

# **Realizing Equal Legal Rights and Access to Justice for All: A Report to the UN Women Expert Group Meeting for CSW 70**

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The UN Sustainable Development Goals of 2015 set a clear deadline, 2030, for all countries to achieve legal equality for women and girls. Realizing this goal requires that all countries have passed legislation that guarantees equality and prohibits discrimination, have put in place mechanisms to prevent discrimination, and have ensured access to justice for people who have been discriminated against based on gender. This paper examines how far countries have progressed in realizing this goal. We report on the extent of global progress from 2016, the year after the Sustainable Development Goals were adopted, to 2024. At the end of this report, a list of additional resources provides more in-depth context, analysis, and discussion for those who want to dive more deeply into the research evidence.

## **Equal Legal Rights at Work**

There is powerful evidence that employment discrimination is ongoing in countries in every region. Moreover, women from marginalized groups often face multiple forms of discrimination, including women from racial and ethnic minorities, marginalized religious groups, immigrants, low-SES women, women with disabilities, and others. In addition to discrimination at work, global data shows that a substantial number of workers experience violence or harassment on the job due to their gender, race, ethnicity, disability status, or country of origin.

This has continued in spite of the fact that the Universal Declaration of Human Rights, which all UN countries have agreed to, states that every person has a right to just conditions of work regardless of “race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.” This global commitment has been repeatedly confirmed including when the International Labor Organization adopted its Discrimination (Employment and Occupation) Convention, the United Nations adopted the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination Against Women, the Convention on the Elimination of All Forms of Racial Discrimination, and the Convention on the Rights of Persons with Disabilities. The UN SDGs embody these commitments in SDG 5 which commits to “end all forms of discrimination against all women and girls everywhere,” and SDG 10 which calls for reducing inequalities and ensuring

economic “inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion, or economic or other status.”

## Data on Progress

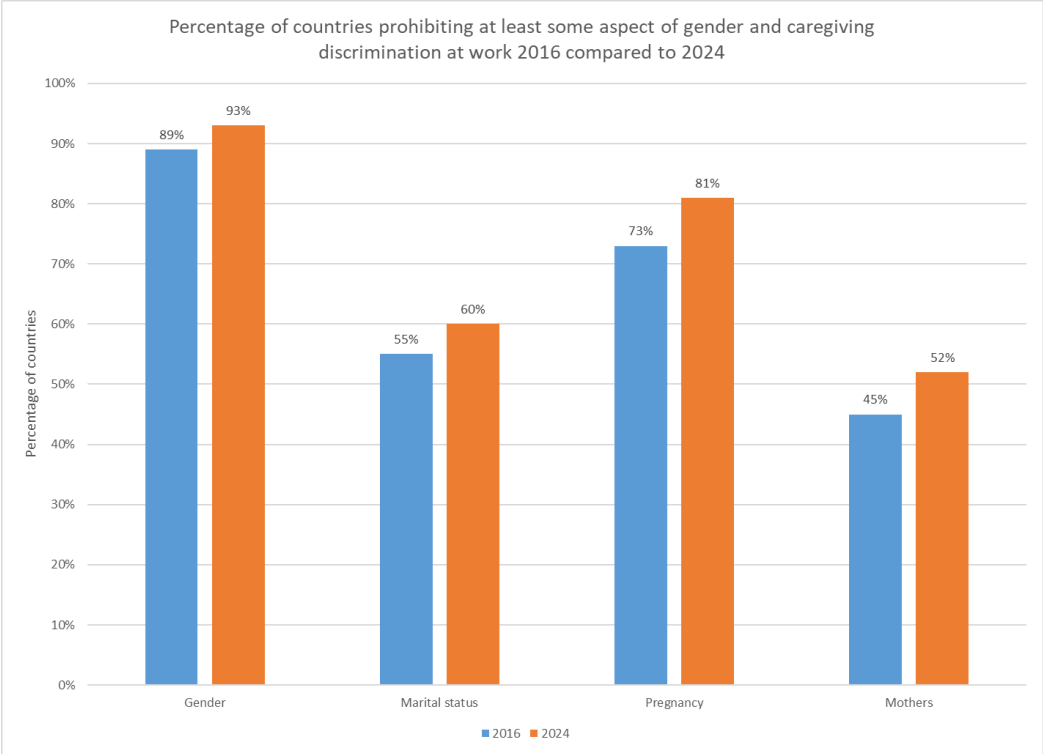
This report to the expert working group provides data on the extent to which all 193 UN member states have passed laws prohibiting gender discrimination at work and the extent to which these laws cover all women by protecting against multiple discrimination at work including against groups that are marginalized because of their race, ethnicity, religion, sexual orientation, gender identity, age, disability status, or other characteristic. We report data arising from a multi-year effort to examine the laws in place in all UN countries. Original legislation was sourced from the International Labor Organization’s NATLEX database and individual countries’ online legislative repositories. For each country, two members of a multi-disciplinary team with fluency in several UN languages independently reviewed the country’s legislation in its original language or in translation, then coded key aspects of the country’s equal rights and nondiscrimination provisions. Individual researchers’ coding was checked against the second independent assessment. When there were disagreements, these were reviewed by senior analysts and the full coding team. More detailed methodology can be found in the additional resources at the end of this report.

