



ENDING VIOLENCE AGAINST
WOMEN AND GIRLS

**GLOBAL AND REGIONAL
TRENDS IN WOMEN'S LEGAL
PROTECTION AGAINST
DOMESTIC VIOLENCE AND
SEXUAL HARASSMENT**

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REVISED MARCH 2018



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BACKGROUND TO THIS SERIES

Violence against women and girls is one of the most extreme forms of gender inequality and widely considered as a violation of human rights. It is a global epidemic that endangers the life trajectories of women and girls in multiple ways, with a wide range of negative consequences not only for them, but also for their children, families, and communities.

Violence leads to negative and at times dramatic health consequences. It leads to increased absenteeism at work and limits mobility, thereby reducing productivity and earnings. It leads girls to drop out of school when going to school puts them at risk of abuse. It affects agency, including decision-making ability within the household such as simply being able to seek care when needed. Regardless of income level or social status, violence affects women and girls of all ages and impacts their full and equal participation in society and the economy. Violence takes many forms, including not only physical, but also sexual, emotional, and economic, as well as harassment experienced in public and in places of work and education. Beyond the individual harm inflicted on women and their families, gender based violence is a global problem with substantial economic costs.

The elimination by 2030 of all forms of violence against women and girls, and of all harmful practices such as child, early and forced marriage, and female genital mutilation, are two of the targets adopted under the Sustainable Development Goals (SDGs). Prevention of violence against women and girls, as well as enabling women and girls to heal when they are victims of such violence, has been identified as one of the key elements for sustainable development. Yet investments to end violence against women and girls are limited, and worldwide the prevalence of various forms of violence against women and girls remains too high to be able to achieve the SDG target under current trajectories.

One of the objectives of this series of notes on ending violence against women and girls is to examine the roles that laws, policies, and specific programs or interventions may play toward achieving those goals. This is done through both multi-country analysis and country case studies. The series also discusses some of the factors that drive various forms of violence against women and girls, and their trends over time. Finally, the series aims to provide analysis related to the measurement of violence against women and girls and strategies as well as interventions to end these practices.

KEY MESSAGES

- Laws against domestic violence and sexual harassment are important to provide women with legal protection and signal commitment to achieving the Sustainable Development Goal target of ending all forms of violence and harmful practices against women and girls by 2030.
- The share of countries with laws on domestic violence increased from 70.9 percent to 75.9 percent thanks to legal reforms in seven countries over the last four years.
- Legal protection remains weak for sexual violence as a form of domestic violence, where laws are lacking in more than one in three countries. For economic violence, half of the countries do not have specific legislation. For two in three countries, unmarried intimate partners are not protected under the domestic violence laws. Gaps in legislation are most common in the Middle East and North Africa and in sub-Saharan Africa.
- More than one billion women lack legal protection against sexual violence by an intimate partner or family member and close to 1.4 billion lack legal protection against domestic economic violence, with little progress over time in both cases. In addition, in many countries, even when married women may be protected against domestic violence, women in unmarried intimate relationships may not be protected.
- The share of countries with laws on sexual harassment increased from 83.7 percent to 86.5 percent thanks to legal reforms in Cameroon, Chad, Egypt, and Guinea over the last four years.
- One in five countries do not have appropriate laws against sexual harassment in employment. The proportion is six in ten countries for sexual harassment in education and four in five countries for sexual harassment in public spaces. Criminal penalties for sexual harassment are in place in only two thirds of countries and less than half for sexual harassment in employment.
- Estimates of the number of women lacking legal protection against sexual harassment in employment, education, and public places are at 359 million, 1.5 billion, and 2.2 billion,

respectively. Estimates are higher when based on the lack of criminal penalties for perpetrators.

- While laws against domestic violence and sexual harassment are not sufficient to end these forms of abuse, they are an important step that countries can and should take towards ending violence against women and girls.

DATA SOURCES AND METHODOLOGY

This note documents global trends in legal protection for women against domestic violence and sexual harassment. While child marriage and female genital mutilation are also considered as forms of violence against women, they are not analyzed here because separate analysis is being conducted on those topics (see Box 1 on child marriage). Analysis relies on population data from the World Development Indicators and legal data from Women, Business, and the Law reports at the World Bank. Legal data for 2013 and 2015 have been published. Data for 2017 will be released in the forthcoming 2018 Women, Business, and the Law report.

While having laws on the books is important, it is not sufficient. In many places, adequate laws may coexist with high prevalence of domestic violence or sexual harassment. This may result from poor implementation of the laws, whether due to poor enforcement, low capacity, or the lack of additional mechanisms, policies and specific programs or interventions to address the underlying issues.

