civil law recognising shared child custody, but in the matter of parental responsibility it appears that discrimination against women persists.

Under Liberia’s civil law on inheritance, married women can inherit land and property. By contrast, women married under customary law cannot inherit from their spouses.

SIGI ranking



Select indicators of gender equality



Physical integrity

Women's physical integrity is not sufficiently protected in Liberia. Violence against women is common despite the fact that Liberian law prohibits domestic violence. In 2006, the government promulgated a new law that broadens the definition of rape and recognises spousal rape as a crime. Rape is now punishable by law. Women have paid a high price in the civil conflicts in Liberia, during which rape was used extensively as a weapon of war. However, both of the government's Action Plans do address these issues. FGM is, reportedly, quite common particularly among ethnic groups in the north, west and centre of the country. The civil war destabilised life in the villages and led to a decrease in FGM at the end of the 1990s, but the practice resurfaced recently in many communities. About half of Liberia's female population has been subjected to FGM.

Ownership rights

Liberian legislation grants equal ownership rights to men and women regarding access to land, access to property other than land and access to bank loans. However, in practice, there is significant discrimination against women, particularly when they have married under customary law.

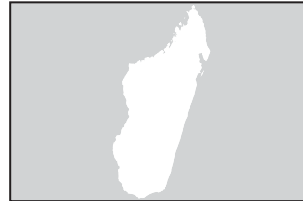
Civil liberties

Liberian women's civil liberties are guaranteed by law, but have been severely restricted as a result of the civil war, which led to widespread population movement. Women and children comprise the majority of people living in camps for the displaced.

Aside from this situation of vulnerability, there are no reported restrictions on women's freedom of movement or freedom of dress.

Madagascar

Population	19 669 953
Female population (as % of total population)	50.3
Women's life expectancy (in years)	61.3
Men's life expectancy (in years)	57.7
Fertility rate (average births per female)	4.8



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Constitution of Madagascar prohibits any discrimination on grounds of gender and grants women the same legal status as men. Though, reportedly, discrimination still exists in relation to inheriting land and property. Early marriage is common and there is widespread violence against women.

Family code

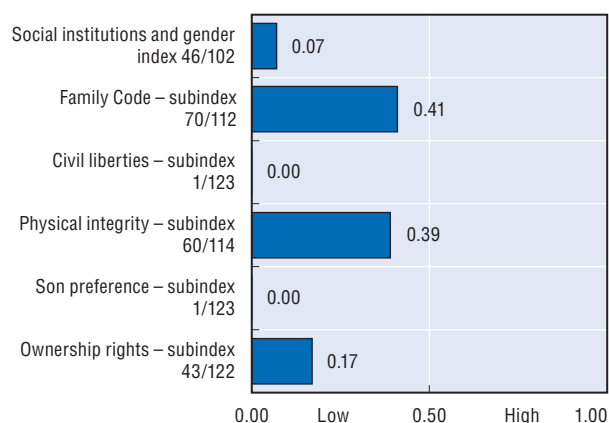
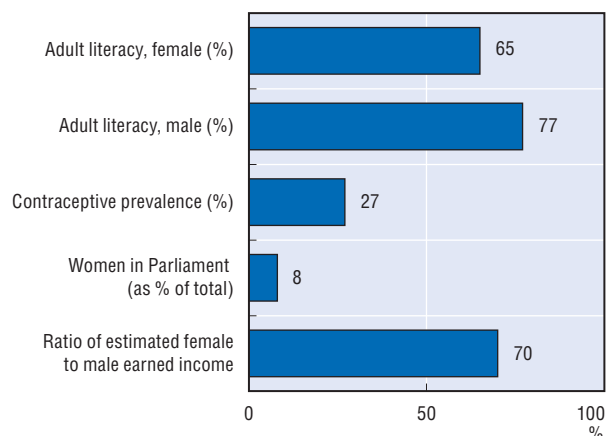
Madagascar's Family Code offers a low level of protection for women in relation to family matters. The legal minimum age for marriage is 14 years for women and 17 years for men. A woman's consent to marry is required once she is over the age of 18, but the parents' agreement suffices for younger women. Early marriage is common and, in some provinces, is very widespread. A 2004 United Nations report estimated that 34% of girls between 15 and 19 years of age were married, divorced or widowed.

Polygamy is prohibited by law in Madagascar, and is punishable by imprisonment. It still persists in some regions, but only among a small proportion of the population. The family code states that the father is the head of the family and is entitled to exercise parental authority. In effect, men have more power than women to make decisions affecting their children.

The law on inheritance stipulates that widows with children inherit half of the couple's joint property. If the family is childless, the inheritance rights of surviving relatives in the husband's family take precedence over those of the widow. Inequalities prevail in regard to women's rights to inherit land and property.

Physical integrity

The physical integrity of women is not sufficiently protected in Madagascar. The police and other authorities generally intervene in cases of domestic violence, but only if the victim lodges a complaint – and most do not. Women who are physically abused by their husbands can exercise a traditional Malagasy right, the *misintaka*, which allows them to leave the marital home without their husband's permission and return to their family. Female genital mutilation is not a common practice in Madagascar.

SIGI ranking**Select indicators of gender equality****Ownership rights**

The law in Madagascar upholds women's rights to ownership and there are no legal restrictions on women's access to land. There is relatively little social discrimination against women in urban areas. Many of them own and operate their own businesses, or occupy senior positions in companies. Patriarchal traditions, however, impede women's ability to exercise ownership rights in some regions. For example, on the island's east coast, women have the right to use land, but not to own it.

The law guarantees women's access to property other than land. They can manage their own property without their husband's agreement, whether it was acquired before or during the marriage. Generally, both spouses have equal access to property acquired during the marriage, but the husband typically manages the couple's joint property. Couples can opt for the traditional system known as *Kitay delo an-dalana*, which gives two-thirds of the property to the husband and one-third to the wife, or keep their property separate.

Women have access to bank loans without their husband's permission.

Civil liberties

The civil liberties of women in Madagascar are well respected and women appear to have freedom of movement and freedom of dress.

Malawi

Population	13 920 062
Female population (as % of total population)	50.4
Women's life expectancy (in years)	48.4
Men's life expectancy (in years)	48.1
Fertility rate (average births per female)	5.6



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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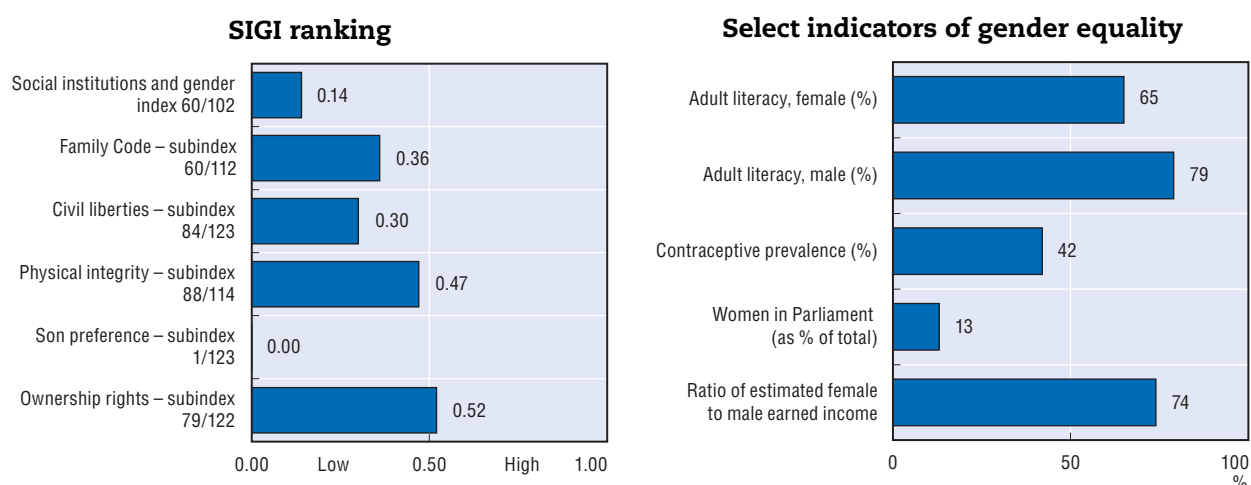
The Constitution of Malawi upholds the principle of equal rights for men. After the Constitution was adopted in 1994, the government established a Law Commission to assess whether existing legislation was compatible with the aims of the Constitution. Malawi has been profoundly modernised since it embraced democracy in 1994, yet it remains a very traditional society. There is a wide discrepancy between the declarations in the Constitution and the actual relationship between men and women, and customary law acts as a norm in the socialisation process. The country's media contributes to the wide-ranging debate on these questions.

Family code

Depending on the customs practised, provisions in the Malawian Family Code can be discriminatory against women. This is particularly true in the case of early marriage, the incidence of which is very high throughout the country. A 2004 United Nations report estimated that 37% of girls between 15 and 19 years of age were married, divorced or widowed. The Law Commission produced a bill that would increase the minimum legal age of marriage to 18 years. The law on the rape of minors prohibits sexual relations with girls under the age of 13, whatever the form of marriage. The existing law on civil marriage provides for annulment only in the case that one spouse is under the age of 15 years. In reality, very few marriages are contracted under this law.

Polygamy is prohibited by the Malawian Penal Code, yet is estimated to affect one-fifth of married women. The law on civil marriage is based on the former British legal system, in which marriage is monogamous, but the predominant form of marriage in Malawi is based on African customary law, which allows polygamy.

In Malawi, husbands and wives share parental authority and have joint child custody rights. When couples are not married, the mother has parental authority and custody rights. In terms of inheritance rights, a law passed in 1998 sought to strengthen widows' rights: the law awards half the deceased's assets to his wife if the couple were married under the matrilineal system, but only two-fifths if they married under the patrilineal system. No information is available regarding the inheritance rights of daughters.



Physical integrity

The physical integrity of women in Malawi is not sufficiently protected. Violence against women is common and appears to have increased in recent years. Domestic violence is considered acceptable according to customary law, which allows men to exercise their authority within the household. A law against domestic violence is being discussed which would improve the situation for victims by introducing protection orders and fines. Spousal rape is not explicitly recognised in Malawi's legislation. There is a national strategy in place to combat violence against women and society is starting to become aware of the problem.

As many as one woman in five in Malawi has been subjected to female genital mutilation. To date, the government has taken no action against the practice. There is no evidence to suggest that Malawi is a country of concern in relation to missing women.

Ownership rights

In principle, the Constitution recognises equal ownership rights for men and women. In practice, women face wide-ranging discrimination in relation to property ownership. Their access to land typically derives only through men, and they encounter problems in relation to access to property other than land because of their lack of resources and *de facto* discrimination.

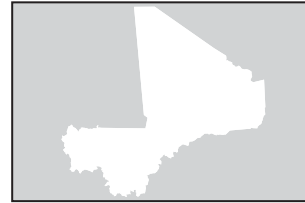
Women's access to bank loans has improved in recent years, thanks to the development of specific micro-credit programmes. Women in rural areas still face obstacles obtaining credit because of the requirement to provide security. Even though it is illegal, many financial institutions continue to ask women to provide a man as a guarantor.

Civil liberties

The civil liberties of Malawian women are protected by law, but remain restricted by tradition. Legally, women have guaranteed freedom of movement within Malawi and the freedom to leave the country. An increasing number of women exercise this right, but male family members still sometimes try to control their movements. There are no reported restrictions on Malawian women's freedom of dress.

Mali

Population	12 334 168
Female population (as % of total population)	51.3
Women's life expectancy (in years)	56.6
Men's life expectancy (in years)	52.1
Fertility rate (average births per female)	6.5



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Women's rights are very limited in Mali, where tradition dominates daily life. Nearly all Malian women have been subjected to female genital mutilation, violence against women is widely accepted and many girls marry at a very young age.

Family code

Malian women have a very low level of protection within the family. The legal minimum age for women to marry is 15 years, but they can be married at a younger age with a judge's permission. The law is often disregarded and the incidence of early marriage is extremely high. A 2004 United Nations report estimated that 50% of girls between 15 and 19 years of age were married, divorced or widowed; some were even married at the very young ages of 9 or 10 years. A legislative bill that proposed increasing the legal age for marriage to 18 years was rejected. There seems to be no impetus within public opinion, NGOs or the government to take serious action to combat the practice.

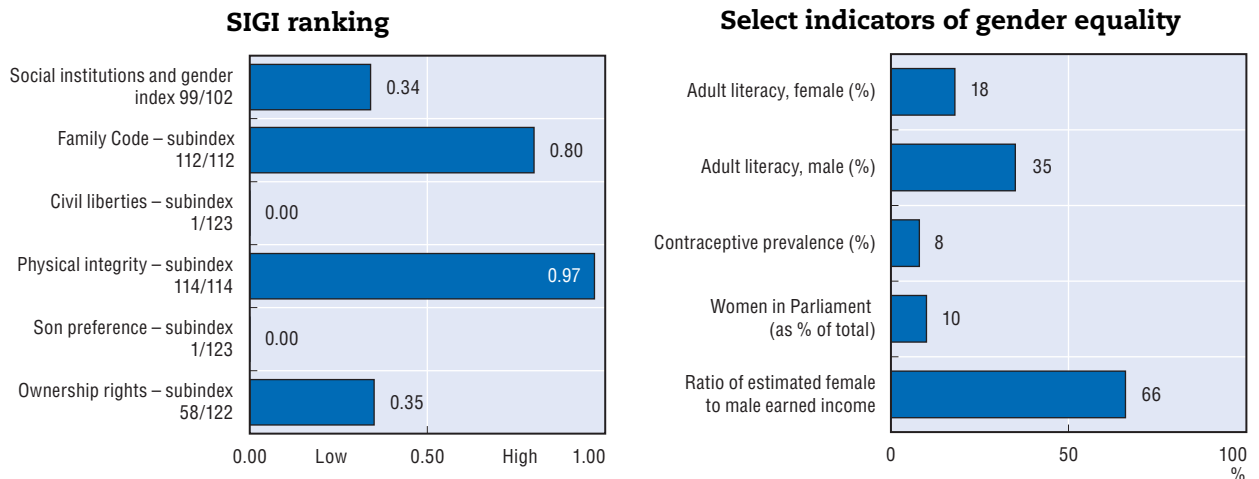
Polygamy is legal according to Mali's Marriage Code and under Islam, the religion practised by most of the population. Just under half of Malian women live in polygamous households; the percentage is higher in rural areas than in urban society.