## Findings

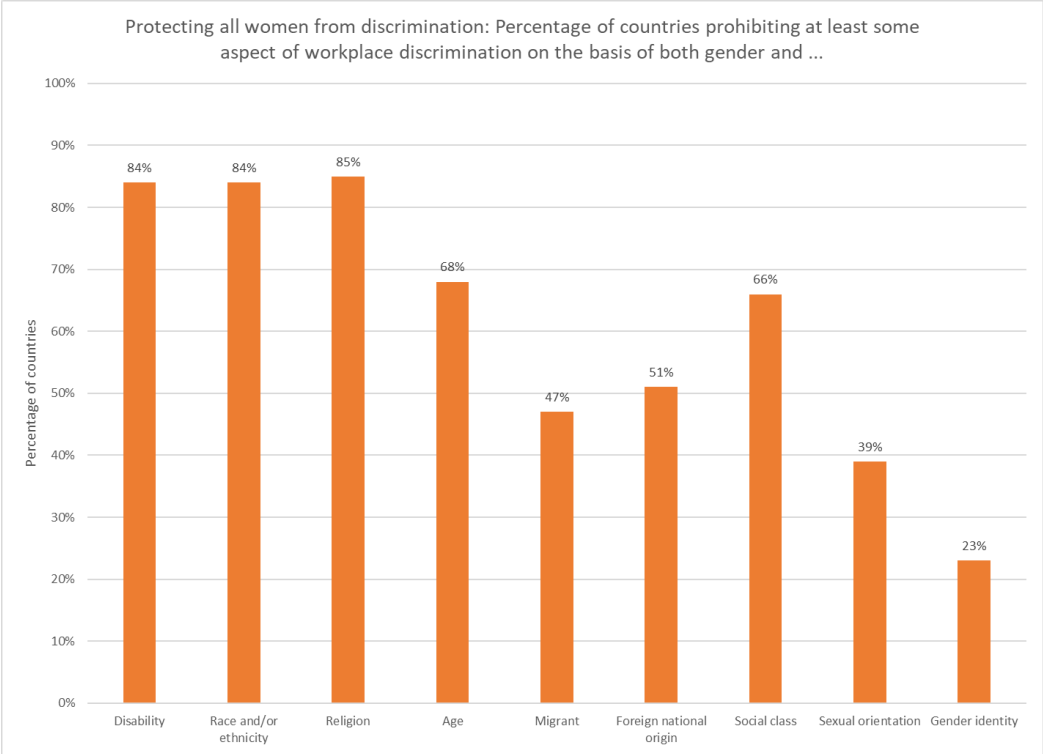
### *Protection from discrimination at work for all women*

Between 2016, the year after all countries agreed to the SDGs, and 2024, the share of countries globally prohibiting at least some aspects of sex or gender-based employment discrimination increased from 89 to 93 percent. While this was important progress, seven percent of countries continued to provide no protections against discrimination at work based on sex or gender, in spite of the clear stipulations in the Sustainable Development Goals.

While 93 percent of countries provide at least some protection from sex or gender discrimination, many of these countries did not provide protection from the forms of caregiving discrimination that women often face. Only 52 percent prohibited discrimination because a woman had children and only 60 percent prohibited discrimination because a woman had gotten married. The latter is a common form of discrimination in settings where employers are discriminating against mothers and used marital status as proxy for likely parenting.