The legal data are collected based on responses from local legal experts, including lawyers, judges, academics, and members of civil society organizations working on gender issues. The data and responses are verified against

codified sources of national law, such as criminal codes, labor laws, and legislation on violence against women, domestic violence, sexual harassment, gender equality and non-discrimination. The legal data are based on statutory or codified laws and regulations for civil and common law systems, and on case law, which for common law systems is law established by judicial decisions in cases that set binding precedents. In order to ensure comparability between countries with different and plural legal systems, the data is based on the law applicable to the main business city in the country and customary and religious law is not accounted for unless it has been codified or upheld by binding case law. In some places, customary law may exist in parallel with formal legal regimes, and may differ and sometimes undermine the protections granted by the statutory legal system.

Importantly, our assessment of legal protection against domestic violence and sexual harassment is based solely on the letter of the law and not on the application or enforcement thereof, which is outside the scope of this analysis. While having laws on the books is important, it is not sufficient. In many places, adequate laws may coexist with high prevalence of domestic violence or sexual harassment. This may result from poor implementation of the laws, whether due to poor enforcement, low capacity, or the lack of additional mechanisms, policies and specific programs or interventions to address the underlying issues. Thus, for women, legal protection does not necessarily

reflect effective protection from violence. While focusing on the legal protection against domestic violence and sexual harassment, this analysis recognizes the often large gaps between the laws on the books and actual practice.

The criteria used for considering whether there is legal protection against domestic violence and sexual harassment are provided in appendix 2. While some of these criteria could be discussed and debated, the methodology is designed with the purpose of being relatively simple, to provide objective data and thereby useful for providing a bird's eye view of the state of legislation in those areas globally and at the level of regions. Considering the limitations of the standardized assumptions, the need to ensure data comparability, and the fact that laws may differ by state or at the provincial level, in particular within federal economies, additional criteria and a more granular assessment of legislation would be needed for detailed country work.

Three main statistics are reported for the variables of interest: (1) the share of countries with legal protection against domestic violence and sexual harassment; (2) the number of adult women (age 15 and above) without legal protection; and (3) the share of adult women without legal protection. The difference between the first and third statistics is that countries are weighted equally in the first statistics, while population weights are used for computing the third.

BOX 1: LAWS ABOUT CHILD MARRIAGE

This note focuses on laws against domestic violence and sexual harassment. While child marriage and female genital mutilation are also forms of violence against girls, they are not discussed here because separate notes in this series are focused on these topics. In the case of child marriage as an example, conclusions from analysis by Wodon et al. (2017) are as follows: (1) Child marriage is a harmful practice that disproportionately affects girls, with negative impacts on their health, education, and opportunities in life; (2) Child marriage laws are important to provide girls with legal protection and signal commitment to achieving the Sustainable Development Goal target of ending child marriage by 2030; (3) Most countries have adopted 18 as the legal age for marriage for girls, but many countries allow younger girls to marry with parental or judicial consent; (4) Close to 100 million girls globally are not legally protected against child marriage when considering exceptions that allow marriage at a young age with parental or judicial consent; (5) Between 2015 and 2017, among a set of 112 countries, nine countries improved their laws on the minimum age for marriage, typically by eliminating exceptions that allow child marriage with parental or judicial consent; (6) While national laws against child marriage are important, they are not sufficient for ending the practice. Globally, even after accounting for exceptions to the legal age of marriage with parental or judicial consent, 7.5 million girls marry illegally each year (20,000 girls per day), making up 68 percent of child marriages; (7) Therefore, additional measures that address the underlying causes of child marriage and that expand access to quality education and other opportunities for girls need to be pursued more actively by governments, with support from the international community.

The analysis is conducted for 141 countries listed in Appendix 1. For the year 2017, these countries account for more than 95 percent of the population of adult women in the world (2.7 billion adult women out of a global estimate of 2.8 billion). When presenting statistics, trends are estimated globally for all countries together, as well as by regions. The regions and number of countries per region are East Asia and Pacific (17 countries), Europe and Central Asia (46 countries), Latin America and the Caribbean (21 countries), the Middle East and North Africa (14 countries), North America (two countries), South Asia (five countries), and sub-Saharan Africa (36 countries). The note considers first the status of legal protection against domestic violence, and next the status of laws against sexual harassment.