In Mali, husbands are the heads of families and the Civil Code grants them sole family and parental authority. They decide where the family will live and their wives are obliged to obey. Legally, either spouse may petition for divorce, but in rural areas women rarely initiate proceedings because of strong social pressure.

Inheritance is governed primarily by Islamic law, which discriminates against women. Daughters, for example, are entitled to receive only half the share received by sons. Certain ethnic groups view the wife as part of the inheritance, and oblige her to marry a brother of her deceased husband, who then receives all of the estate.

Physical integrity

The physical integrity of Malian women is not respected. There is no specific law to address violence against women or, more specifically, domestic violence. There is a high level of tolerance for violence against women in Malian society.



Most women in Mali have been subjected to female genital mutilation. The practice persists in both rural and urban areas, but is less prevalent amongst two ethnic groups living in the regions of Timbuktu and Gao. There is a small difference related to education: illiterate women are somewhat more likely to have been subjected to FGM than those who have secondary education. To date, the government has not put forward any legislation to prohibit FGM. Its actions have been limited to information programmes, seminars and lectures that provide a forum for discussion of proposals to end the practice. Legislative action is envisaged for the future.

Ownership rights

Malian women have legal rights to property ownership, but these rights are often restricted in practice. Legally, women and men have the same access to land and the government has launched several publicly funded agricultural development projects allowing women to access land on the same basis as men. In reality, according to tradition, women are entitled only to the less fertile land and often obtain a life interest in its use (not its ownership).

Women have the right to access property other than land. However, their independent actions – purchasing a house, for example – can lead to family conflict if the husband has not agreed to the action.

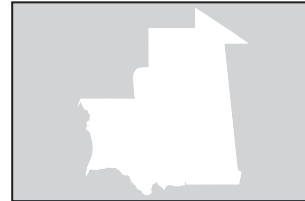
Over the past 20 years, women's access to bank loans has improved. Previous limitations associated with their very low incomes and inability to provide security have eased thanks to a micro-credit development programme launched in 1994. Malian women now have access to hundreds of associations that offer mutual credit, independently managed village savings schemes and short-term loans.

Civil liberties

Malian women can face restrictions in the exercise of their civil liberties. Their freedom of movement is limited as they are obliged to follow their husbands. The Malian Civil Code stipulates that a woman cannot embark on a commercial business without her husband's agreement. Freedom of dress exists to some degree, but there is an increasing obligation on women to wear the veil because of pressure from Muslim fundamentalists.

Mauritania

Population	3 120 981
Female population (as % of total population)	49.4
Women's life expectancy (in years)	66.0
Men's life expectancy (in years)	62.4
Fertility rate (average births per female)	4.4



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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In general, the rights of women in Mauritania are not sufficiently protected. The country is home to two main ethnic communities: the majority Moors (Arabs and Berbers) and a large minority of Blacks. Nearly all the inhabitants of Mauritania are Muslim, but tensions exist between the two communities. Moreover, each group has different traditions that affect the condition of women in different areas of daily life. Thus, it is helpful to examine the position of women according to their ethnic origin.

Family code

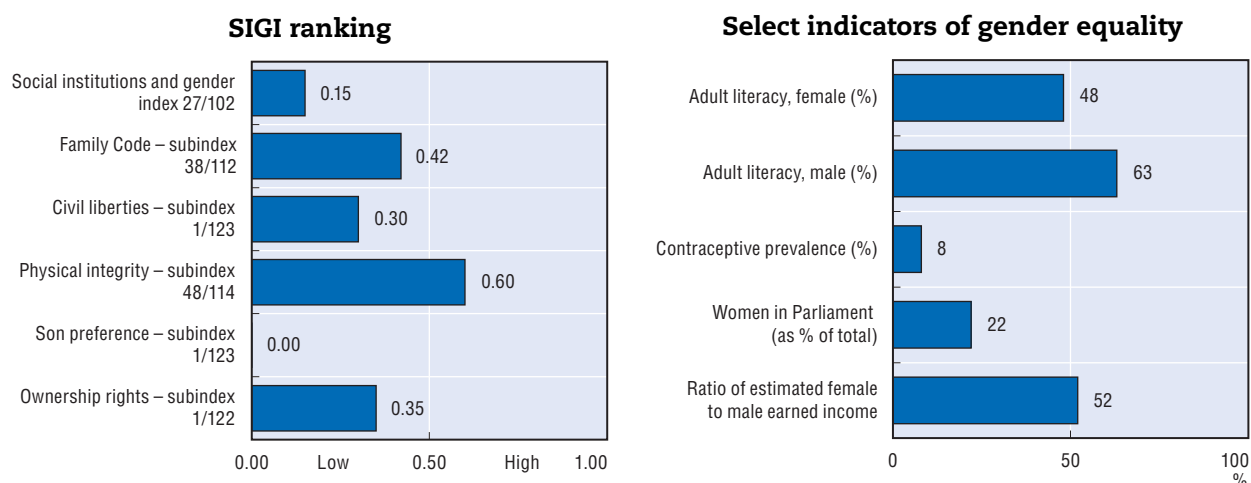
The level of protection of Mauritanian women within the family is unclear. By law, marriage in Mauritania requires the free consent of both parties, and the minimum legal age of marriage is 18 years for both men and women. However, arranged marriages and early marriage do occur (mostly within the Black community) although their frequency is diminishing. A 2004 United Nations report estimated that 28% of girls were married, divorced or widowed.

Following Islamic law, polygamy is legal in Mauritania. It is especially common within the Black population. Once married, women can ask their husbands not to enter into a second union. In Mauritania, the husband is considered to be the head of the household and holds parental authority; however, both parents are responsible for their children's primary education. In the event of divorce, the law usually awards custody to the mother.

The law in Mauritania establishes the inalienable inheritance rights of women. However, following Sharia law their share is usually less than that to which men are entitled. Daughters, for example, inherit only half of the shares acquired by sons.

Physical integrity

The physical integrity of Mauritanian women is not sufficiently protected. Violence against women exists in various forms, some of which are specific to one or the other ethnic group. Women are legally protected against physical violence inflicted by their husbands, but if abuse occurs, they are more likely to seek assistance from their families rather than calling the police. In keeping with deep-rooted Arab traditions that prize excess weight as an image of female beauty, families in the Moorish community are known to



force-feed their daughters. The practice has become so problematic that the government frequently runs media campaigns against it. It is estimated that nearly 25% of young girls are still subjected to this abuse, whereas past figures were as high as 50%.

Female genital mutilation is very prevalent in Mauritania. An estimated 75% of women have undergone some form of FGM, most of them quite severe; less than one-sixth of cases are a “symbolic” single cut. The highest rates of FGM are found in the country’s southeast region and amongst illiterate women.

At present, there is no evidence that the practice is in decline; the percentage of women affected is the same across all age groups. The medical profession and several NGOs have joined the government’s effort to raise awareness of the dangers of FGM and education is proving valuable. Nearly half of the women in northern Mauritania say they have no intention of subjecting their daughters to the practice.

There is no evidence to suggest that Mauritania is a country of concern in relation to missing women.

Ownership rights

The government has taken steps to improve the ownership rights of women in Mauritania, but this progress remains fragile. In the south, many women have access to land. The Constitution guarantees women the right to access to property other than land, and many women own and manage commercial or craft enterprises. In recent years, the State created mutual savings and micro-credit establishments, thereby facilitating women’s access to bank loans.

Civil liberties

Overall, women’s civil liberties seem less restricted than in the past. Legally, women have a certain degree of freedom of movement, but it may be limited by tradition. In general, married women are free to work without their husband’s consent, and some of them work with jobs in the import/export business that require frequent travel both within and outside the country. Women’s freedom of dress is determined by Sharia law. The Moor community frequently enforces the veil, which is worn by about half of Moorish women. The Black community follows customary practices, which allow a more liberal approach to dress.

Mauritius

Population	1 260 692
Female population (as % of total population)	50.4
Women's life expectancy (in years)	75.9
Men's life expectancy (in years)	69.1
Fertility rate (average births per female)	1.7



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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In 1995, the Constitution of Mauritius was amended to include gender in the definition of discrimination. In addition, the government adopted in 2000 a law against sexual discrimination. All citizens are equal under Mauritian legislation, but the society remains firmly rooted in traditional practices.

Approximately 17% of the population of Mauritius is Muslim; family life within this community is governed by Sharia law.

Family code

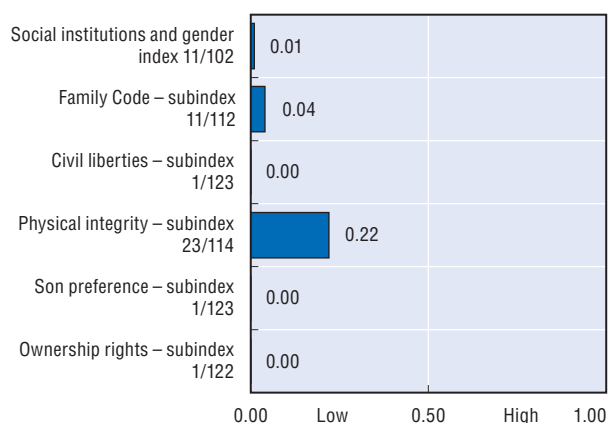
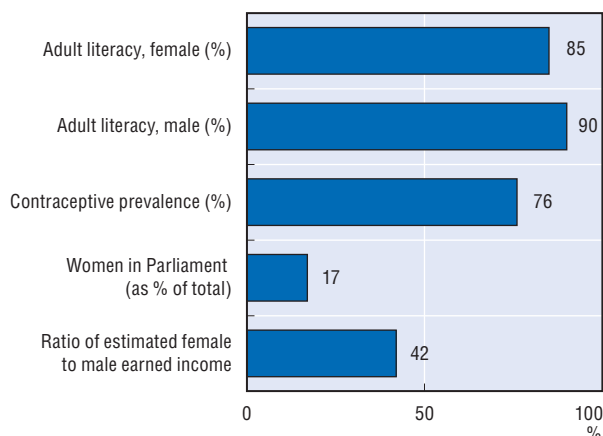
The Mauritian Family Code is generally favourable to women. The minimum legal age of marriage is 18 years for both men and women. According to statistics gathered by the CEDAW Committee, early marriage is not frequent. The average age for first marriage is 23.8 years for women and 28.3 years for men. However, a 2004 United Nations report estimated that 11% of girls between 15 and 19 years of age were married, divorced or widowed.

Polygamy is neither legally recognised nor a common practice in Mauritius, but it is authorised by “personal Muslim laws”, which permit men to have up to four wives.

The Mauritian Civil Code provides both spouses with the same rights and obligations in regard to parental authority, but in practice the husband is considered to be the head of the family. If one spouse dies, the surviving spouse is automatically granted child custody. In the event of divorce, children are usually entrusted to the mother, who receives child support from the father. Mauritian women have the same rights as men in regard to inheritance, and there are no reported restrictions on their right to inherit land or property. Widows and widowers inherit the property of the deceased spouse, whatever the circumstances, even if the deceased did not leave a written will. There are no legal or customary restrictions that favour male heirs over females.

Physical integrity

In 1997, the government adopted a law against domestic violence in a programme that began in 2005 and runs until 2010. The government has endeavoured to strengthen the application of this law, but these measures, half of Mauritian women report having been victims of physical violence. Many women are financially dependent on their husbands, and opt to remain silent about violence rather than run the risk of not being able to support

SIGI ranking**Select indicators of gender equality**

their families independently. In 2003, the government adopted a law to combat sexual violence, which increased the penalties for offenders. When reporting sexual violence, victims must undergo a medical examination before gaining access to appropriate agencies for psychological assistance. Spousal rape is not an offence under Mauritian law.

There is no evidence to suggest that female genital mutilation is a common practice in Mauritius, nor is it a country of concern in relation to missing women.

Ownership rights

There does not appear to be any discrimination against Mauritian women in regard to ownership rights. Women have the same capacity as men to enter into contracts and they can administer property in their own name without their husbands' authorisation or interference. Marriages under the community of property regime are governed by specific measures, but these concern men more than women and mutual consent is necessary only for certain operations.

Mauritian women are entitled to access to land and are able to buy, hold and sell land either independently or jointly with men. There are no reported restrictions to their access to property other than land.

There are no indications that Mauritian women face discrimination in regards to access to bank loans, but in a marriage under the community of property regime, either spouse must have their partner's consent to obtain a loan.

Civil liberties

Men and women have equal civil rights in Mauritius. The law guarantees freedom of movement for women and they are free to obtain a passport and travel without their husbands' consent. It is often the case that the husband owns the marital home, but married women are at liberty to choose where they live. There are no restrictions on Mauritian women's freedom of dress.

Mozambique

Population	21 372 202
Female population (as % of total population)	51.6
Women's life expectancy (in years)	42.4
Men's life expectancy (in years)	41.7
Fertility rate (average births per female)	5.1



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The 1999 Constitution of Mozambique upholds the principle of equality between men and women in every aspect of the country's economic, social, political and cultural life. The state endeavours to promote the emancipation of women and improve their situation. Customary laws are still discriminatory, however, particularly with regard to family relations and inheritance. The government has established a legal reform commission to review discriminatory legislation.

Family code

Overall, the Mozambican Family Code offers little protection to women. A Family Law was adopted in 2004, which set the minimum legal age for marriage at 18 years for both men and women. Exceptionally, marriage can be authorised from the age of 16 years, with consent of the parents or legal representatives. Nevertheless, the incidence of early marriage is extremely high in Mozambique: a 2004 United Nations report estimated that 47% of girls between 15 and 19 years of age were married, divorced or widowed.