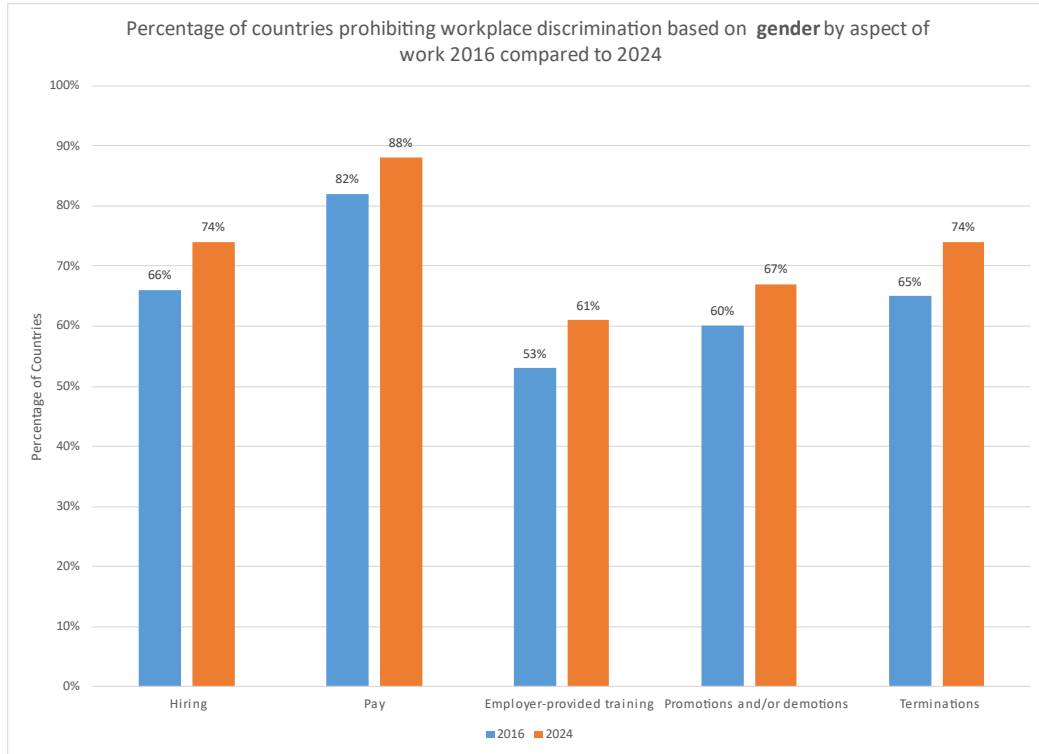


Women who are members of marginalized groups often did not have protections from multiple or intersectional discrimination. For example, only 47 percent of countries protected immigrant women from discrimination both due to their sex or gender and their migrant status, and only 51% did so for women citizens with a foreign national origin. Gaps are even larger for women who are sexual and gender minorities. The figure below captures the disparities in efforts to prohibit discrimination against different groups of women.