LEGAL PROTECTION AGAINST DOMESTIC VIOLENCE

Data are collected on the existence and scope of laws on domestic violence, defined as gender-specific violence commonly directed against women, occurring in the private sphere, within the family or members of the same household, and within interpersonal relationships,

including intimate partner violence (IPV). As defined in the 1993 Declaration on the Elimination of Violence against Women and the 1996 Framework for Model Legislation on Domestic Violence from the United Nations, domestic violence may take on different forms, including physical, sexual, psychological, and economic violence (on economic violence, see Box 2).

Laws should include a comprehensive definition of domestic violence, including physical, sexual, psychological and economic violence, and should apply at a minimum to individuals who are or have been in an intimate relationship, including marital, non-marital, same sex and non-cohabiting relationships; individuals with family relationships to one another; and members of the same household. Legislation regarding domestic violence has tended to address physical violence only, and it has often applied only to persons in intimate relationships and married couples. However, as a more nuanced understanding of the nature of domestic violence has emerged, laws have progressively been enacted to include the four types of violence, and also include other survivors of domestic violence, such as intimate partners who are not married or in a cohabiting relationship, persons in family relationships and members of the same household, including domestic workers. As mentioned earlier, the criteria for assessing legal protection against domestic violence are provided in Appendix 2.

BOX 2: ECONOMIC VIOLENCE

Gender inequality in the home can result in economic violence, whereby a male partner restrains a woman's ability to access economic resources as a form of intimidation and coercion. This can result in a woman being deprived of the economic means to leave an abusive relationship.

As noted by the United States Department of Justice (see also Fawole, 2008), economic violence can include acts perpetrated by systems and structures, as well as by individuals. At the interpersonal level, economic abuse is defined as making or attempting to make an individual financially dependent by maintaining total control over financial resources, withholding the individual's access to money, or forbidding attendance at school or employment. At the structural and institutional level, women might experience economic violence as limited access to funds and credit; controls over their access to health care, employment, or education; discriminatory traditional laws on inheritance and property rights; and unequal remuneration for work among others.

Economic abuse is a prevalent form of domestic violence, particularly where women are not able to work and have an independent source of income. While this is the least common type of violence covered in legislation – existing in little over half the economies globally – it has increasingly been addressed, particularly in Latin America and the Caribbean.

Tables 1 and 2 provide the results of the analysis. Between 2013 and 2017, some progress has been achieved by countries towards adopting laws to protect women against domestic violence. The share of countries without laws on domestic violence decreased by five points from 29.1 percent to 24.1 percent thanks to legal reforms in Algeria, Belarus, Kenya, Latvia, Lebanon, the Netherlands, and Saudi Arabia between those four years. Similarly, when considering different types of violence, gains were observed as well.

The share of countries without laws on domestic violence decreased from 29.1 percent to 24.1 percent thanks to legal reforms in Algeria, Belarus, Kenya, Latvia, Lebanon, the Netherlands, and Saudi Arabia over the last four years.

Multiple areas of concern remain however. One in four countries still do not have specific laws against domestic violence overall. Laws covering sexual violence as a form of domestic violence, do not exist in more than one in three countries. Economic violence is not covered a form of domestic violence in half of the countries. In addition, in two out of three countries, unmarried intimate partners are not protected from domestic violence under the law. There is also substantial heterogeneity between regions in the share of countries with adequate laws. For overall domestic violence, all countries in East Asia and the Pacific as well as South Asia have laws on the books. By contrast, in the Middle East and North Africa, despite progress, only one in three countries does. In sub-Saharan Africa and

Legal protection remains weak for sexual violence, where laws are lacking in more than one in three countries. For economic violence, half of the countries do not have specific legislation. For two in three countries, unmarried intimate partners are not protected under the law. Gaps in legislation are most frequent in the Middle East and North Africa and in sub-Saharan Africa.

in North America, the proportion is one in two. In three out of four countries, domestic violence laws exist but do not address the four different forms of abuse combined, including physical, sexual, emotional and economic, or cover unmarried intimate partners.

Despite more countries progressively adopting laws against domestic violence, the number of women not protected under the law is decreasing slowly, in part due to population growth. Table 2 provides estimates of the number of adult women not protected under the law against domestic violence, as well as the share of adult women not protected. For overall domestic violence, 307 million adult women were not protected in 2017, versus 338 million in 2013. The share of women not protected was reduced from 13.2 percent to 11.4 percent. In the Middle East and North Africa, despite progress mentioned earlier, three in four women were still not protected under the law in 2017.





