**Written Statement from Equality Now to the Fourth Intersessional meeting of the Human Rights Council, held on 18 January 2022: *Investing in sustainable recovery, advancing gender equality and strengthening partnerships – Towards a renewed social contract anchored in human rights***

Equality Now, an international human rights organization with ECOSOC status working to protect and promote the rights of women and girls worldwide since 1992, commends the focus of the intersessional meeting on investing in sustainable recovery from the COVID-19 pandemic and advancing gender equality through the use of a human rights-based approach. Due to the meeting’s focus onSDG 5 ‘Achieve gender equality and empower all women and girls’, Equality Now would like to take this opportunity to provide input into how implementation of the 2030 Agenda can be achieved and accelerated through a commitment to gender equality both in and through the law. We call on all governments to comprehensively review and amend as necessary all of their laws, policies and procedures to ensure the human, civil, political, economic, social and cultural rights of all women and girls.

The COVID-19 pandemic has had a devastating impact on progress to achieve gender equality and ending human rights violations against women and girls. For instance, [UNFPA](https://www.unfpa.org/resources/impact-covid-19-pandemic-family-planning-and-ending-gender-based-violence-female-genital) has predicted that 2 million additional cases of female genital mutilation (FGM) and 13 million additional cases of child marriage are likely to take place by 2030 that would have otherwise been averted, due to disruptions to prevention and response programmes caused by the pandemic. Achieving implementation of the 2030 agenda will require accelerated investment in and global efforts to end these harmful practices, including ensuring there are laws that ban such practices and the utilisation of an integrated multi-sectoral approach that brings together all relevant stakeholders in a joint effort to effectively implement laws that address FGM and child marriage.

Advancing gender equality also requires the immediate repeal or amendment of sex discriminatory laws as well as the enactment and implementation of clear constitutional guarantees of equality and non-discrimination laws without exception. World Bank data shows that many countries ranked at the bottom of the index for legal equality have family laws that explicitly discriminate against women and girls. Discriminatory family laws limit women’s rights with regard to marriage, divorce and child custody; restrict women’s rights to inheritance and property ownership; and deny women’s autonomous legal capacity through requirements of permission from husbands or male guardians for various activities (including in order to work outside the home, open a bank account, enter into legal contracts or proceedings etc). Governments must ensure equality for all women and men under the law in all matters relating to the family, regardless of religion, culture and tradition.

There is also a need for an effective global and gendered response to ending online sexual exploitation and abuse (OSEA) against women and girls. Equality Now’s recent report, [*Ending Online Sexual Exploitation and Abuse of Women and Girls: A Call for International Standards*](https://www.equalitynow.org/endingosea), utilizes a survivor-centric approach to illustrate the impact of OSEA and highlights the challenges faced in keeping people safe in a rapidly changing digital landscape. OSEA occurs as part of the continuum of gender-based violence, and women and girls are disproportionately affected. The report found that international and national laws have not kept pace with changing technology, and uncovered a lack of consistent legislation and internationally-adopted laws pertaining to OSEA that makes obtaining legal recourse extremely challenging for survivors. Member states should develop and adopt a binding international instrument that specifically defines and addresses OSEA as a multi-jurisdictional problem; as well as review and update their national legislation and policies to fully protect vulnerable people from OSEA.

Ending impunity for sexual violence requires stronger laws and procedures which are based on international and regional law and standards and improve access to justice for survivors. Laws on rape in many countries around the world still require the use of additional physical violence or threat of force to prove rape, contrary to international human rights standards. Definitions of rape need to be based on voluntary, genuine, and willing consent and recognize a broad range of coercive circumstances where consent is not possible. Effective implementation of these laws which takes into account the needs of all women and girls, including those from marginalised communities, to ensure that the additional discrimination they face is understood and addressed, is also needed. This will require understanding and addressing the impact of discriminatory stereotypes to ensure there is no secondary victimisation in legal and social processes that also harm effective justice and allow impunity for these violent crimes.

Equality Now commends the demonstrated commitment to tracking and reviewing progress on the SDGs, and urges all Member States to recognize that universal achievement of the SDGs depends on attendant commitment to achieving gender equality, including, but not limited to, focus on the above-outlined areas. Implementation of a strong legal framework that protects and advances the human rights of all women and girls at the national level, alongside effective implementation of the laws and accelerated investment in efforts to end all forms of gender-based violence, is central to achieving sustainable development.