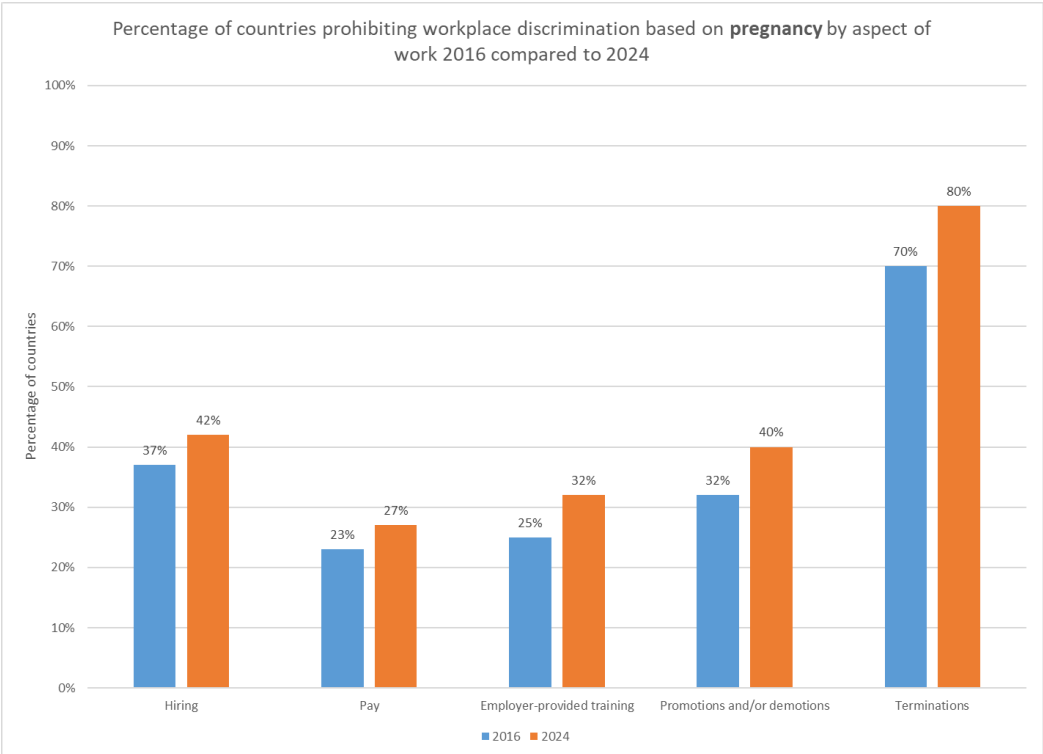
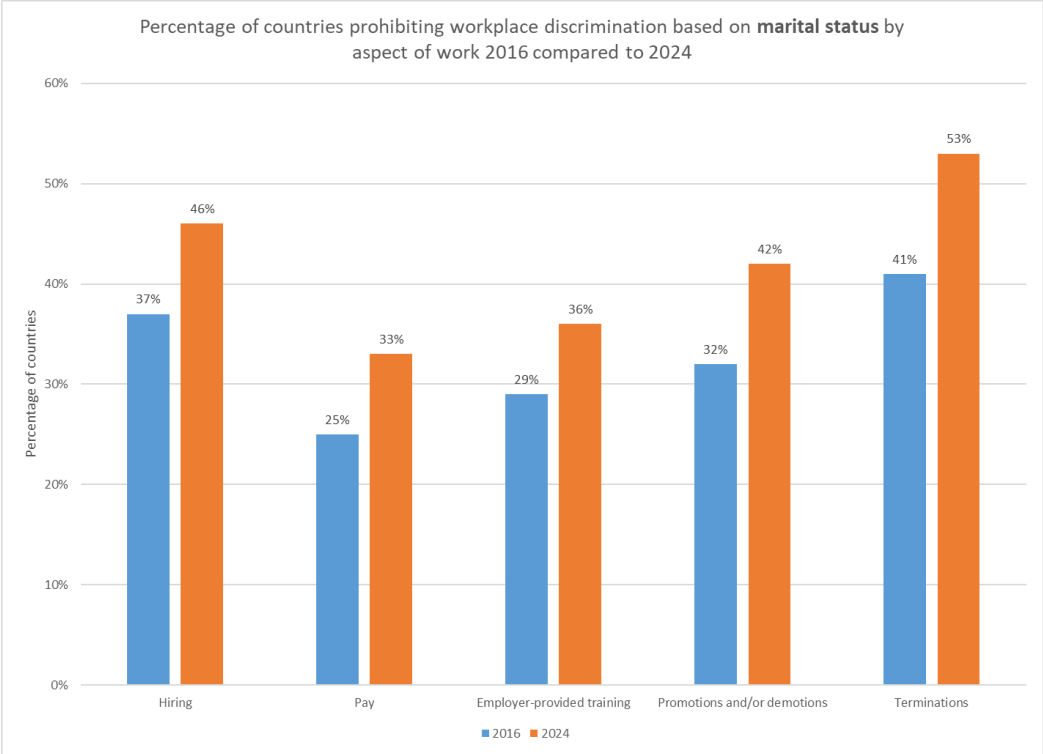
*Protections from discrimination from hiring to termination*