Table 1: Share of Countries without Laws Against Domestic Violence, by Region (%)

	Regions (Countries in Sample)							World (141)
	EAP (17)	ECA (46)	LAC (21)	MENA (14)	NA (2)	SA (5)	SSA (36)	
Domestic Violence								
2013	0.0	19.6	4.8	85.7	50.0	0.0	50.0	29.1
2015	0.0	13.0	4.8	71.4	50.0	0.0	50.0	25.5
2017	0.0	13.0	4.8	64.3	50.0	0.0	47.2	24.1
Physical Violence								
2013	0.0	21.7	4.8	92.9	50.0	0.0	50.0	30.5
2015	0.0	13.0	4.8	78.6	50.0	0.0	50.0	26.2
2017	0.0	13.0	4.8	71.4	50.0	0.0	47.2	24.8
Sexual Violence								
2013	35.3	39.1	14.3	92.9	50.0	0.0	58.3	44.0
2015	35.3	30.4	14.3	78.6	50.0	0.0	58.3	39.7
2017	29.4	28.3	14.3	78.6	50.0	0.0	52.8	36.9
Emotional Violence								
2013	5.9	19.6	4.8	92.9	50.0	0.0	52.8	31.2
2015	5.9	13.0	4.8	78.6	50.0	0.0	52.8	27.7
2017	5.9	13.0	4.8	71.4	50.0	0.0	50.0	26.2
Economic Violence								
2013	58.8	63.0	38.1	92.9	100.0	20.0	61.1	60.3
2015	52.9	54.3	38.1	85.7	100.0	20.0	61.1	56.0
2017	52.9	52.2	28.6	78.6	100.0	20.0	52.8	51.1
Unmarried Intimate Partners								
2013	70.6	71.7	23.8	100.0	50.0	100.0	77.8	69.5
2015	70.6	69.6	23.8	100.0	50.0	100.0	77.8	68.8
2017	70.6	69.6	23.8	100.0	50.0	100.0	75.0	68.1

Source: Authors.

Note: EAP = East Asia & Pacific; ECA=Europe & Central Asia; LAC=Latin America & Caribbean; MENA=Middle East & North Africa; NA=North America; SA=South Asia; SSA=sub-Saharan Africa.

Table 2: Number (Millions) and Share (%) of Adult Women (Age 15+) Not Protected Against Domestic Violence

		Regions (Countries in Sample)							World
		EAP (17)	ECA (46)	LAC (21)	MENA (14)	NA (2)	SA (5)	SSA (36)	(141)
Domestic Violence									
2013	Number	0.0	101.9	3.5	113.8	15.0	0.0	104.0	338.3
	Share	0.0	26.2	1.6	95.3	10.3	0.0	39.8	13.2
2015	Number	0.0	89.2	3.6	106.4	15.3	0.0	110.8	325.4
	Share	0.0	22.8	1.6	85.7	10.4	0.0	39.9	12.4
2017	Number	0.0	89.1	3.8	95.3	15.6	0.0	103.0	306.8
	Share	0.0	22.6	1.6	74.2	10.4	0.0	34.9	11.4
Physical Violence									
2013	Number	0.0	104.3	3.5	116.5	15.0	0.0	104.0	343.2
	Share	0.0	26.8	1.6	97.5	10.3	0.0	39.8	13.4
2015	Number	0.0	89.2	3.6	109.3	15.3	0.0	110.8	328.3
	Share	0.0	22.8	1.6	88.0	10.4	0.0	39.9	12.5
2017	Number	0.0	89.1	3.8	98.4	15.6	0.0	103.0	309.9
	Share	0.0	22.6	1.6	76.6	10.4	0.0	34.9	11.5
Sexual Violence									
2013	Number	640.8	184.8	11.6	116.5	15.0	0.0	138.4	1,107.1
	Share	75.2	47.5	5.1	97.5	10.3	0.0	52.9	43.3
2015	Number	646.8	170.7	11.9	109.3	15.3	0.0	147.7	1,101.6
	Share	74.8	43.6	5.1	88.0	10.4	0.0	53.1	41.9
2017	Number	650.0	168.4	12.2	112.9	15.6	0.0	139.3	1,098.4
	Share	74.1	42.8	5.1	87.9	10.4	0.0	47.2	40.8
Emotional Violence									
2013	Number	3.5	101.9	3.5	116.5	15.0	0.0	108.2	348.5
	Share	0.4	26.2	1.6	97.5	10.3	0.0	41.4	13.6
2015	Number	3.5	89.2	3.6	109.3	15.3	0.0	115.3	336.2
	Share	0.4	22.8	1.6	88.0	10.4	0.0	41.5	12.8
2017	Number	3.6	89.1	3.8	98.4	15.6	0.0	107.8	318.2
	Share	0.4	22.6	1.6	76.6	10.4	0.0	36.5	11.8
Economic Violence									
2013	Number	659.1	296.4	35.5	116.5	144.6	8.1	138.9	1,399.1
	Share	77.3	76.2	15.7	97.5	100.0	1.4	53.1	54.7
2015	Number	664.0	264.3	36.6	118.9	147.3	8.3	148.2	1,387.7
	Share	76.8	67.5	15.7	95.7	100.0	1.4	53.3	52.8
2017	Number	670.3	262.6	23.5	108.5	149.9	8.5	139.3	1,362.5
	Share	76.4	66.7	9.8	84.4	100.0	1.4	47.2	50.6
Unmarried Intimate Partners									
2013	Number	750.4	255.2	43.3	119.5	15.0	566.5	168.7	1,918.6
	Share	88.1	65.6	19.2	100.0	10.3	100.0	64.5	75.0
2015	Number	761.3	255.4	44.7	124.2	15.3	588.4	180.1	1,969.4
	Share	88.0	65.2	19.2	100.0	10.4	100.0	64.8	75.0
2017	Number	771.7	256.7	46.0	128.5	15.6	610.1	177.1	2,005.6
	Share	88.0	65.2	19.1	100.0	10.4	100.0	60.0	74.4