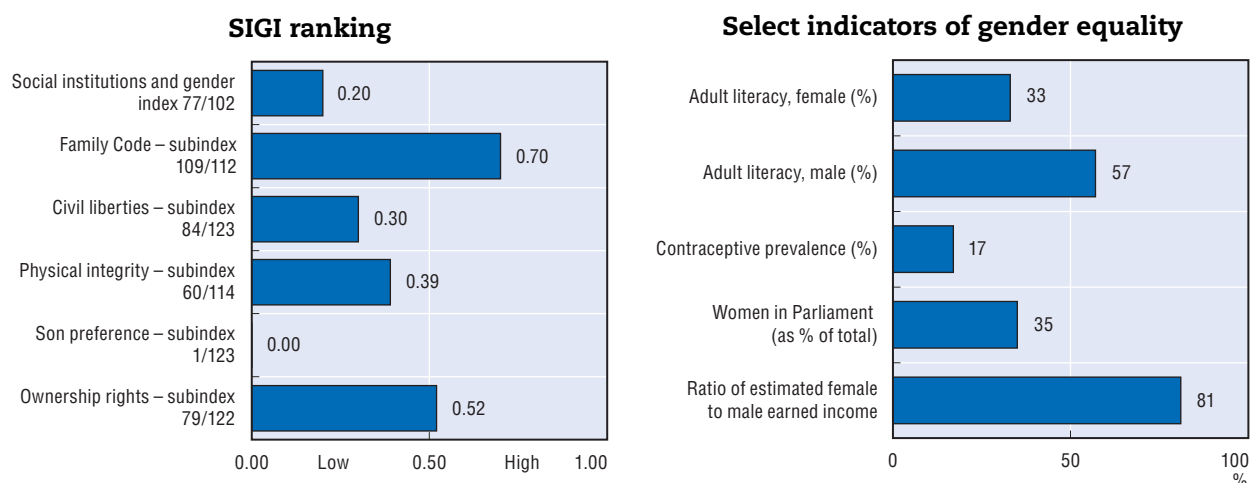
Polygamy is prohibited by Mozambican law, but the family code contains no penal measures to prevent it. Polygamous unions are a common customary practice and are socially acceptable, especially in rural areas.

The 2004 Family Law authorises women to represent their families in legal matters. In practice, parental authority in Mozambique is contingent on how the family traces its descent. According to patrilineal customs, children "belong" to the father and his family; in a matrilineal system, they "belong" to the mother and her family.

With regard to inheritance, widows married under the "community of property" regime have the right to inherit half of the property acquired during marriage. However some sources report that in reality, women rarely exercise this right due to a serious lack of information.

Physical integrity

Women's physical integrity is not sufficiently protected in Mozambique and violence against women is a serious problem. In 2009, the government passed a new law against all forms of domestic violence. Women are frequently victims of physical abuse, including rape. Social pressures exacerbate the problem by making it difficult for women to press charges. Rape is legally punishable in Mozambique: penal sanctions include prison



sentences of 2 to 8 years for the rape of a person over 12 years old. If the victim is under 12 years of age, the penalties are more severe – typically between 8 and 12 years. The law does not recognise spousal rape.

Female genital mutilation is not a common practice in Mozambique, and there is no evidence to suggest it is a country of concern in relation to missing women.

Ownership rights

The ownership rights of Mozambican women are restricted on a number of levels. Married women cannot sign contracts without their husbands' consent and husbands are considered to be the sole administrators of any joint property acquired during marriage.

Women's access to land in Mozambique is governed by two different systems: the traditional system effectively limits women to the right to use land and specify that this right is acquired only through marriage; the state system reflects the 1991 Constitution and the 1997 Land Law, which stipulates that land belongs to the state but grants men and women equal rights to use it. In practice, women are excluded because a couple's assets belong to the husband.

By law, women who are single, divorced and widowed have the same rights as men in relation to access to property other than land. If married under the community of property regime, women must obtain the consent of their husbands when acquiring or managing such assets, and in theory, husbands must reciprocate. In practice, this consent is requested only when women are attempting to acquire a property. In many cases, it is requested even of women who did not marry under the community of property regime.

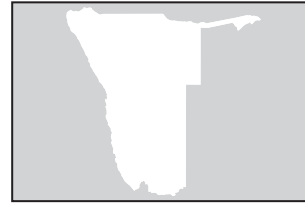
Mozambican women frequently encounter problems gaining access to bank loans, partly because of a lack of information and partly because they are unable to meet the conditions enforced by financial institutions.

Civil liberties

Freedom of movement of women in Mozambique is severely restricted in several ways. Married women are prohibited from travelling alone with their children unless they have prior consent from their husbands. In addition, they must agree to live in their husbands' place of residence. There are no reported restrictions on Mozambican women's freedom of dress.

Namibia

Population	2 080 083
Female population (as % of total population)	50.7
Women's life expectancy (in years)	53.1
Men's life expectancy (in years)	52.5
Fertility rate (average births per female)	3.6



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Constitution of Namibia prohibits gender-based discrimination, but men still dominate in the family domain. Inequalities in the country are aggravated by religious beliefs, cultural practices and persistent legal discrimination in both civil and customary (traditional) law.

Family code

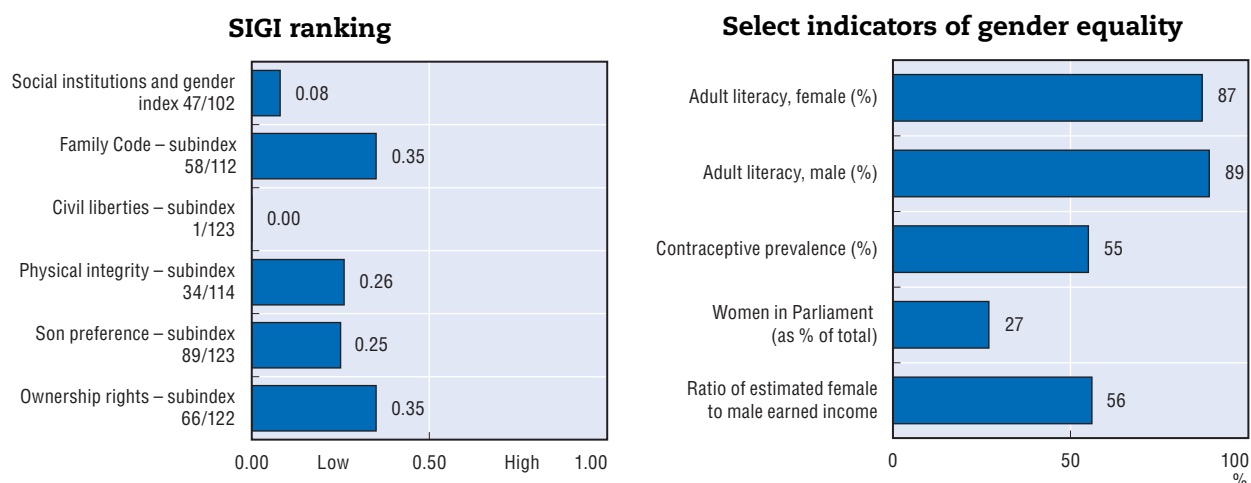
The Namibian Family Code contains several measures that discriminate against women, although early marriage, for example, is not as severe as in other African countries. The minimum legal age for marriage is 18 years for both men and women. A 2004 United Nations report estimated that 8% of girls between 15 and 19 years of age were married, divorced or widowed.

Polygamy is legal according to customary law in Namibia, although the government is discussing a bill to change civil law; under the proposed legislation, existing polygamous marriages would not be legally recognised. The 1996 Married Persons Equality Act removed the husband's prerogative to act as the sole head of the family. Parental authority is now shared by both parents.

Women and children are often discriminated against in relation to inheritance in Namibia. In the north of the country, tradition dictates that when a married man dies, all his possessions go to his family with the exception that the state retains ownership of the land which is then redistributed to the community. In effect, the customary law authorities ignore the widow's right to inherit the use of the land.

Physical integrity

Women's physical integrity is reasonably well protected by Namibian legislation. In practice, however, violence against women is a serious problem, and rape and domestic violence are widespread. In 2003, the Namibian government responded to the escalating incidence of sexual violence by adopting anti-rape legislation that broadens the definition of rape and allows the perpetrators of spousal rape to be punished. Sexual relations with minors under 14 are considered as rape and are punishable by prison sentences ranging from 15 years to life. Because of strong social pressure, complaints are rarely brought against perpetrators of spousal rape. Article 5 of the 2007 Labour Law prohibits sexual discrimination in the workplace.



Female genital mutilation is practised in Namibia, but it affects only a small portion of the population. The few ethnic groups that practise FGM generally do so as a symbolic act entailing a simple cut.

Statistics show that Namibia is a country of concern in relation to missing women. Infanticide is increasingly common and also affects boys. Several factors contribute to this phenomenon including the lack of social services to help young mothers, an absence of contraception and the difficulties involved in obtaining an abortion.

Ownership rights

Namibian women have the same ownership rights as men, but are obstructed by tradition, especially with regards to access to land. The land reform law of 2002 placed all land under state ownership. Local customary authorities allocate the right to use this land to individuals and, in theory, men and women have equal access to community plots. However, women's rights are rarely recognised by tribal chiefs. In addition, many single women with children lack the technical resources to farm the land allocated to them.

The Namibian Constitution states that all citizens have the right to acquire and dispose of property. The Married Persons Equality Act grants men and women equal access to property other than land, and allows either spouse to exercise this right without the partner's consent. Discrimination persists in customary marriages, which are not legally required to be registered, and under these laws, husbands have the power to claim control over their wives' property.

There is no legal discrimination against Namibian women in relation to access to bank loans. The Married Persons Equality Act specifies that a partner's consent is not required to obtain loans. Some NGOs specifically target women to facilitate their access to loans or credit.

Civil liberties

Namibian legislation protects women's civil liberties, but discriminatory traditions persist. The Constitution guarantees women's freedom of movement and married women can travel without their husbands' permission. There do not appear to be any restrictions on women's freedom of dress. Discrimination persists within customary marriages in that women are expected to obey their husbands in many areas of daily life.

Niger

Population	14 195 085
Female population (as % of total population)	49.3
Women's life expectancy (in years)	56.0
Men's life expectancy (in years)	57.8
Fertility rate (average births per female)	7.0



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Niger's living standards are among the lowest in the world and women live under particularly harsh conditions. Traditions exert a heavy influence and Nigerien women have little legal protection. The lack of social institutions leaves all women highly vulnerable.

Family code

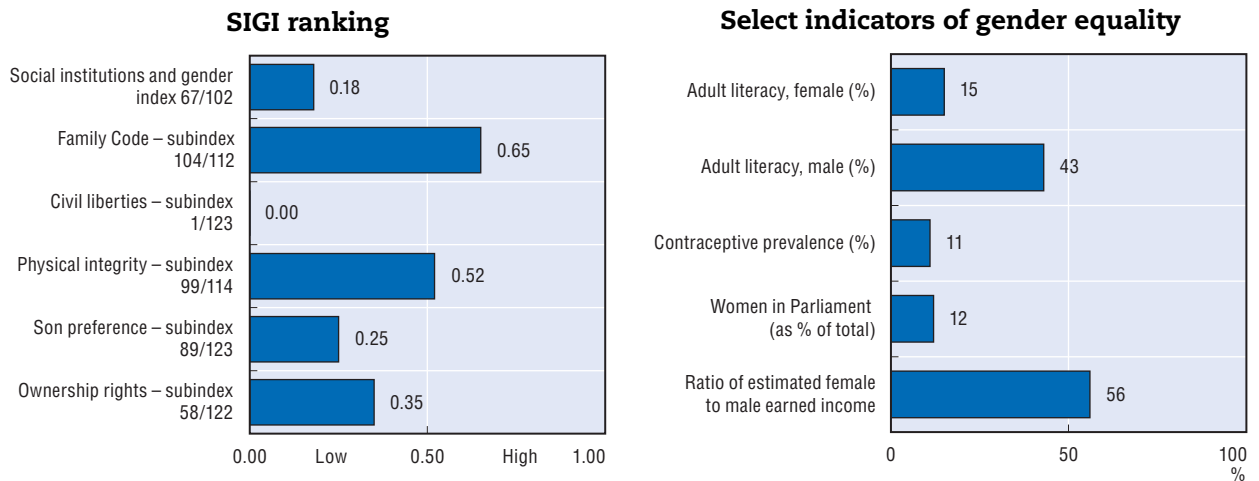
The Nigerien Family Code is very unfavorable to women. The Civil Code sets the minimum legal age for marriage at 15 years for women. It also stipulates that both parties must give their free consent, and that both civil marriages and customary marriages must be legally registered. The incidence of early marriage is extremely high in Niger: a 2004 United Nations report estimated that 62% of girls between 15 and 19 years of age were married, divorced or widowed. Furthermore, the law is poorly respected and most marriages are conducted according to custom, without the spouses' consent and never registered.

Polygamy is authorised by Islam, the religion practised by 80% of the Nigerien population, and is also tolerated by other traditional religions. More than one-third of married women in Niger are in polygamous unions.

Article 16 of the Nigerien Constitution grants equal rights for spouses in all areas of family life, including parental authority. Men are considered to be the heads of families, however, and their wives are expected to obey them. Even after divorce or the death of their spouse, women can never obtain the legal status of head of the household. Husbands can repudiate their wives and thus exonerate themselves from their marital and parental responsibilities.

In the event of divorce or repudiation, it is customary for wives to have custody of boys until they reach puberty and girls until they marry. In many cases, fathers keep all the children from the age of seven.

In Niger, women have the same legal inheritance rights as men, but many inequalities persist. Islamic law stipulates that a woman's inheritance is half that of a man's. In several regions, custom prohibits daughters from inheriting land. Among certain ethnic groups, when a husband dies childless, his wife is entitled to one-quarter of his property while his family receives the bulk of the estate. The shares are inverted when a wife dies.



Physical integrity

The physical integrity of Nigerien women is not sufficiently protected. Violence against women is common, particularly within couples. Women can report violence to customary or official courts, but seldom do. Many women are unaware of the laws in place, and others fear being stigmatised by society or repudiated by their husbands. Even though the Constitution prohibits slavery, women in Niger are often subjected to modern forms of this type of captivity and forced labour, which may also include physical violence.

Female genital mutilation is practised by only a few ethnic groups in Niger, and a relatively low percentage of Nigerien women have been subjected to it. FGM is extremely rare among the Muslim population. The government is taking steps to eradicate the practice: in 2003, it passed a law establishing prison sentences and fines for those who perform the procedure. Statistics suggest that FGM is declining.

Ownership rights

The Nigerien government has introduced new legislation to provide women with greater financial independence, but some discriminatory practices prevail. According to the new Rural Code, women are free to buy, own and sell land, but in practice they rarely have access to land.

In towns, women can obtain access to property other than land. The Commercial Code permits them to have an independent activity without their husbands' consent. However, many women are unable to exercise their rights because of traditional customs, poverty and difficulties in obtaining loans.

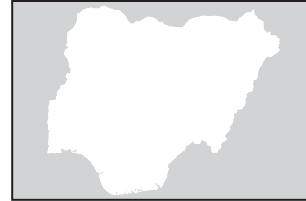
Most women in Niger do not have access to bank loans, primarily because they are unfamiliar with borrowing procedures. It is more common for women to participate in *tontines* to cover certain expenses, and thousands of such associations in Niger have obtained loans from development agencies.