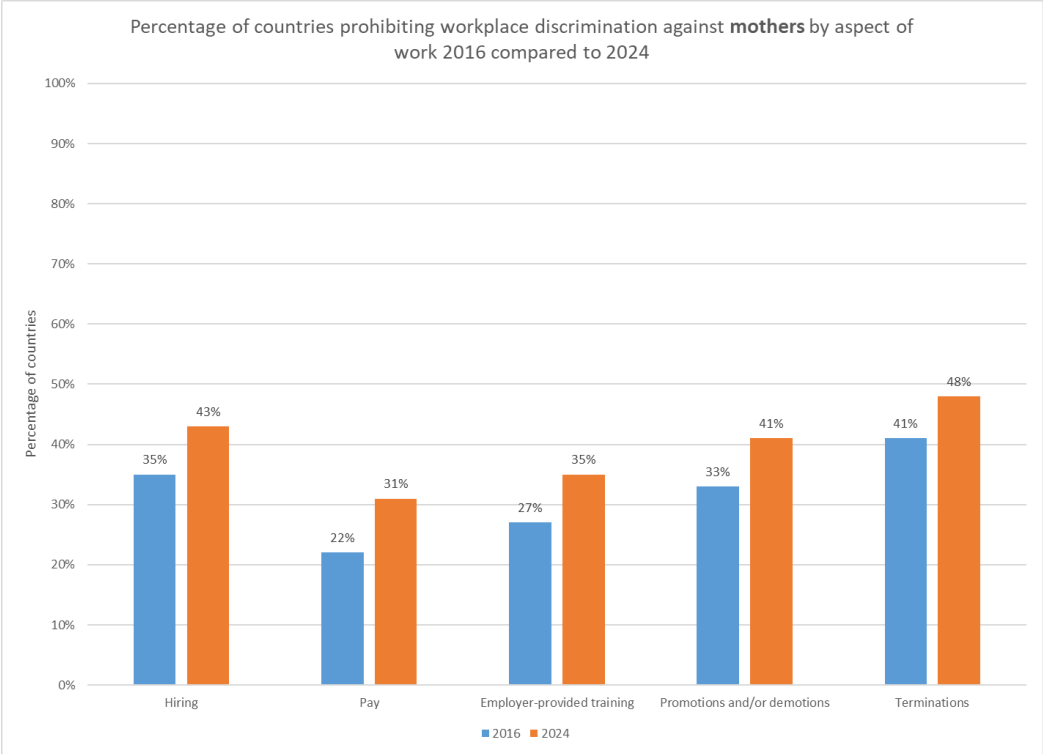
While it is good news the extent to which countries provide at least some protection from sex- or gender-based discrimination at work, many of the countries that provide protection from discrimination in hiring still allow other forms of sex- and gender-based discrimination at work. Only 61 percent of countries prohibit sex- and gender-based discrimination in training at work.



That number shrinks to less than 40 percent for each of the areas seen as associated with women’s caregiving. Only 32 percent of countries prohibit discrimination against pregnant women in training, only 36 percent prohibit this discrimination based on marital status, and only 35 percent prohibit it based on maternal status.

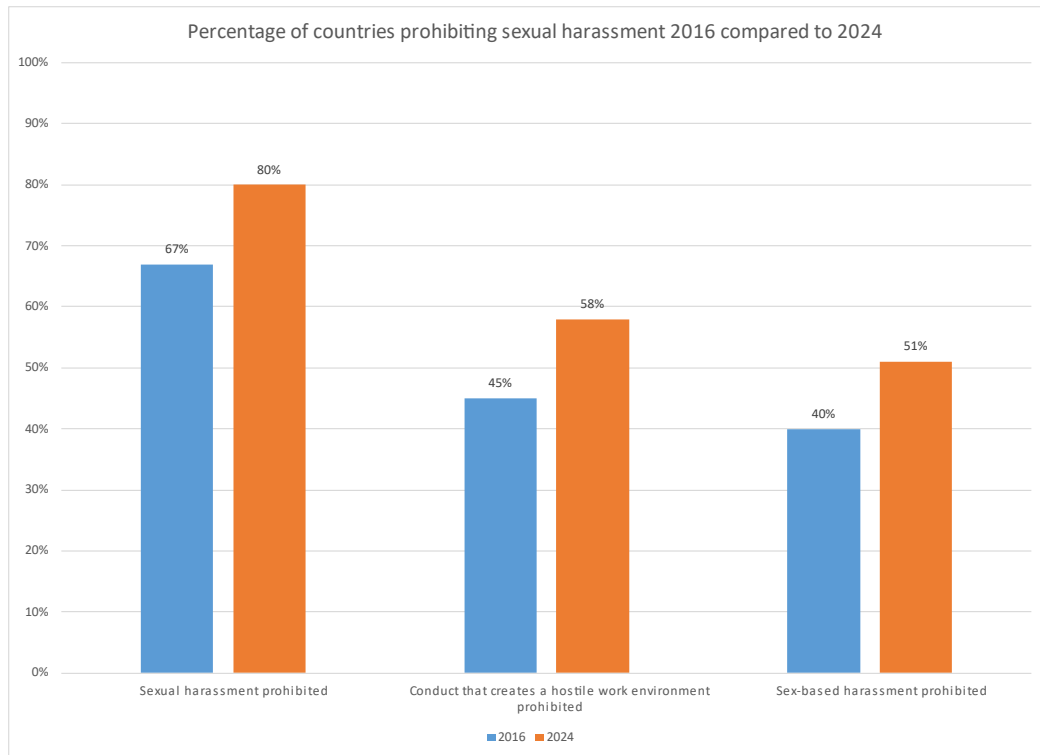
Countries have also made far less progress in protecting women from discrimination in promotions and demotions. It is still the case that only two out of three countries prohibit gender- or sex-based discrimination in promotions and demotions. Less than half prohibit discrimination based on marital status, pregnancy, or maternal status.