Source: Authors.

Note: EAP = East Asia & Pacific; ECA=Europe & Central Asia; LAC=Latin America & Caribbean; MENA=Middle East & North Africa; NA=North America; SA=South Asia; SSA=sub-Saharan Africa.

More than one billion women lack legal protection against sexual violence by an intimate partner or family member, and close to 1.4 billion lack legal protection against domestic economic violence, with little reduction over time in both cases.

When considering specific types of domestic violence, the number of adult women not protected under the law increases. For sexual violence by an intimate partner or family member, more than one billion women lacked protection, with virtually no change over time. For economic violence, the tally reaches almost 1.4 billion women (50.6 percent of adult women) lacking protection, again with little change over time. Finally, estimates for unmarried intimate partners reach two billion. All these statistics are based on the number of adult women in the 141 countries, whether they are engaged in such relationships or not.

LEGAL PROTECTION AGAINST SEXUAL HARASSMENT

Women, Business and the Law also collects data on legislation on sexual harassment, defined as any unwelcome sexual advance, request for sexual favor, verbal or physical conduct or gesture of a sexual nature, or any other behavior of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another. Sexual harassment may occur when it interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment. It may also occur outside the workplace, in public and private spaces, as defined in the 2005 Policy on Harassment, Sexual Harassment, and Abuse of Authority from the United Nations High Commissioner for Refugees.

Public sexual harassment is defined as any unwanted sexual advance or physical contact, comments, gestures or actions

of sexual nature directed upon a stranger without their consent in a public place, such as streets and transport systems, including unwanted whistling, leering, sexist and sexual comments and demands with language or action that is explicitly or implicitly sexual. Sexual harassment may carry criminal penalties, more commonly when related to employment. The data also cover the existence of sexual harassment in education. Laws on sexual harassment should define and criminalize sexual harassment as unwanted sexually determined behavior in both horizontal and vertical relationships, including in employment, education, public places, receipt of goods and services, sporting activities, and property transactions. Sexual harassment has traditionally been associated solely with labor-related offences and defined as occurring only in the context of unequal power relations. Over time, countries have progressively begun to address sexual harassment in a more comprehensive manner and in various areas of the law, such as anti-discrimination law and criminal law. As for domestic violence, the criteria for assessing legal protection against sexual harassment are provided in Appendix 2.

The share of countries without laws on sexual harassment decreased from 16.3 percent to 13.5 percent thanks to legal reforms in Cameroon, Chad, Egypt, and Guinea over the last four years.

Tables 3 and 4 provide the main results. As for domestic violence, between 2013 and 2017, some progress has been achieved by countries towards adopting laws to protect women against sexual harassment. The share of countries without laws on sexual harassment decreased by three points from 16.3 percent to 13.5 percent thanks to legal reforms in Cameroon, Chad, Egypt, and Guinea between those four years. Similarly, when considering other indicators, some gains were observed as well.

At the same time, one in five countries do not have appropriate laws against sexual harassment in employment. The proportion is six in ten countries for sexual harassment in education and four in five countries for sexual harassment in public spaces, such as street harassment. Criminal penalties for sexual harassment, such as fines or imprisonment,

are in place in only two thirds of countries and less than half for sexual harassment in employment. There is again heterogeneity between regions in the share of countries with adequate laws, with weaker laws for some (but not all) categories in the Middle East and North Africa and sub-Saharan Africa. In nearly nine out of ten countries, laws covering sexual harassment do not specifically apply to the different domains of employment, education and public places combined.