Civil liberties

In general, Nigerien women's civil liberties appear to be respected, but there are exceptions. Women in Hausa and Peul communities are never allowed to leave their homes without being escorted by a man.

Nigeria

Population	148 000 000
Female population (as % of total population)	50.1
Women's life expectancy (in years)	47.3
Men's life expectancy (in years)	46.4
Fertility rate (average births per female)	5.3



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The 1999 Constitution of Nigeria prohibits discrimination on the grounds of gender, but customary and religious laws continue to restrict women's rights. As Nigeria is a federal republic, each state has the authority to draft its own legislation. The combination of federation and a tripartite system of civil, customary and religious law makes it very difficult to harmonise legislation and remove discriminatory measures. Moreover, certain states in the north follow Islamic law, which is unfavourable to women. The government has established a National Committee on the Reform of Discriminatory Laws against Women, which has drafted a decree for the abolition of all forms of discrimination against women. The decree is under discussion in the National Assembly.

Family code

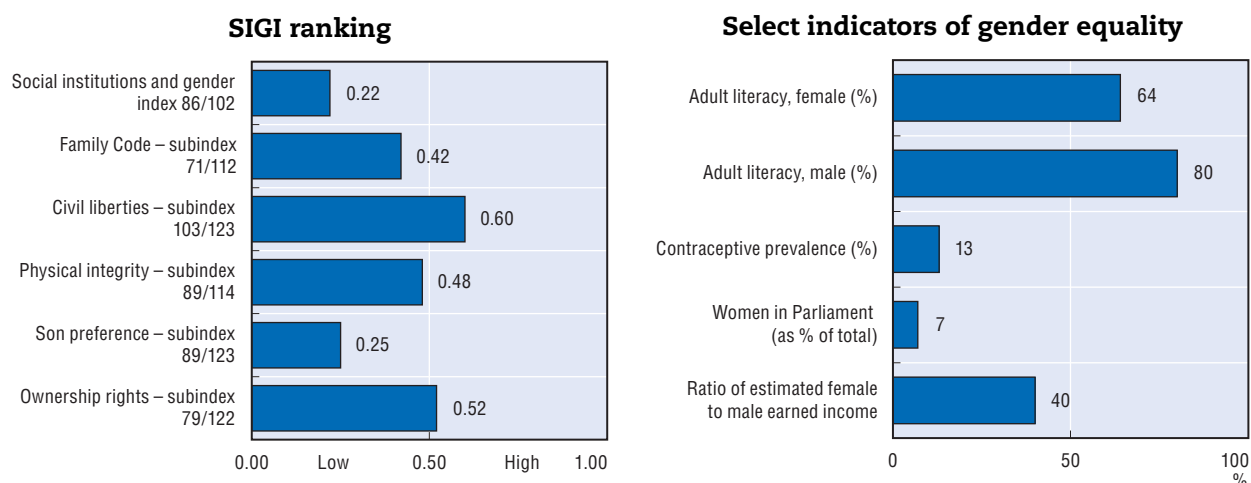
Nigerian women in the family are not sufficiently protected. There are three forms of marriage in the country: monogamous marriage registered under the civil marriage law, customary marriage and Islamic marriage. In southern Nigeria, the minimum legal age for marriage is between 18 and 21 years of age, depending on the region; in the north it ranges from 12 to 15 years. A 2004 United Nations report estimated that 28% of girls between 15 and 19 years of age were married, divorced or widowed. Polygamy is prohibited in civil marriages, but authorised under customary and Islamic law. The practice is widespread: more than one-third of Nigerian women are in polygamous unions.

In civil marriages, parental authority is shared by the mother and father, but in two-thirds of Nigerian households, husbands alone make decisions about the education of their children.

Customary law seldom recognises women's rights to inheritance. In many instances, the family of a deceased husband will claim rights to the couple's property, leaving the widow destitute. In civil marriage, widows are guaranteed the right to inherit at least 30% of the couple's property.

Physical integrity

Women's physical integrity is not sufficiently protected in Nigeria. Only one Nigerian state has a law in place addressing violence against women, and the country's Penal Code grants husbands permission to beat their wives, provided the violence does not result in serious injury. Domestic violence is common and affects one-fifth of couples. According to a 2003 Demographic and Health Survey, 64.5% of Nigerian women consider it normal to be



beaten by their husbands. Female genital mutilation is prohibited in several Nigerian states, but such laws are difficult to enforce. On a national scale, FGM is widely practised: one-fifth of women aged between 15 and 49 years have been subjected to it. The incidence of FGM differs considerably by region, and is twice as common in rural communities as in urban areas.

There is evidence to suggest that Nigeria may be a country of concern in relation to missing women.

Ownership rights

Nigerian women have very limited ownership rights. Civil law entitles women to have access to land, but certain customary laws stipulate that only men have the right to own land. In practice, women can obtain access to land solely through marriage or family.

Under civil and Islamic law, married women have the right to have access to property other than land. By contrast, customary law denies them any entitlement to household property or to assets acquired by their husbands. In daily life in Nigeria, men generally make all decisions regarding property.

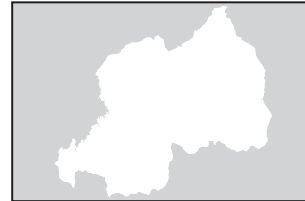
Women's access to bank loans is restricted by their limited financial resources and the difficulties in obtaining the necessary guarantees. National programmes and other micro-credit schemes have been established to assist women, but access is still low. Statistics show that less than one-third of loans in Nigeria are awarded to women.

Civil liberties

Nigerian women face severe limitations in the exercise of their civil liberties. Women's freedom of movement is restricted in that they need their husbands' permission to obtain a passport or to travel outside the country. Women in purdah (in Muslim communities in some northern areas) cannot leave their homes without permission from their husbands and must be accompanied by a man at all times when in public. Purdah also restricts women's freedom of dress in that Muslim women must be veiled in public. Widows face the greatest degree of discrimination: they are confined to the home and must keep their heads shaven and wear mourning dress.

Rwanda

Population	9 735 541
Female population (as % of total population)	51.8
Women's life expectancy (in years)	47.8
Men's life expectancy (in years)	44.6
Fertility rate (average births per female)	5.9



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The 2003 Constitution of Rwanda prohibits gender-based discrimination, but women in the country continue to face social inequalities. The 1992 Family Code improved the legal position of women in regard to marriage, divorce and child custody. In September 2008, Rwanda became the first country to have more female members of Parliament (56%) than male.

Since the Rwandan genocide in 1994, women have come to play a more important role in the formal sector although the majority of Rwandan women still work in subsistence farming. Approximately one-third of Rwandan women now head their households.

Family code

Rwandan women face discrimination within the family context, mainly because of tradition. The average age of first marriages is 20.7 years, which is relatively late in relation to trends in other African countries. Early marriage occurs in Rwanda, but statistics indicate that its incidence has decreased in recent years: a 2004 United Nations report estimated that 7% of girls between 15 and 19 years of age were married, divorced or widowed.

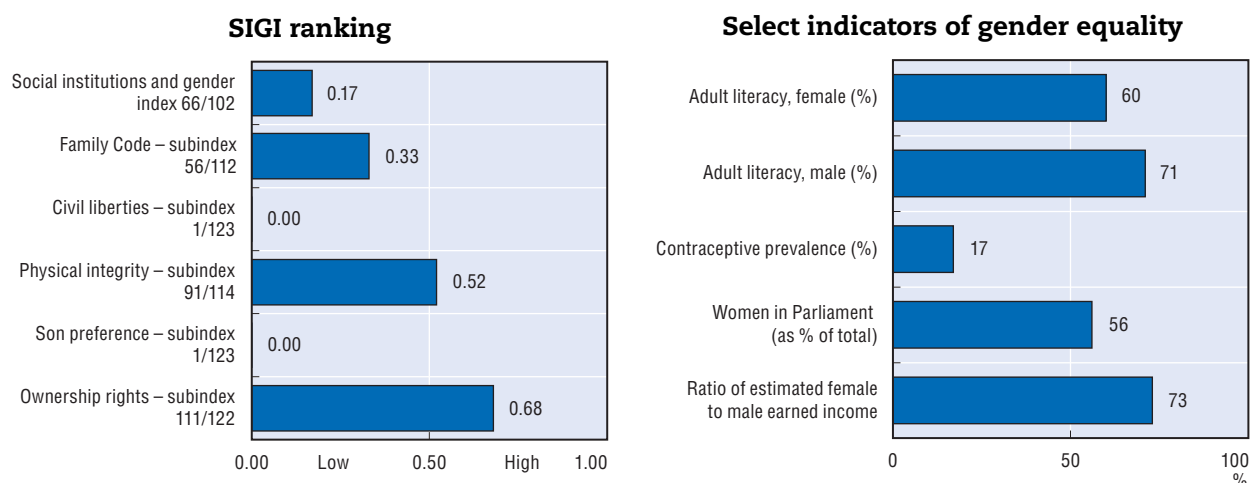
Polygamy is illegal in Rwanda, but still affects one woman in ten; there is little difference in its prevalence between rural and urban areas.

Parental authority is held by the head of the family; in two-thirds of cases, this is the husband. Since the genocide, women have acquired a significantly more important role in the family. Increasingly, women and men make joint decisions about their children and general household matters.

In the matter of inheritance, the 1999 Inheritance and Marital Property Law guarantees equal rights for men and women, however social and cultural obstacles prevent women from inheriting. It is reported that many women remain unaware of their rights due to a lack of available information, which allows discrimination to persist. In most cases following a father's death, the eldest son obtains all of the household property upon his marriage. By contrast, daughters do not inherit but become responsible for administering the family property.

Physical integrity

The physical integrity of Rwandan women is not sufficiently protected, and violence against women is a serious problem. Domestic violence is common and is not specifically



prohibited by law. Complaints are rarely made and cases are generally dealt with privately. Rwandan law does prohibit rape and the authorities are taking measures to ensure the legislation is enforced. There have been cases of rapists receiving sentences of 20 to 30 years in prison.

The problem of sexual violence was severely aggravated during the Rwandan genocide. During sentencing at the International Criminal Tribunal for Rwanda in 1998, rape was recognised as an instrument of genocide and a crime against humanity. The parties to the armed conflict were responsible for serious human rights violations and the conflict period was marked by a very high incidence of rape.

Female genital mutilation does not seem to be practised in Rwanda. As a result of the civil war and the genocide, women currently outnumber men in Rwanda. In addition, the infant mortality rate is higher among boys than girls, suggesting that Rwanda is not a country of concern in relation to missing women.

Ownership rights

Ownership rights in Rwanda are generally unfavourable to women. Access to land is governed by customary laws that provide for land to be transferred from father to son. Women can access land only through marriage. Following the deaths of their husbands during the genocide, many widows have been forced to undertake the work of farming the family land. The government is reforming Rwandan property law in an effort to guarantee men and women equal access to land and ensure equitable inheritance rights.

The Constitution guarantees Rwandan women access to property other than land. Despite gaining a certain level of independence since the genocide, women still face difficulties accessing private property. Rwandan women have very limited access to bank loans, but micro-credit mechanisms have improved their access to financial resources.

Civil liberties

There is some legislation in Rwanda that restricts women's civil liberties. Their freedom of movement is limited by provisions in the Civil Code which stipulate that married women are not entitled to choose their place of residence, but must respect their husband's decision. There are no restrictions on women's freedom of dress.

Senegal

Population	12 411 094
Female population (as % of total population)	50.2
Women's life expectancy (in years)	65.1
Men's life expectancy (in years)	61.1
Fertility rate (average births per female)	5.1



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The situation of women in Senegal has improved since the country became independent in 1960. Being a former colony, Senegal's judicial system and Civil Codes are heavily influenced by those in France. A wide gap is evident between the situation of women in urban areas, where the law is generally respected, and those in rural areas still dominated by tradition.

Family code

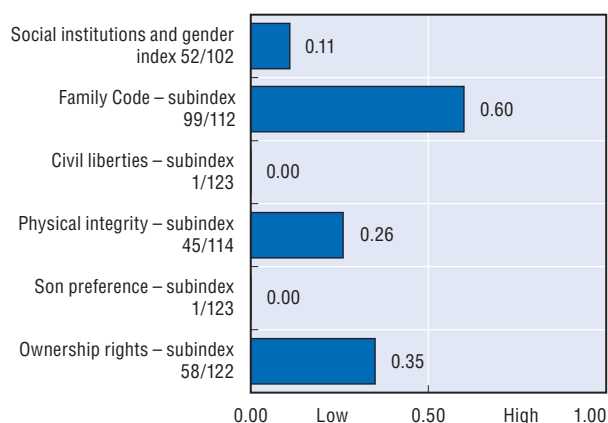
The Senegalese Family Code grants women very few rights in relation to family matters. The minimum legal age for marriage is 16 years for women and 18 years for men. Marriage is a symbol of high social position in Senegal, and women under the age of 19 years (or under 16 years in rural areas) typically have difficulty refusing a husband chosen by their family. This explains the high incidence of early marriage. A 2004 United Nations report estimated that 29% of girls between 15 and 19 years of age were married, divorced or widowed. Women in towns, particularly educated young women, are increasingly marrying at a later age. This is a trend the government encourages.

Civil marriage is common in urban areas as it is a prerequisite to receiving family benefits. Rural households do not receive such benefits and many couples opt for a religious service rather than a civil ceremony. Polygamy is legal in Senegal and is practised in about half of families. Before entering into civil marriage, the husband must state whether it will be monogamous or polygamous.

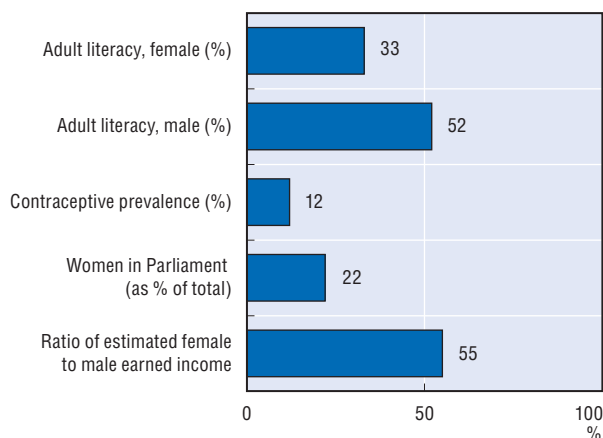
The Senegalese Family Code grants parental authority solely to the father. The number of households headed by women is increasing, which is likely to lead to a revision of this legislation. In the event of divorce, the issue of child custody is contingent on the type of marriage. For civil marriages, the spouses must obtain a judicial divorce (which rarely occurs outside urban areas); the court often grants custody to the mother while requiring the father to participate in their upkeep. If the couple opted for a religious marriage, the father is not obliged to pay child support and can apply for custody of children older than 8 or 10 years.