*Sexual harassment findings*

In 2016, only 67% of countries had laws that specifically prohibited sexual harassment at work. By 2024, that percentage had increased to 80%. While the #metoo movement strengthened progress, protections are still far from universal and if the rate of progress does not accelerate, this basic protection will not be universal by 2030. Moreover, legal gaps even in the 80% of countries with some protection result in women not being protected from all forms of sexual harassment covered by the ILO convention. For example, only 58% of countries prohibit actions that create a hostile working environment. Similarly, only 51% of countries explicitly protect women from sex-based harassment that is not sexual in nature but nonetheless targets women.



Moreover, in many countries sexual harassment laws fail to protect women from harassment by all perpetrators in a work environment. Only 34% of countries extend sexual harassment prohibitions to cover job applicants; whereas only 24% cover interns and trainees. Harassment can occur regardless of whether individuals are peers or women are in positions of leadership. Yet, only 36% of countries prohibit sexual harassment by co-workers or use language that covers all perpetrators. Even fewer – ten percent – prohibit sexual harassment by subordinates or regardless of their rank or position.

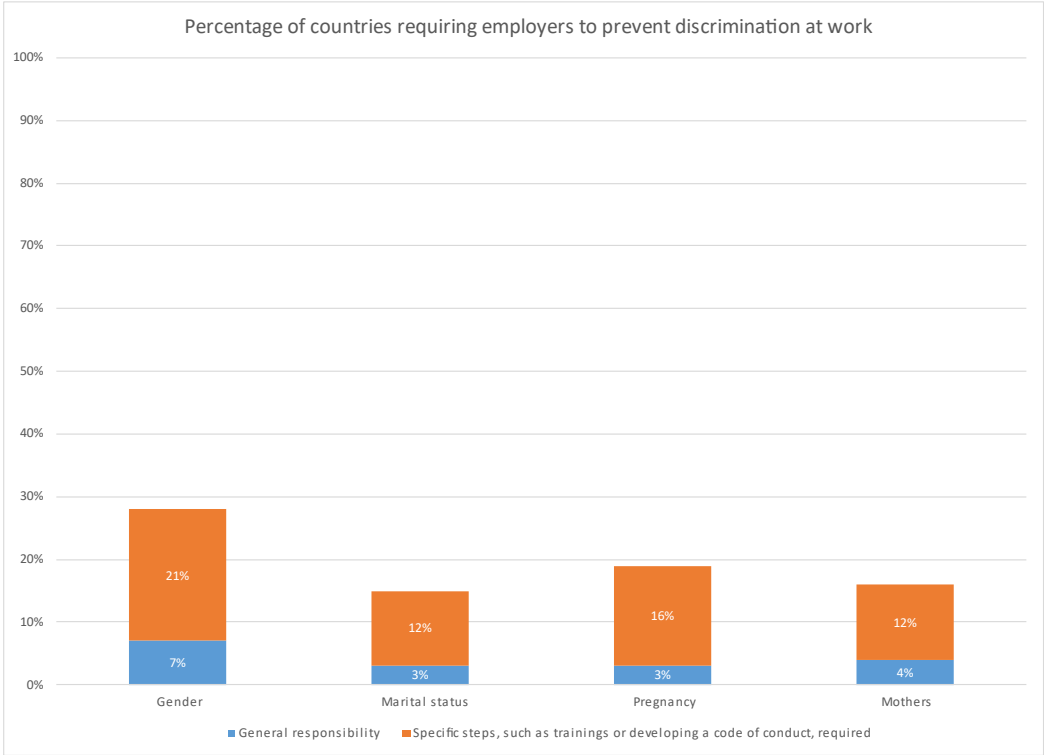
### Mechanisms to Realize Legal Equality

Everyone’s life is better off if the discrimination never occurs in the first place than if people merely have redress. Prevention of discrimination and sexual harassment is crucial. While guarantees of equality at work and prohibitions of nondiscrimination are a starting point, governments and employers have to take steps for them to be realized. When laws do not stipulate any steps that need to be taken to prevent discrimination, the laws are unlikely to have the impacts that they are meant to have.