As for domestic violence, despite more countries adopting laws against sexual harassment, the number of women not protected under the law is decreasing slowly, in part due to population growth. Table 4 provides the estimates. In 2017, 287 million adult women were not legally protected from sexual harassment, versus 320 million in 2013. The share of women not protected was reduced from 12.5 percent to 10.6 percent. For sexual harassment, differences between

regions in the shares of women not legally protected tend to be smaller than for domestic violence.

One in five countries do not have appropriate laws against sexual harassment in employment. The proportion is six in ten countries for sexual harassment in education and four in five for sexual harassment in public spaces. Criminal penalties are in place in only two thirds of countries and less than half for sexual harassment in employment.

Table 3: Share of Countries without Laws Against Sexual Harassment, by Region (%)

	Regions (Countries in Sample)							World (141)
	EAP (17)	ECA (46)	LAC (21)	MENA (14)	NA (2)	SA (5)	SSA (36)	
Sexual harassment								
2013	17.6	10.9	14.3	21.4	0.0	0.0	25.0	16.3
2015	17.6	10.9	14.3	14.3	0.0	0.0	25.0	15.6
2017	17.6	10.9	14.3	14.3	0.0	0.0	16.7	13.5
Sexual harassment in employment								
2013	29.4	13.0	14.3	71.4	0.0	20.0	33.3	26.2
2015	17.6	13.0	14.3	64.3	0.0	0.0	33.3	23.4
2017	17.6	13.0	14.3	64.3	0.0	0.0	25.0	21.3
Sexual harassment in education								
2013	64.7	56.5	42.9	92.9	50.0	20.0	80.6	63.8
2015	64.7	56.5	38.1	85.7	50.0	20.0	77.8	61.7
2017	64.7	52.2	38.1	85.7	50.0	20.0	75.0	59.6
Sexual harassment in public places								
2013	88.2	91.3	90.5	78.6	50.0	60.0	88.9	87.2
2015	88.2	91.3	85.7	71.4	50.0	60.0	88.9	85.8
2017	82.4	89.1	81.0	64.3	50.0	40.0	88.9	82.3
Criminal penalties for SH								
2013	47.1	56.5	33.3	28.6	50.0	0.0	36.1	41.8
2015	47.1	54.3	33.3	21.4	50.0	0.0	36.1	40.4
2017	47.1	50.0	33.3	21.4	50.0	0.0	27.8	36.9
Penalties for SH in employment								
2013	70.6	67.4	33.3	78.6	100.0	40.0	47.2	58.2
2015	70.6	67.4	33.3	71.4	50.0	20.0	47.2	56.0
2017	70.6	65.2	33.3	71.4	50.0	20.0	38.9	53.2

Source: Authors. Note: EAP = East Asia & Pacific; ECA=Europe and Central Asia; LAC=Latin America & Caribbean; MENA=Middle East and North Africa; NA=North America; SA=South Asia; SSA=sub-Saharan Africa; SH = Sexual Harassment.

Table 4: Number (Millions) and Share (%) of Adult Women (Age 15+) Not Protected Against Sexual Harassment