There are two forms of inheritance in Senegal. Common law inheritance is favourable to widows and daughters, granting them the same rights as sons. By contrast, Muslim law favours men.

SIGI ranking



Select indicators of gender equality



Physical integrity

The government recently took measures to better defend the physical integrity of women in Senegal, but much more remains to be done. Even though the 1999 Penal Law establishes punishments for violence against women, either by a fine and possible prison sentence, domestic violence is frequent and widely accepted. Until recently, such violence was a taboo subject; the first time a man was prosecuted for beating his wife to death was in 1993. There have been several campaigns to end violence against women, but a wide gulf persists between the legislative advances and traditional attitudes.

Female genital mutilation has been curbed by the 1999 Penal Code, upheld by judicial proceedings. It is still widely practised, however, and is more common among Muslims and some ethnic groups than among Christians. The government recently adopted a plan to bring an end to the practice by 2015, and is undertaking public information initiatives aimed at all segments of society. This custom is becoming less popular as the population becomes more educated and incomes increase, and the number of mutilations is expected to decrease. About one-quarter of women who underwent FGM say they have no intention of subjecting their daughters to the practice.

There is no evidence to indicate that Senegal is a country of concern in relation to missing women.

Ownership rights

Senegalese law grants equal property ownership rights to men and women. Women are legally entitled to access to land, but tradition makes it impossible for them to inherit land. Similarly, women may be in a financial position to have access to property other than land, but their husbands can restrict their ability to exercise this right.

Senegalese law stipulates that women and men should have equal access to bank loans, but in reality women often struggle to obtain loans.

Civil liberties

Women’s civil liberties appear to be well respected in Senegal. There are no reported restrictions to women’s freedom of movement or of dress.

Sierra Leone

Population	5 848 320
Female population (as % of total population)	50.8
Women's life expectancy (in years)	44.2
Men's life expectancy (in years)	41.0
Fertility rate (average births per female)	6.5



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Constitution of Sierra Leone provides for equal rights for men and women, but the principle of non-discrimination does not apply in all areas. In February 2007, the government established a commission to review the Constitution and eliminate all discriminatory measures.

At present, women are subject to legal and social discrimination in day-to-day life. Their rights and position are contingent on traditional law and the ethnic group to which they belong. Sierra Leone was ravaged by civil war from 1991 to 2002. Both men and women suffered the consequences of the conflict, which created thousands of refugees and displaced persons. Women and children were particularly affected by rape and sexual slavery during the war.

Family code

Despite the egalitarian Constitution of Sierra Leone, the family code is highly discriminatory to women. Under the law on Christian marriage, a father's authorisation is required when the person marrying is under 21 years of age, but in the father's absence the mother can give authorisation. A 2004 United Nations report estimated that 47% of girls between 15 and 19 years of age were married, divorced or widowed.

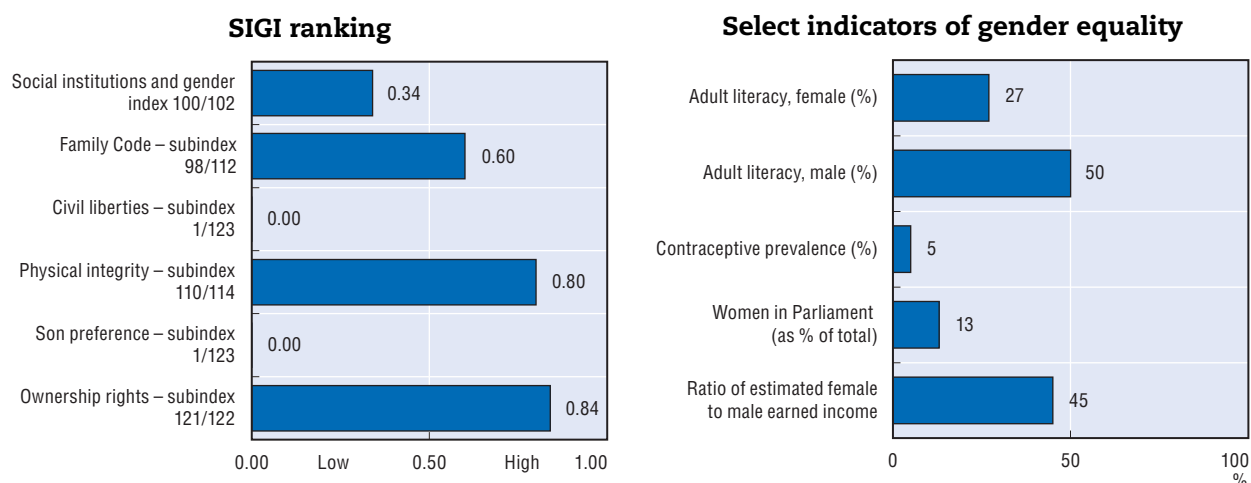
Polygamy is prohibited under Sierra Leone's Penal Code and is punishable by eight years in prison, but it is authorised in customary marriages.

The Constitution of Sierra Leone does not specify which parent is the head of the family, but custom generally grants this position to men.

Women's inheritance rights depend on their ethnic group. Some tribes grant women the right to inherit property. Other tribal systems consider the wife to be a possession of the deceased husband; thus, she becomes part of the inheritance. Sierra Leone's civil legislative system is also discriminatory. When a wife dies, her husband obtains all joint property; but if he dies, his wife only obtains a portion of the couple's property.

Physical integrity

The physical integrity of women in Sierra Leone is not sufficiently protected. Violence against women, domestic violence in particular, has increased in recent years. In 2007, Parliament adopted three new "Gender Bills", including a new law that would criminalise acts of violence committed within a couple. At present, authorities rarely intervene in



family disputes, considering it to be a private matter. Rape is prohibited in Sierra Leone and is punishable by 14 years in prison. It was used as a weapon during the civil war and there were numerous victims.

Female genital mutilation is legal in Sierra Leone and is widely practised across all sectors of society. The African news agency AFROL has estimated that between 80 and 90% of women in Sierra Leone have been subjected to FGM.

Sierra Leone does not appear to be a country of concern in relation to missing women.

Ownership rights

Women in Sierra Leone have very few ownership rights. Women constitute the largest group of agricultural labourers, but they have never had full access to land, governed by customary rules. For example, in the north and west of Sierra Leone, women can theoretically own plots of land, but in the south and east, they can access land only through their husbands or other male family members.

In addition, there are two main types of farmland ownership in Sierra Leone. Under the community system, land belongs to the community or government, and individuals wishing to use it must acquire permission from the local authority. In most cases, women can be given the right to use land only if they obtain their husbands' consent. The customary system provides for private ownership, but the land belongs to the family and is most often administered by the male head of the household. The government has established a land reform commission to guarantee equal access to land for men and women.

Women have very limited access to property other than land. Under customary marriage rules, a married woman is not entitled to manage a couple's property because is considered as one of her husband's possessions.

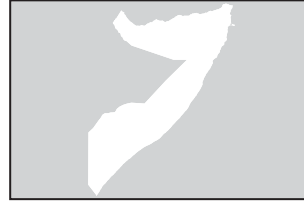
The fact that women are not entitled to own land restricts their access to bank loans.

Civil liberties

Civil liberties are fairly well-respected in Sierra Leone. For example, women do not require their husband's consent to obtain a passport. In general, there are no reported legal restrictions to women's freedom of movement or freedom of dress. It is important to note, however, that women's civil liberties were jeopardised severely during the war: large numbers of girls were kidnapped and forcibly held to serve as sexual slaves for the soldiers.

Somalia

Population	8 695 928
Female population (as % of total population)	50.4
Women's life expectancy (in years)	49.4
Men's life expectancy (in years)	46.9
Fertility rate (average births per female)	6.0



Due to a series of civil wars (the most recent of which began in 1991 and is ongoing), the country has operated without a central government for almost ten years. As a consequence, customary practices have increasingly taken the place of a non-existent legal system. Justice is perceived and applied differently depending on the region, and is based on a combination of systems that includes tribal rules, Islamic law, and the Penal Code that existed before 1991. Overall, women's rights are restricted by the fact that they live in a highly patriarchal system.

Family code

The Somali Family Code provides very little protection for women. According to the 1975 Family Code, the legal minimum age for marriage is 18 years for both men and women, but women can marry at the age of 16 years with parental authorisation. Reliable statistics are lacking, but early marriage appears to be common.

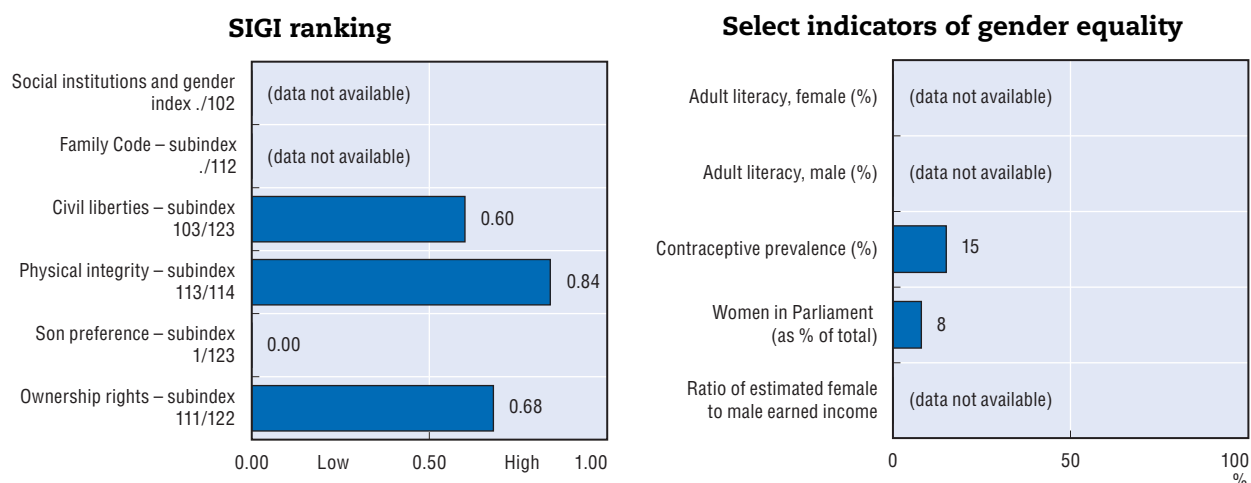
Polygamy is permitted under Somalia's customary and religious systems. Under the civil system, men who wish to take a second (or subsequent) wife must obtain authorisation from a district court of justice. According to civil legislation, men head their families and have sole parental authority. If a couple divorces or separates, the mother is typically granted custody of boys up to the age of 10 years and girls up to the age of 15 years.

Before the current civil war began, the government of Somalia adopted inheritance rights based on the principles of Sharia law. As a result, daughters inherit only half the amount awarded to sons.

Physical integrity

The physical integrity of Somali women is insufficiently protected. It is very difficult to obtain statistics to assess the scale of violence against women, but it is believed to be widespread. As there is no legislation that specifically covers domestic violence, family conflicts are addressed under customary and Sharia laws.

Sexual violence within Somali households appears to be a serious problem, and is linked to the general issue of gender discrimination. Although there are laws prohibiting rape, these are not generally applied, and there is no legislation against spousal rape. Women have paid a high price in recent civil conflicts, which have been characterised by numerous cases of rape. Moreover, women living in camps for displaced persons continue to be



particularly vulnerable to sexual violence. There has been a recorded increase in the number of gang rapes in the autonomous region Somaliland, primarily in poor neighbourhoods and among immigrant populations.

Female genital mutilation is almost universal in Somalia and infibulation, the most dangerous form of FGM, is still practised, especially in Somaliland, which ignores existing regulations. In 1972, the government established a policy to eradicate FGM: this action prompted strong social resistance and all efforts to combat the practice ended as government institutions crumbled.

Somalia does not appear to be a country of concern in relation to missing women.

Ownership rights

Somali women encounter significant discrimination with regards to property ownership. When a woman marries, she is considered to become the “property” of her husband and his tribe, although she does retain a few ownership rights relating to her family and tribe of origin.

Access to land is governed by Sharia law and patriarchal ideology. Women are largely excluded from owning land: it is the collective property of the family and is passed from father to son. Married women also have major difficulties gaining access to property other than land, although, this has changed recently because of large-scale male emigration. A significant number of Somali women now head their families and are thus entitled to become land owners, though tradition restricts Somali women’s access to bank loans.

Civil liberties

Women in Somalia have almost no civil liberties. The civil war has caused a general loss of mobility, but the effect is more significant for women than men; moreover, the threat of rape continues to limit women’s freedom of movement. In addition, married women are obliged to follow their husbands and have no power to decide where the couple will live. Customary laws also restrict women’s freedom of dress: the Islamic courts have applied Sharia law very strictly, obliging women to wear the veil.

South Africa

Population	47 850 700
Female population (as % of total population)	50.9
Women's life expectancy (in years)	52.0
Men's life expectancy (in years)	49.0
Fertility rate (average births per female)	2.7



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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South Africa is a unique case in sub-Saharan Africa: it is the only country in which a significant proportion of the population (22%) is not of African origin. The end of Apartheid (in 1993) led to the introduction of legislation supporting women but there is still significant gender and race-based discrimination. To date, civil law is often ineffective in replacing the prevailing customary law, particularly in rural areas.

Family code

The rights of South African women within the family depend on the type of marriage contract into which they entered. There are three kinds of marriage: civil marriage, customary marriage, and religious marriage (Christian, Jewish or Muslim). Customary marriages are not recognised by the state. The legal minimum age for marriage in South Africa is 15 years for women and 18 years for men, and marriage requires the consent of both spouses. Early marriage does occur, but only in certain ethnic groups. A 2004 United Nations report estimated that 3% of girls between 15 and 19 years of age were married, divorced or widowed.