For every country that had a law prohibiting discrimination at work or prohibiting sexual harassment, we examined whether the law had any implementation steps included. Importantly, to prevent discrimination at work and sexual harassment, we examined whether employers had any duty to take steps—whether it be to provide training, develop a code of conduct, or raise awareness of existing legislation.

From 2016 to 2024, the percentage of countries mandating employers take responsibility for preventing sexual harassment in the workplace increased from 33% to 48%. In 35% of countries, employers must take specific steps.

However, far fewer countries require employers take steps to prevent sex or gender discrimination other than sexual harassment. Only 28% require employers to prevent gender discrimination, and just 16% require prevention of discrimination against mothers.



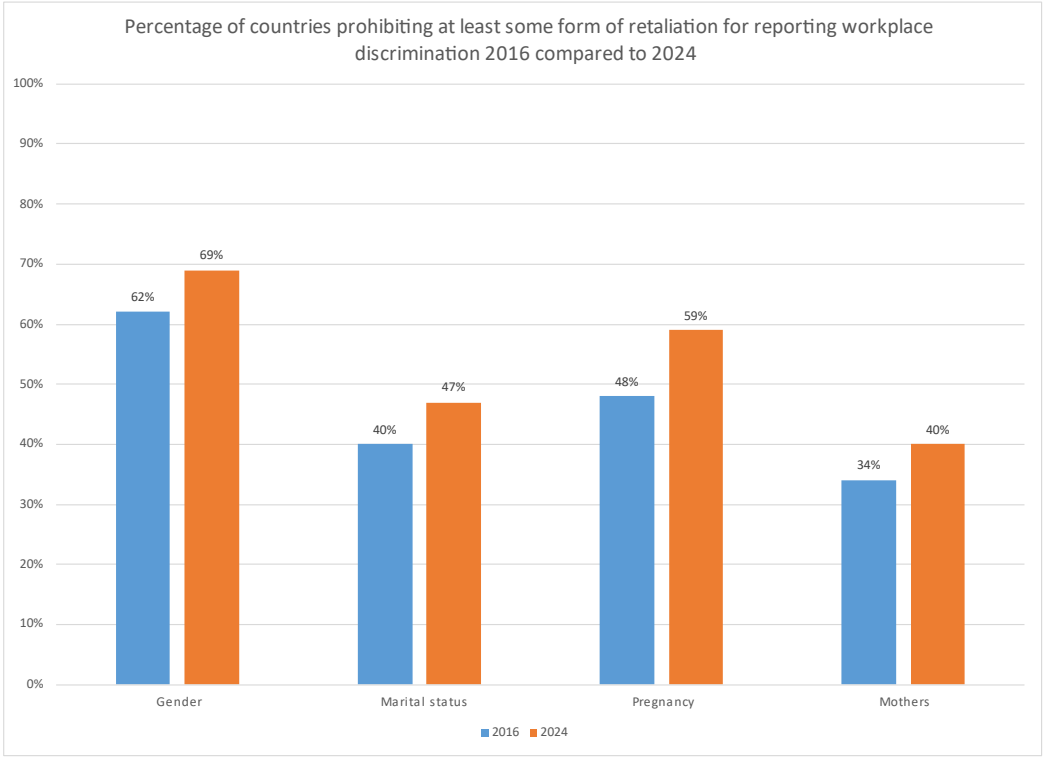
*Access to justice*

It is equally essential to also have mechanisms to seek redress when discrimination occurs because even strong prevention efforts are rarely 100 percent effective. Access to justice is shaped by the ability to obtain affordable counsel in individual cases and access to collective mechanisms such as class action suits when the discrimination or sexual harassment is widespread. Labor commissions, human rights bodies, and other nonjudicial mechanisms of redress can play a crucial role, as well as courts.

For all of these mechanisms to work effectively, it is essential that people filing complaints about discrimination are protected from retaliation and that witnesses to the discrimination who disclose what they observed are also protected from retaliation.

While some countries are leading the way in both areas, enormous gaps remain. For sexual harassment, the percentage of countries prohibiting at least some form of retaliatory action for reporting sexual harassment has increased from 47% in 2016 to 60% in 2024. However, fewer countries protect reporters from all forms of adverse action, including disciplinary action or harassment in addition to dismissal. Moreover, only 42% of countries protect individuals who support investigations of sexual harassment from retaliation.