		Regions (Countries in Sample)							World (141)
		EAP (17)	ECA (46)	LAC (21)	MENA (14)	NA (2)	SA (5)	SSA (36)	
Sexual harassment									
2013	Number	149.6	90.4	9.7	41.2	0.0	0.0	28.7	319.5
	Share	17.5	23.2	4.3	34.5	0.0	0.0	11.0	12.5
2015	Number	152.5	90.7	10.1	11.8	0.0	0.0	30.5	295.6
	Share	17.6	23.2	4.3	9.5	0.0	0.0	11.0	11.3
2017	Number	155.3	90.7	10.6	12.4	0.0	0.0	17.9	286.9
	Share	17.7	23.0	4.4	9.6	0.0	0.0	6.1	10.6
Sexual harassment in employment									
2013	Number	154.0	96.6	9.7	89.3	0.0	9.7	42.2	401.5
	Share	18.1	24.8	4.3	74.7	0.0	1.7	16.1	15.7
2015	Number	152.5	96.4	10.1	61.8	0.0	0.0	44.8	365.7
	Share	17.6	24.6	4.3	49.7	0.0	0.0	16.1	13.9
2017	Number	155.3	96.5	10.6	64.0	0.0	0.0	33.1	359.5
	Share	17.7	24.5	4.4	49.8	0.0	0.0	11.2	13.3
Sexual harassment in education									
2013	Number	782.4	249.0	134.4	116.5	15.0	9.7	165.1	1,472.0
	Share	91.8	64.0	59.5	97.5	10.3	1.7	63.1	57.5
2015	Number	792.7	249.7	137.1	89.8	15.3	10.2	167.2	1,462.0
	Share	91.7	63.8	58.8	72.3	10.4	1.7	60.1	55.6
2017	Number	802.6	248.0	140.9	92.9	15.6	10.7	170.5	1,481.2
	Share	91.5	63.0	58.6	72.3	10.4	1.8	57.8	55.0
Sexual harassment in public places									
2013	Number	850.0	382.8	140.6	87.0	129.6	454.6	216.4	2,260.9
	Share	99.8	98.4	62.3	72.8	89.7	80.2	82.7	88.3
2015	Number	862.6	385.0	134.1	59.5	132.0	471.6	229.5	2,274.3
	Share	99.7	98.4	57.5	47.9	89.6	80.1	82.6	86.6
2017	Number	838.6	383.1	121.3	47.4	134.3	477.8	243.3	2,245.8
	Share	95.6	97.4	50.5	36.9	89.6	78.3	82.5	83.4
Criminal penalties for SH									
2013	Number	200.8	234.2	45.5	42.1	129.6	0.0	57.6	709.8
	Share	23.6	60.2	20.2	35.3	89.7	0.0	22.0	27.7
2015	Number	205.0	233.8	46.9	12.9	132.0	0.0	60.7	691.2
	Share	23.7	59.7	20.1	10.3	89.6	0.0	21.8	26.3
2017	Number	208.9	227.1	48.3	13.5	134.3	0.0	49.3	681.4
	Share	23.8	57.7	20.1	10.5	89.6	0.0	16.7	25.3
Penalties for SH in employment									
2013	Number	216.2	252.3	45.5	90.2	144.6	64.2	75.8	888.7
	Share	25.4	64.8	20.2	75.5	100.0	11.3	29.0	34.7
2015	Number	221.0	252.8	46.9	62.8	132.0	56.7	79.8	852.0
	Share	25.6	64.6	20.1	50.5	89.6	9.6	28.7	32.4
2017	Number	225.6	251.9	48.3	65.1	134.3	58.8	69.5	853.5
	Share	25.7	64.0	20.1	50.7	89.6	9.6	23.6	31.7

Source: Authors.

Note: EAP = East Asia & Pacific; ECA=Europe and Central Asia; LAC=Latin America & Caribbean; MENA=Middle East and North Africa; NA=North America; SA=South Asia; SSA=sub-Saharan Africa; SH = Sexual Harassment.

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When considering specific types of sexual harassment, the number of adult women not protected under the law increases. For sexual harassment in education, 1.5 billion women are not protected (55.0 percent of the population). The corresponding values are 359 million women (13.3 percent of the population) for sexual harassment in employment, and 2.2 billion (83.4 percent of the population) for sexual harassment in public spaces. Lack of legal protection as measured based on the lack of criminal penalties for perpetrators is even more widespread.

Estimates of the number of women lacking legal protection against sexual harassment in employment, education, and public places are at 359 million, 1.5 billion, and 2.2 billion, respectively.

CONCLUSION

Ending all forms of violence against women and girls is an important target under the Sustainable Development Goals. Achieving this target would end the harm and suffering caused by such violence. It would also have a range of beneficial impacts in other development areas and generate substantial economic and social gains. Having adequate laws in place is fundamental for more effective responses to violence against women. Specific laws on domestic violence and sexual harassment provide a clear framework to address the various forms of abuse and mechanisms to protect and support women seeking assistance. Beyond the period of time covered in this note, over the past 25 years, the number of countries introducing laws on domestic violence has increased significantly, in part thanks to international and regional human rights conventions and campaigns. Legal protection is crucial to reduce impunity and open avenues for redress.

This note has analyzed global and regional trends in legal protection for women against domestic violence and sexual harassment. Important findings emerge. While the share of countries with laws on domestic violence and sexual harassment is slowly increasing, legal protection remains weak when considering specific forms of domestic violence and sexual harassment. For domestic violence, this is especially the case when considering sexual and economic violence, as well as the lack of protection for unmarried intimate partners. More than one billion women lack legal protection against sexual violence by an intimate partner or family member and close to 1.4 billion lack legal protection against domestic economic violence, with little progress over time. Finally, estimates for unmarried intimate partners reach two billion.