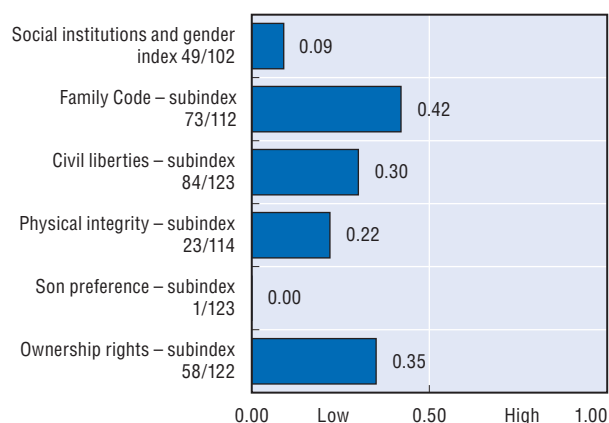
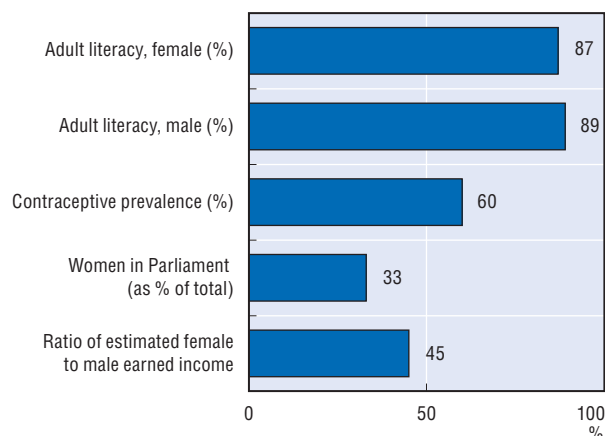
Polygamy is prohibited in civil marriages. Although it is permitted under customary law, it is rarely practised.

Under South African civil law, parental authority is shared by the mother and father. African women married under customary law, however, are seen as perpetual minors and have no authority in the family. Patriarchal traditions that require women to submit to men are deeply rooted in South African society. A law passed in 1993 stipulates that divorced parents have joint custody of their children. However, it is often the case that women are not granted custody because they lack sufficient resources to provide for their children.

Inheritance rights of women in South Africa also vary. In civil marriages, women either inherit half of the household property or keep their own property. Customary marriage deprives widows of any inheritance. Widows and daughters can, however, inherit property bequeathed through a will, but managed by a male family member.

Physical integrity

The physical integrity of women is not adequately protected in South Africa. Despite concerted government action, violence against women persists. South African law makes provisions for protection of victims of domestic violence. For example, the law gives the police authority to arrest perpetrators, even without a warrant. However, the legislation is rarely applied in practice because of deeply rooted societal norms. The government has

SIGI ranking**Select indicators of gender equality**

financed shelters for victims of assault, and has organised training for police working in this area.

Rape is a very serious problem in South Africa. According to Amnesty International, it affects 120 per 100 000 inhabitants, the highest recorded incidence in the world. The impact of the legislation, however, is relatively low because judges often impose only light sentences.

Female genital mutilation is not a common practice in South Africa, except in some rural areas in the Cape region and in Kwazulu-Natal. Even in these regions, it is not systematic.

There is no evidence to indicate that South Africa is a country of concern in relation to missing women.

Ownership rights

In theory, South African women now have the same ownership rights as men, but numerous examples of discrimination are evident. Women's access to land is very limited. Under the customary system, only men can exercise land ownership rights. When a man dies, his widow can retain the usufruct on his land only if they had a son, under whose name the land is registered.

It appears that women in urban areas have greater access to property other than land. Since 1993, South African women have been entitled to the same legal ownership rights as men and the law guarantees them equality in the purchase, sale and management of property.

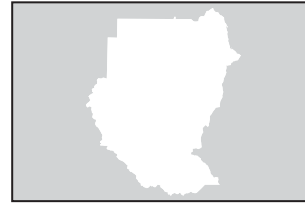
Since the end of Apartheid, numerous financial institutions have been established to help Africans obtain access to bank loans. Some financial institutions specifically target women, but these initiatives have rarely been successful for various reasons: rural areas have been overlooked; the procedures are too bureaucratic, and women sometimes need their husbands' consent.

Civil liberties

Since Apartheid was abolished, all citizens of South Africa have been granted equal rights in regard to freedom of movement, including choice of residence. Tradition can sometimes limit these rights: under customary law husbands can, for example, prevent their wives from working outside the family home.

Sudan

Population	38 555 569
Female population (as % of total population)	49.7
Women's life expectancy (in years)	60.1
Men's life expectancy (in years)	57.1
Fertility rate (average births per female)	4.2



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The situation of women in Sudan is largely influenced by Islamic traditions, which have been a major force in the country since the 15th century. Muslims comprise about 80% of the total population.

When the country gained independence in 1956, the government modernised many policies, often in favour of women. In 1960, new laws were adopted to assure the free consent of women prior to marriage and to give women equal right to file for divorce, obtain the custody of children and receive child support from ex-husbands. During this period, the enrolment rates of girls in primary and secondary schools increased rapidly.

In 1983, an Islamic party came to power and quickly enforced the Islamic law across the country. The family code was revised to respect the strict provisions of Sharia.

Family code

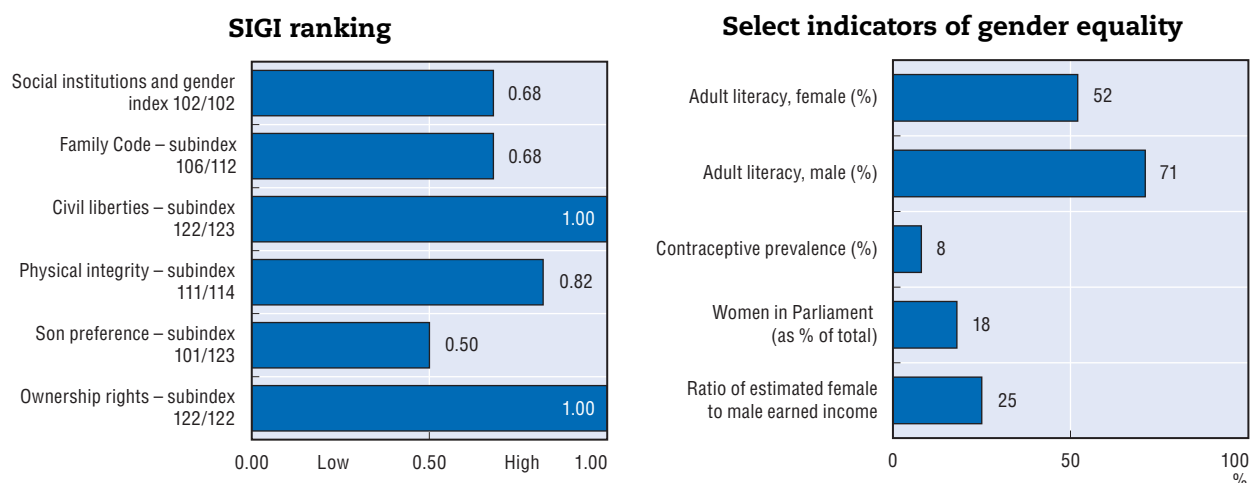
Women in Sudan have a very low level of legal protection in relation to family matters. According to available statistics, early marriage does occur. A 2004 United Nations report estimated that 21% of girls between 15 and 19 years of age were married, divorced or widowed. In accordance with Sharia, polygamy is legal in Sudan as is repudiation. Divorce proceedings discriminate against women in that wives have the right to file for divorce but have a much more difficult time obtaining one.

By law, parental authority is granted solely to fathers. In the event of divorce, young children usually remain with their mothers, but custody automatically reverts to fathers when children reach a certain age.

Under Sharia, calculations of inheritance shares are detailed and complex. Women may inherit from most of their family members. However, their share is generally smaller than that to which men are entitled. A widow who has no child inherits one-quarter of her husband's assets. This is commonly justified by the argument that women have no financial responsibility towards their husbands and children.

Physical integrity

Women in Sudan have a very low level of protection for their physical integrity. To date, there are no specific laws prohibiting violence against women, including domestic violence.



The long civil war has made Sudanese women even more vulnerable to violence outside the home. In the South, displaced women are at high risk for sexual abuse and rape. In addition, both women and children face the threat of seizure by military forces, followed by sale into “domestic servanthood”. The new interim Constitution of 2005 prohibits slavery, but has yet to effect any change in practice.

Female genital mutilation is widespread: according to the news agency AFROL, about 90% of female have undergone it in its most severe form (infibulation).

There is some evidence to suggest that Sudan is a country of concern in relation to missing women. Societal traditions hold that only mothers of sons merit social respect, thus there is a strong preference for sons and better care is given to young boys.

Ownership rights

Women in Sudan have virtually no legal right to ownership. They are restricted from having access to land, even in the form of tenancy. Their access to property other than land is equally restricted. According to Sharia, women must always defer to their male guardians in administering their assets. Widows cannot even manage inherited assets; they must transfer the administration to male family members.

Similarly, women have no access to bank loans, and access to all forms of credit is reserved only for men.

Civil liberties

Women in Sudan face a wide range of restriction to their civil liberties. In fact, the government recently reduced women’s freedom of movement even further by mandating that women and men must queue separately while waiting at public offices. On public buses, women must stand separately in the back. After marriage, women are expected to remain at home to care for their children. The government also restricts women’s freedom of dress. In 1983, the Islamic government enforced the practice of wearing veils for all women, including non-Muslims. In the country’s capital Khartoum, the restrictions became even more severe in 1991 when the government imposed the wearing of opaque clothes from head to feet.

Swaziland

Population	1 147 617
Female population (as % of total population)	51.8
Women's life expectancy (in years)	39.4
Men's life expectancy (in years)	39.8
Fertility rate (average births per female)	3.6



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Constitution of Swaziland, adopted in February 2006, grants the same legal rights to men and women, but tradition continues to limit women to inferior roles. Legislation in Swaziland is based on a dual system of traditional and civil law. Several discriminatory laws are still in force, having not yet been aligned with the anti-discrimination measures in the Constitution.

About one-third of households in Swaziland are headed by women. Those living in rural areas face the greatest challenges as their lives are largely determined by common law, which contains numerous provisions that undermine gender equality.

Family code

The Family Code in Swaziland grants women few rights. The minimum legal age for marriage is 18 years for both men and women, although early marriage occurs in exceptional cases, and women aged 16 or 17 years can marry with their parents' consent. A 2004 United Nations report estimated that 9% of girls between 15 and 19 years of age were married, divorced or widowed. For the most part, marriage is still governed by unwritten traditional laws and the practice of arranged marriages involving young women persists. Couples often marry in a civil ceremony, but adhere to traditional rules. This can create confusion over which regulations to apply in regard to divorce, child custody or inheritance.

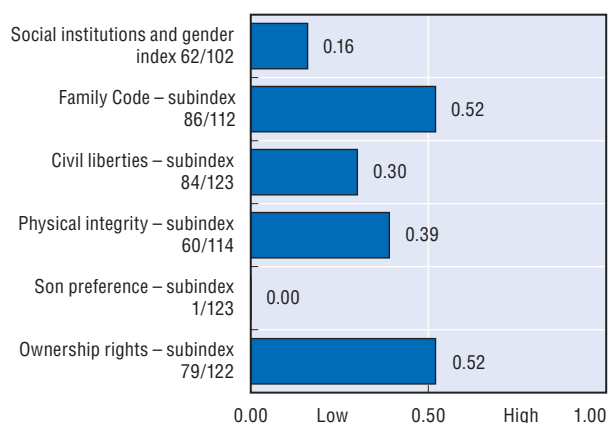
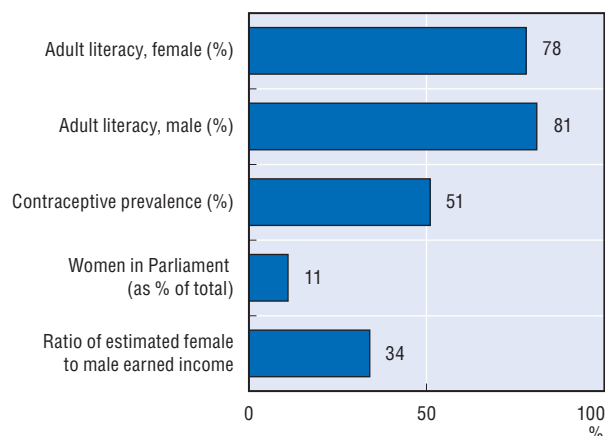
Polygamy is authorised in traditional marriages in Swaziland. It is not permitted under civil law, but this regulation is commonly ignored.

The Constitution stipulates that children are awarded the citizenship of their father. Fathers have parental authority unless a child is born out of wedlock and the father does not request authority. In traditional marriages, children belong to the father and his family, who are given custody following divorce.

There is no evidence to suggest that legal discrimination exists in the matter of inheritance, but traditional law dictates that only men can inherit.

Physical integrity

The physical integrity of Swazi women is not sufficiently protected. Although legislation has been passed to curb violence against women, such violence is common. Under both traditional and civil systems of law, women have the right to press charges

SIGI ranking**Select indicators of gender equality**

against husbands who commit acts of violence. Many women in urban areas take this course of action when intervention by the extended family fails to stop the abuse. In rural areas, few victims take legal action for fear that traditional courts will view them as being “disobedient”. Rural courts are less likely than urban civil courts to convict husbands for spousal violence.

Rape is common in Swaziland. Even though it is punishable by law, many men consider it only a minor crime. Women often feel too ashamed to press charges, particularly in cases of incest. Female genital mutilation is not a common practice in Swaziland.

There is no evidence to suggest that Swaziland is a country of concern in relation to missing women.

Ownership rights

The new Constitution provides for equal access to land for men and women. However, when a business is registered in a woman’s name, the land on which the activity takes place is generally registered under a man’s name (the husband or another male family member).

The new Constitution gives all women access to property other than land, but traditional practices persist. Recent amendments to the Constitution give married women the right to access to bank loans and to open bank accounts without their husband’s permission, but it is too early to evaluate the effects of the new legislation. There seems to be some evidence that banks continue to refuse personal loans to women who are unable to provide a guarantee supplied by a man.

Civil liberties

Despite recent progress, the civil liberties of women in Swaziland remain limited. Widows face particular restrictions in freedom of movement. Upon their husband’s death, they are confined to the marital home for a period of mourning that can last from one month to three years and they are considerably restricted in their actions throughout this period. The new Constitution grants women the right to obtain a passport without their husband’s authorisation. There are also no reported restrictions to women’s freedom of dress.

Tanzania

Population	40 432 163
Female population (as % of total population)	50.3
Women's life expectancy (in years)	53.6
Men's life expectancy (in years)	51.4
Fertility rate (average births per female)	5.2



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Constitution of Tanzania prohibits gender-based discrimination but the country's legislation has yet to be adjusted to support this principle. In general, legal protection for women remains limited, in part because Tanzania's judicial authorities take into account both customary and Islamic laws.