62% of countries protected individuals who reported gender discrimination from at least some form of retaliation in 2016 compared to 69% in 2024. Like sexual harassment, some countries only protect women from dismissal or don't specifically cover participation in investigations. Just 40% of countries ensure protection from at least some retaliation for mothers experiencing discrimination for care responsibilities.



*Discussion*

The world is not on track to achieve the goal of legal equality for women and girls by 2030. While all domains assessed saw progress since the start of the SDGs, the rate of change is not fast enough to meet the 2030 goals. Some of the greatest gains were seen in laws prohibiting sexual harassment at work, but even taking a first step of legally prohibiting sexual harassment

is not on pace for 2030. Moreover, among countries that have taken the important step of prohibiting sexual harassment at work, there are substantial gaps in what forms of harassment are prohibited and by whom. Two out of five countries globally fail to prohibit conduct that creates a hostile work environment, nearly 1 in 2 fail to prohibit sex-based harassment that is not sexualized, more than 3 out of 5 fail to specifically address peer harassment, and 9 in 10 countries fail to protect women leaders from harassment by their subordinates in spite of the evidence that the ferocity of this impacts women's leadership opportunities.

At the start of the SDGs, most countries prohibited at least some form of sex or gender discrimination at work. Yet, as we near 2030, 13 countries still have yet to take the first step of legally prohibiting sex or gender discrimination at work. Much of the progress over the past 8 years has been to strengthen laws when protections are already in place. Yet, substantial legal gaps remain: nearly 2 in 5 countries fail to specifically guarantee women the same opportunities for employer-provided training which opens doors to advancement. One in three countries fail to ensure non-discrimination in promotions and/or demotions.

The SDGs recognized the role of caregiving discrimination in perpetuating inequalities. As of 2024, 80% of countries have passed laws prohibiting discriminatory terminations based on pregnancy. Yet, nearly 3 out of 5 countries have yet to prohibit employers from discriminating based on pregnancy in the hiring process or from ensuring that pregnant workers receive the same opportunities for career advancement. Even if the current pace of change for pregnant workers is maintained, it will be 60 years until pregnant workers have equal legal rights to career advancement. Gaps are even larger for discrimination based on marital status or caregiving responsibilities.

Women frequently face discrimination based on intersecting statuses. Despite strong international commitments to end racial, religious, and disability-based discrimination, nearly 1 in 5 countries have failed to protect women with each of these intersecting characteristics. Moreover, even more countries have yet to take steps to address foreign national origin (1 in 2), migrant status (1 in 2), and social class (1 in 3). Women who are sexual or gender minorities face the greatest gaps.

Laws on the books banning discrimination are an important first step, but laws must also be made real in the lives of women and girls to achieve equality. At the current rate of progress, it would take nearly 30 years for all countries to make employers legally responsible for creating a work environment free from sexual harassment. Gaps for ensuring a workplace free from discrimination are also great.

When harassment or discrimination does occur, women need to be able to report violations without fear of reprisal. Yet, in 2 out of 5 countries globally there is no protection from

retaliation for reporting sexual harassment and nearly 1 in 3 fail to do so for gender discrimination. Progress on ensuring protection from retaliation has lagged other areas. Moreover, in some countries retaliation provisions fail to cover all forms of retaliation or all workers involved in complaint investigations.

### *Recommendations*

Meeting SDG 5.1 by 2030 is achievable, but only if there is both greater accountability on the commitments countries have made and better support for policymakers seeking to make the changes. There is a pressing need to ensure that global organizations

- Monitor and publish annually the progress on legal equality in constitutions and legal equality at work.
- Map annually which countries ensure implementation mechanisms exist, and access to justice without retaliation is protected.
- Provide civil society in every country with ready information on how their own nation is performing in comparison to others in the region and globally and
- Provide policymakers seeking to improve laws with ready access to legislation from other nations.

### *Additional resources*

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- Raub, Amy, Pamela Stek, and Jody Heymann. 2023. "Legal Gaps in Laws Prohibiting Age Discrimination at Work: An Analysis of Laws in 193 Countries." *Comparative Labor Law and Policy Journal* 43(2).
- Weistroffer, Ross L., Amy Raub, Aleta Sprague, and Jody Heymann. 2025. "Mapping Progress in Workplace Protections: A Study of Global LGBTQI + Workplace Antidiscrimination Legislation in 2016 and 2023." *Sexuality Research and Social Policy*. doi:10.1007/s13178-024-01074-4.