Tanzania is a multicultural society, comprising a variety of ethnic groups and different religions. Traditional views of the role and place of women still dominate. There is some evidence that public debate on these issues is on the rise.

Family code

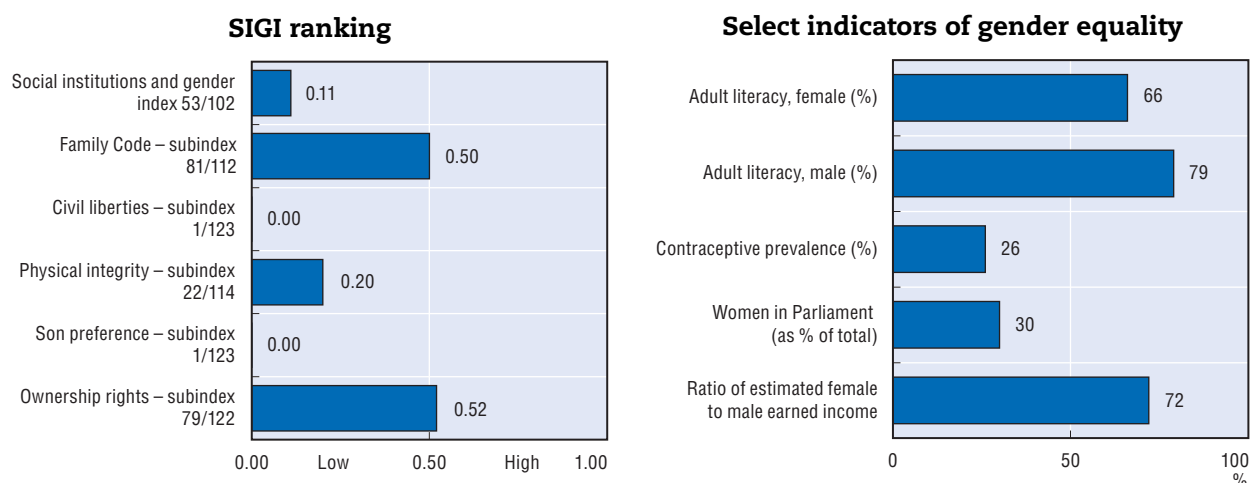
The rights of Tanzanian women within the family are poorly protected. The minimum legal age for marriage is 15 years for women and 18 years for men, but the law allows exceptions for girls aged 14 years under "justifiable" circumstances. There is a high incidence of early marriage in Tanzania: a 2004 United Nations report estimated that 25% of girls between 15 and 19 years of age were married, divorced or widowed.

Tanzanian law recognises three types of marriage: monogamous, polygamous and potentially polygamous. Almost one-quarter of Tanzanian women live in polygamous marriages.

By law, mothers and fathers in Tanzania have equal rights with regards to parental authority, but many traditional practices discriminate against women. In the matter of inheritance, the government and the judicial system recognise customary and Islamic laws, both of which contain provisions that discriminate against women. The Law Reform Commission has drafted amendments to remove discriminatory measures from existing inheritance laws, but the government has yet to implement these amendments.

Physical integrity

The physical integrity of Tanzanian women is not sufficiently protected. In fact, the number of complaints filed in relation to violence against women has increased in recent years. Such violence remains very widespread, and the law neither prohibits nor punishes domestic violence. A more serious problem is that many women are killed by their husbands or commit suicide after being subjected to domestic violence. The police do not generally intervene in domestic disputes.



In 1998, the government passed a law on sexual assault, which addresses both rape and incest. The law also criminalises spousal rape, but only if the couple is legally separated. Rape is now punishable by life imprisonment or by 30 days in prison with corporal punishment. Despite these measures, rape remains a serious problem. More than 10% of Tanzanian women are thought to have suffered a sexual assault, but this figure may be low because very few women register complaints.

Female genital mutilation is common in Tanzania. Circumcision is the most common form of excision, but infibulation is also practised, mainly in the northern and central Tanzania. In 1998, the government passed a law stipulating that anyone found practising FGM on a woman younger than 18 years of age can be given a prison sentence of 5 to 15 years. According to some sources, the number of Tanzanian women who want FGM to continue is very low.

Tanzania does not appear to be a country of concern in relation to missing women.

Ownership rights

The government of Tanzania has taken steps to improve legislation in regard to women's ownership rights, but restrictive customary laws are still very widespread. The 1999 Land Act gives Tanzanian women the right to obtain access to land, including the right to own, use and sell land. The Village Land Act ensures that women are represented on land allocation committees and land administration councils. Although Tanzania's Law of Marriage Act grants women certain ownership rights, including access to property other than land, customary and Islamic laws that undermine these rights prevail within the Muslim community.

A 2004 amendment to the Land Act gave Tanzanian women the right to access to bank loans. In addition, a women's development fund was established in 1993 to facilitate access to commercial loans and encourage women to participate in the economic sector. However, customary practices continue to restrict women's access to loans and credit.

Civil liberties

Tanzanian women's civil liberties appear to be respected; there are no stated restrictions on their freedom of movement or freedom of dress.

Togo

Population	6 580 669
Female population (as % of total population)	50.5
Women's life expectancy (in years)	60.1
Men's life expectancy (in years)	56.7
Fertility rate (average births per female)	4.8



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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In 2001, the government of Togo established an inter-ministerial commission to assess the extent to which women's rights were being respected in the country. The commission conducted a national survey and is expected to put forward amendments to the personal and family code.

The condition of women in Togo has improved since the early 2000s, but progress has been stalled by traditional constraints and by the fact that Togo remains one of the poorest countries in the region. For many years, it was under a dictatorial regime that seriously violated the human rights of all citizens. The situation has changed for the better since a new president was elected in 2005.

Family code

Women in Togo face severe discrimination within the family context. By law, the minimum age for marriage is 17 years for women and 20 years for men, and both spouses must give their free consent. This law is often ignored in rural areas, where customary early marriage before the age of 17 years is still common and sometimes forced. A 2004 United Nations report estimated that 20% of girls between 15 and 19 years of age were married, divorced or widowed.

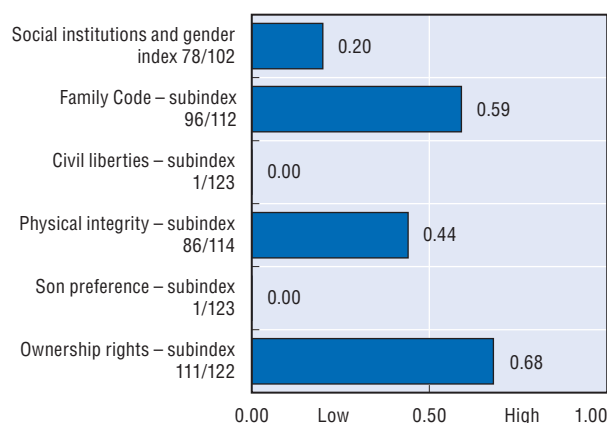
Polygamy is legal and widely practised in Togo: just under half of Togolese women are in such unions, although on a national level, the numbers have been falling in recent years.

According to Togo's Personal and Family Code, parents share parental authority. In practice, tradition dictates that husbands are the heads of families and the sole holders of parental authority.

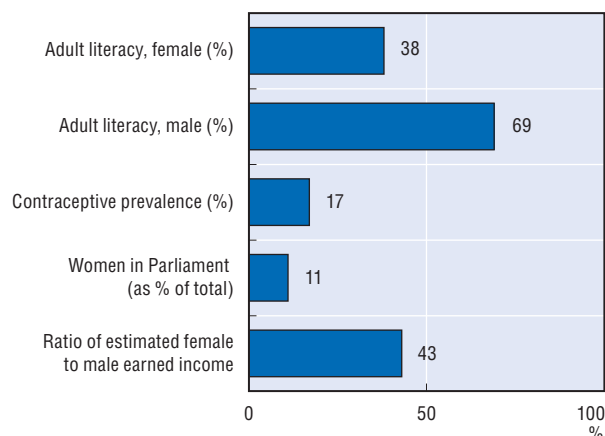
The Personal and Family Code states that Togolese women can file for divorce under the same conditions as men, but serious discrimination prevails. In urban areas, legal marriages are terminated in court. Divorced mothers maintain temporary custody of their children up to the age of seven, at which time the courts may award final custody to either parent, according to the children's best interests. In rural areas where customary marriages dominate, repudiation is more common than divorce. Repudiated women lose custody of their children and are forced to return to their parents' home, leaving all their possessions behind.

Togolese custom is very unfavourable to women in the matter of inheritance. Women are not entitled to inherit from their husbands or fathers, but can hold property in usufruct.

SIGI ranking



Select indicators of gender equality



Physical integrity

Women's physical integrity is not sufficiently protected in Togo and violence against women is a serious problem. To date, there is no specific legislation to address domestic violence. Most women are unaware of the legal mechanisms available to protect them and the police rarely intervene in domestic matters.

Rape is punishable by between five and ten years in prison, but spousal rape is not legally recognised. As Togolese society attaches a strong stigma to rape, victims seldom press charges. In 1998, the government passed a law banning female genital mutilation, but the practice still occurs within a few ethnic groups. All persons who perform FGM face punishments of between two months and five years imprisonment and a minimum fine of CFA 100 000 (USD 195). Various associations and NGOs are using education and training programmes to combat the practice.

There is no evidence to suggest that Togo is a country of concern in relation to missing women.

Ownership rights

Women in Togo face heavy discrimination with regards to ownership rights. Generally, women do not have access to land: married women are entitled to inherit only on a usufruct basis. Women's access to property other than land varies: civil law provides for the division of property, whereas under the more common community of property regime, husbands are the legal administrators of the couple's property (although they cannot sell possessions without their wives' consent).

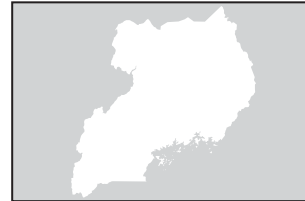
In principle, women and men have the same access to bank loans, but women typically earn lower wages and are often unable to provide the guarantees requested by banks.

Civil liberties

Several restrictions undermine the civil liberties of women in Togo. By law, married women must obtain their husbands' consent to apply for a passport, which limits their freedom of movement. Husbands can also limit their wives' professional activity. There are no reported restrictions on Togolese women's freedom of dress.

Uganda

Population	30 916 072
Female population (as % of total population)	50.0
Women's life expectancy (in years)	52.2
Men's life expectancy (in years)	50.8
Fertility rate (average births per female)	6.7



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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The Constitution of Uganda includes anti-discriminatory provisions and condemns any custom that contradicts human rights. But discrimination against women is rife and the situation of Ugandan women is further aggravated by deeply rooted patriarchal tradition and years of armed conflict. The government has enacted new laws to improve the situation of women, but their implementation has been obstructed by some reticent communities.

Family code

Customary laws dominate in regard to family matters, many of which discriminate against women. The minimum legal age of marriage is 18 years for both men and women, but early marriage is frequently arranged for young girls, especially in rural areas. A 2004 United Nations report estimated that 32% of girls between 15 and 19 years of age were married, divorced or widowed. By contrast, a 2006 Demographic and Health Survey reported the figure to be 15.4%.

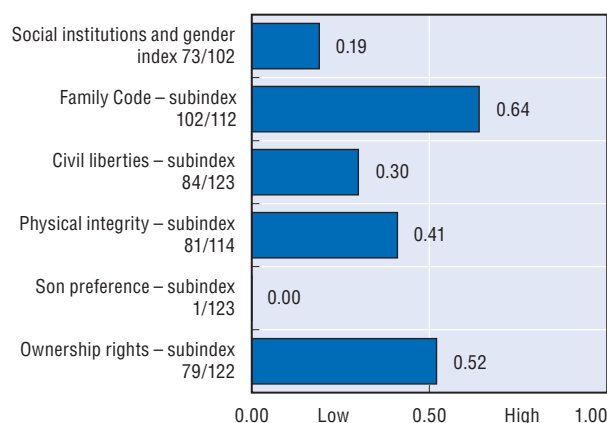
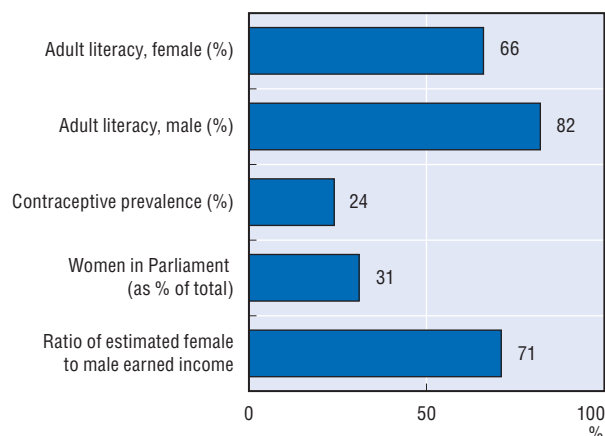
Polygamy is legal in Uganda, according to traditional and Islamic law. Women have no legal course of action to prevent their husbands from taking another wife. Although the 1996 law on the status of children stipulates that both parents are responsible for supporting their offspring, customary law holds that men hold sole parental authority in Uganda. Customary law also prevails in the event of divorce in that child custody is typically awarded to the father.

Tradition dictates that women do not have the right to inheritance, but the Marriage Code grants widows the right to inherit 15% of a deceased husband's property.

Physical integrity

The physical integrity of Ugandan women is not sufficiently protected. Violence against women is widespread: some estimates say that more than half of the women in the country have suffered domestic violence at the hands of their partners. Domestic violence has wide social acceptance, even by women.

Rape is very common in Uganda. In nearly half of sexual violence cases, the victim's husband or partner is the perpetrator reflecting a widely held belief that spousal rape is a husband's prerogative. In addition, many women were raped by rebel soldiers during the conflict in northern Uganda.

SIGI ranking**Select indicators of gender equality**

Women of the Sabinu tribe are subjected to female genital mutilation. There are no laws prohibiting the practice, but the local authorities have issued a decree denouncing the custom.

There is no evidence to suggest that Uganda is a country of concern in relation to missing women.

Ownership rights

Ugandan women's ownership rights remain extremely limited. Access to land is governed by customary laws. In theory, women have access to land. Decision-making powers, however, are typically granted to men and most female landowners have no power to administer their land holdings. Traditional practices persist despite the government's recent adoption of a new land law designed to improve women's access to land and grant them the right to manage their property.

The Constitution upholds women's rights to have access to property other than land. Theoretically, women are free to administer their property without their husbands' consent. This is another area in which customary laws prevent women from exercising their rights.

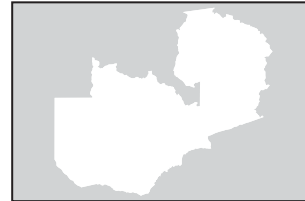
Access to bank loans is difficult for women in Uganda. Discriminatory practices that prevent women from accessing land are a major obstacle as most commercial banks will not approve loans unless women hold title deeds as a guarantee. Several NGOs operate micro-credit programmes that specifically target women.

Civil liberties

Women's civil liberties are restricted in Uganda. Their freedom of movement is curtailed by the need to have the written consent of their husbands before obtaining a passport or travelling outside the country. There are no reported limitations on their freedom of dress.

Zambia

Population	11 919 870
Female population (as % of total population)	50.2
Women's life expectancy (in years)	42.5
Men's life expectancy (in years)	42.1
Fertility rate (average births per female)	5.2



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Zambia is one of the most urbanised countries in Africa and has achieved a reasonable level of democracy. These factors should benefit women, yet the overall situation in regard to gender equality remains difficult. Tradition imposes many restrictions on women, the effects of which are more pronounced in rural communities than in urban areas.

Family code

Zambian women have extremely limited rights in relation to family matters. The minimum legal age for marriage in Zambia is 16 years for both men and women, and parental consent is required if either party is below 21 years of age. A 2004 United Nations report estimated that 24% of girls between 15 and 19 years of age were married, divorced or widowed.

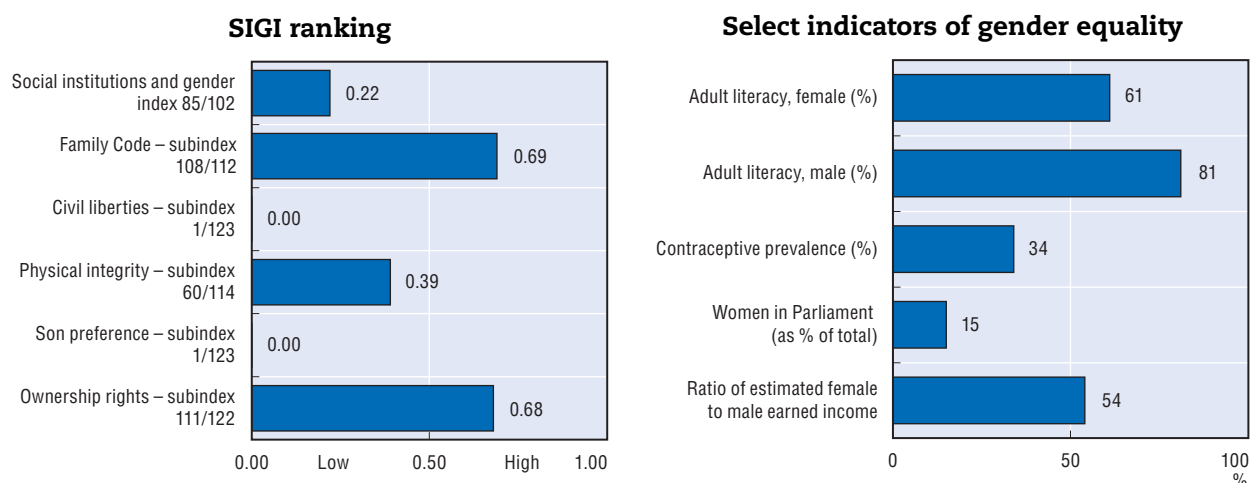
Marriages in Zambia can be customary, legal or religious, but religious unions are not recognised by the state. The majority of marriages in Zambia proceed through the mutual consent of both parties. Polygamy is legally permitted within every type of marriage and is widespread. In legal marriages, the first wife is required to consent to polygamy; in practice, men rarely consider their wives' opinions before taking a subsequent wife. A 2003 Demographic and Health Survey found that polygamy affected 16% of married women in Zambia. The prevalence of the practice varies according to region and level of education.

Husbands have sole parental authority and make most of the important household decisions. In the event of divorce following a legal marriage, the courts grant child custody in the best interests of the children. In the case of separation after a customary marriage, the children typically stay with the father.

Zambian women face discrimination in the area of inheritance. According to a 1989 law, widows have the right to inherit 20% of their husbands' property. Despite the law, most families follow customary practice in which the deceased's family claims it is entitled to seize the estate. This practice leaves the widow and children in a precarious situation. As the courts rarely intervene to apply the civil law in such cases, customary law prevails (although it does appear to be losing ground).

Physical integrity

The physical integrity of women in Zambia is not well protected and violence against women is prevalent: by some estimates, nearly half of Zambian women have been subjected to violence in one form or another. Married women are the main victims and the



perpetrators are almost always their husbands, but parents and teachers are frequently abusive as well. Public awareness campaigns appear to have little influence.

The custom of paying a dowry may lead to domestic violence: the husband considers the woman to be his “property”. Women are subjected to such strong social pressure that they rarely speak up. Some 15% of the adult population in Zambia is HIV positive, which means the repercussions of rape can be fatal. The Penal Code provides for heavy sentences, but most offenders receive only a small fine.

Zambia’s Penal Code entitles victims of violence to press charges and recognises violence as grounds for divorce. But women are not protected by any specific legislation, and authorities often encourage them to drop the complaints and return to their husbands.

There is no evidence to suggest that female genital mutilation is a common practice in Zambia, nor is it a country of concern in relation to missing women.

Ownership rights

Zambian women experience numerous forms of discrimination in regard to ownership rights. In rural areas, custom prohibits married women from having access to land. The vast majority of land in Zambia is owned by men.

Most Zambian women do not own any property until they marry. In a legal marriage, women are entitled to enter into contracts and have access to property other than land, either individually or jointly with their husbands. Women who enter into customary marriages are not authorised to acquire possessions.

The difficulties Zambian women experience in obtaining access to bank loans is related to their lack of ownership rights. Most women are unable to provide the required guarantees and, banks often, illegally, demand that women provide proof of their husbands’ consent when applying for loans. However, several institutions have been created to assist women. Many women also rely on informal alternatives: some acquire financing via tontines; others obtain short-term loans through private lenders, but the rates are usurious.

Civil liberties

Overall, Zambian women’s civil liberties are respected and they have freedom of movement. However, women wishing to obtain a passport still need the written consent of their children’s father.

Zimbabwe

Population	13 402 661
Female population (as % of total population)	50.4
Women's life expectancy (in years)	42.7
Men's life expectancy (in years)	44.1
Fertility rate (average births per female)	3.7



Degree of gender discrimination (based on SIGI quintile)

Low	Low/medium	Medium	Medium/high	High
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Zimbabwe's recent history has been marked by a sluggish economy resulting largely from ineffective government policies. The economic decline has led to increased poverty for the population as a whole, with women being particularly hard hit.

In reality, women in Zimbabwe have lived under poor conditions for centuries. Although the country has made significant progress in terms of education, with literacy rates reaching 80% for women and 90% for men, this has not had the effect of reducing the restrictive nature of long-held customs.

Family code

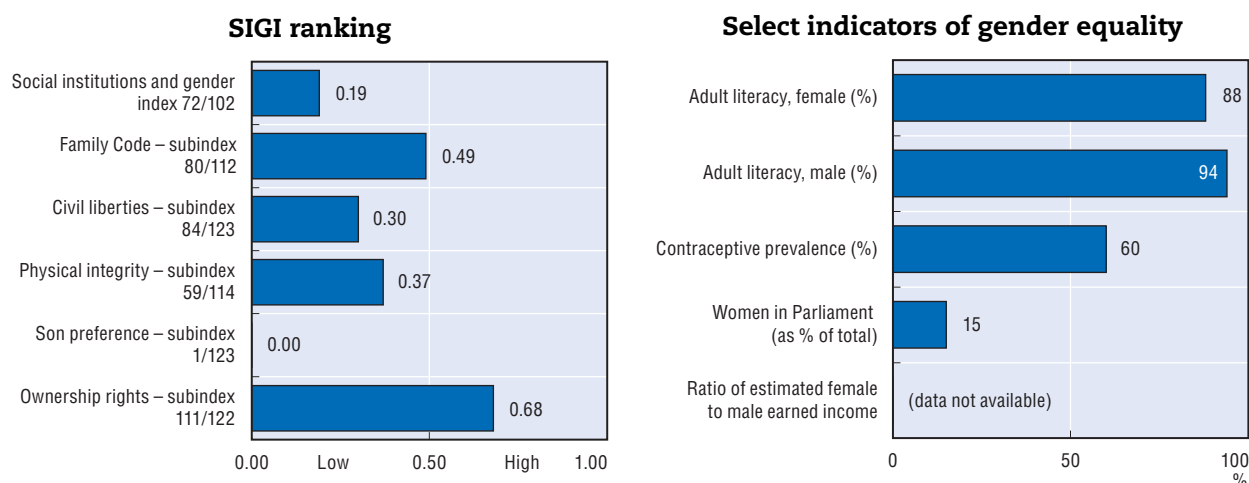
Zimbabwe's customary Family Code grants very few rights to women. There are three types of marriage: civil marriage, registered customary marriage and unregistered customary marriage. The latter predominates in rural areas, where it is the union in 80% of households. The legal minimum age for civil marriage in Zimbabwe is 18 years for men and 16 years for women. A 2004 United Nations report estimated that 23% of girls between 15 and 19 years of age were married, divorced or widowed. The high incidence of early marriage reflects a threat posed by unregistered customary marriages, which effectively make it possible for families to arrange marriages without their daughters' consent.

Polygamy is accepted by the traditional religions practised by a majority of the Zimbabwean population; about one in ten women live in polygamous unions. Such marriages are three times more frequent in rural communities than in urban areas. Polygamy is prohibited in civil marriages. Civil marriage grants spouses equal rights in regard to parental authority. However, in general, husbands exercise sole authority within the family, particularly in rural areas where customary marriage dominates. In the event of divorce after a civil marriage, custody of young children is usually granted to the mother and the father can be obliged to pay child support. In customary marriages, husbands can take all the children away from their mother, who has no legal recourse against such action.

Inheritance rights in Zimbabwe depend on the type of marriage. Under the rules of customary marriage, widows cannot inherit their husband's property. Only the small minority of women who were married in civil ceremonies have the legal right to inherit from their husbands.

Physical integrity

The physical integrity of Zimbabwean women is not sufficiently protected. Violence against women, particularly domestic violence, is very common and occurs across society. In two-thirds of cases, the perpetrator is the woman's husband, partner or ex-husband; half of the cases involve both physical and sexual violence.



It is very difficult for women to defend themselves against such violence. At present, there is no specific legislation against it, and the police are not prepared to investigate. Rape victims typically do not file complaints for fear of social stigma.

An estimated one-third of women working in and around the capital have been subjected to sexual harassment in the workplace.

Female genital mutilation is not widespread in Zimbabwe, but is practised by the Remba ethnic group, which represents a small proportion of the population. Within this group, mutilation is combined with infibulation, which involves closing the outer lips of the vulva.

Zimbabwe does not appear to be a country of concern in relation to missing women.

Ownership rights

Zimbabwean women encounter significant discrimination in the matter of ownership rights. Access to land is essential for women; their survival often depends on growing subsistence crops. Yet women are rarely land owners. If land belongs to a village, customary law applies and land ownership is reserved for heads of households. Women are effectively excluded from ownership and have the right only to a life interest in the use of land, which must be granted by their husbands. In the event of divorce, women automatically lose this right. Widows are not entitled to inherit their husband's land. When land belongs to the state, Zimbabwean civil law applies. In this case, women can own land under the terms of an agrarian reform programme, which made provision to reserve some land for women. Despite this, women still encounter resistance to land ownership.

Zimbabwean law recognises women's rights to access property other than land. All women are entitled to own property, which they retain if they do marry or subsequently divorce. According to civil law divorce proceedings, a woman's contribution to the household is taken into account when dividing the couple's joint property. This legislation does not apply in unregistered customary marriage.

Legislation allows women in Zimbabwe to have access to bank loans, but banks often ask for documents they are rarely able to provide. Some credit institutions are successfully targeting women and there are increasing numbers of women-only savings clubs, which give women access to financing.

Civil liberties

The civil liberties of women in Zimbabwe are severely restricted by tradition. In principle, the law guarantees women's freedom of movement, but in practice, most men exercise control over their wives' actions.

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Glossary

Abaya: A loose black robe worn over clothing that women are required to wear in public in some countries of the Arabian Peninsula.

Barlaque (Timor-Leste): This custom calls upon the prospective husband's extended family to pay a negotiated combination of animals, money, traditional woven cloths and other gifts to the family of the prospective bride.

Infibulation: A Female Genital Mutilation-related practice involving closing the outer lips of the vulva.

Khul' or Talāq 'ala māl (divorce in exchange of payment): In Islamic law Khul' is the right of the wife to end the marriage by offering to pay a sum of money, which is seen as a return of all or some of the dowry she was paid by the husband.

Mahram: A women's guardian; usually her husband or closest male relative.

Muttawa (Saudi Arabia): Commonly used as a casual term for the government-authorized or -recognised religious police (or clerical *police*) of Saudi Arabia.

Niqāb/Niqba: A niqāb is a veil which covers the face, worn by some Muslim women as a part of sartorial hijāb (head covering).

Patri-local marriages: A practice that requires women to move to the village of their husbands.

Polygamy: The practice of marriage to more than one spouse simultaneously.

Purdah: The segregation of women from men either through physical barriers (such as screens, curtains or high walls) or by the requirement to wear concealing clothes. This practice restricts women's freedom of dress by obliging them to wear a veil in public. In the strictest form of purdah, women must conceal themselves completely from head to toe.

Sharia: Muslim or Islamic law, both civil and criminal justice as well as regulating individual conduct both personal and moral. The custom-based body of law based on the Koran and the religion of Islam.

Tontine (Sub-Saharan Africa): Informal savings and credit instrument whereby a group of individuals contribute on a regular basis to a collective fund that each of them is eligible to receive in turn.

Usufruct: The legal right to use and derive profit or benefit from *property* that belongs to another person and the obligation to return it, as long as the property is not damaged.

Wali: In the Islamic law of marriage, the wali is a woman's closest adult male relative, who has authority and responsibility with respect to her marrying. In this context, wali can be translated as "marriage guardian".

Zina: Laws that criminalise sexual relations outside marriage.

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