In addition, many countries do not have appropriate laws when considering sexual harassment in employment, education, and especially public places, leaving 359 million, 1.5 billion, and 2.2 billion women at potential risk, respectively. Furthermore, criminal penalties for sexual harassment are in place in only two thirds of countries (and only half for harassment in employment). While laws against domestic violence and sexual harassment are not sufficient to end these forms of abuse, they are an important step that countries can and should take towards ending violence against women and girls.



APPENDIX 1: LIST OF COUNTRIES AND TERRITORIES INCLUDED IN THE ANALYSIS

Albania, Algeria, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Chad, Chile, China, Colombia, Congo (Democratic Republic), Congo (Republic), Costa Rica, Côte d'Ivoire, Croatia, Czech Republic, Denmark, Dominican Republic, Ecuador, Egypt (Arab Republic), El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Haiti, Honduras, Hong Kong (China), Hungary, Iceland, India, Indonesia, Iran (Islamic Republic), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Korea (Republic), Kuwait, Kyrgyz Republic, Lao PDR, Latvia, Lebanon, Lesotho, Liberia, Lithuania, Macedonia FYR, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mauritius, Mexico, Moldova, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Puerto Rico (U.S.), Romania, Russian Federation, Rwanda, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovak Republic, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Tanzania, Thailand, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United States, Uruguay, Uzbekistan, Venezuela (RB), Vietnam, West Bank and Gaza, Yemen (Republic), Zambia, and Zimbabwe.

APPENDIX 2: CRITERIA FOR ASSESSING LAWS ON DOMESTIC VIOLENCE AND SEXUAL HARASSMENT

The data analysis covers the existence and scope of legislation on domestic violence and sexual harassment. When using population weights, statistics on legal protection are provided for women because they are more likely to be at risk of domestic violence and sexual harassment. The criteria used for considering whether there is legal protection against domestic violence and sexual harassment are provided for each category in tables A1 and A2, respectively. Child marriage is also considered as a form of violence against women and girls but not considered here because analysis of child marriage laws has been conducted by the authors in a separate note (Wodon et al., 2017).

Table A1: Criteria Used for Considering Legal Protection against Domestic Violence

Criteria for Legislation in Place	Criteria for Legislation Lacking
Is there domestic violence legislation?	
<ul style="list-style-type: none"> • There is legislation addressing domestic violence, i.e. violence between spouses, within the family or members of the same household, or in interpersonal relationships, including intimate partner violence that includes criminal sanctions or provides for protection orders for domestic violence; or • The law addresses “harassment” that clearly affects physical and/or mental health, such that damage is implied, as within the scope of domestic violence. 	<ul style="list-style-type: none"> • There is no law addressing domestic violence or the law only refers to or prohibits domestic violence but does not provide for sanctions or protection orders; or • The law only enables women to obtain a protection order against domestic violence if the husband has been convicted of the offense or if she has ceased to reside in the common home; or • The law protects only a specific category of women (e.g., pregnant), a specific member of the family (e.g., children), but not all family members, or defines the offense in connection with specific motives (e.g., violence against a person while performing a professional or civil duty); or • There is only a provision that increases penalties for general crimes covered in the criminal code if committed between spouses or within the family.
Does legislation address physical violence as a form of domestic violence?	
<ul style="list-style-type: none"> • The term “physical” violence or abuse is clearly defined or stated in the law or provision as a form of domestic violence; or • The law or provision includes language that can clearly be interpreted as addressing physical violence or abuse as a form of domestic violence, including cruel or inhuman treatment, or harassment if stated as affecting physical health. 	<ul style="list-style-type: none"> • The law or provision on domestic violence does not address “physical” violence or abuse nor includes other language that can clearly be interpreted as physical violence or abuse as a form of domestic violence.
Does legislation address sexual violence as a form of domestic violence?	
<ul style="list-style-type: none"> • The term “sexual” violence or abuse is clearly defined or stated in the law or provision as a form of domestic violence; or • The law or provision includes language that can clearly be interpreted as addressing sexual violence or abuse as a form of domestic violence. 	<ul style="list-style-type: none"> • The law or provision on domestic violence does not address “sexual” violence or abuse or include other language that can clearly be interpreted as sexual violence or abuse as a form of domestic violence; or • The provision on sexual abuse is not classified as occurring within the context of domestic violence or legislation on sexual abuse covers only female genital mutilation or rape.
Does legislation address emotional or psychological violence as a form of domestic violence?	
<ul style="list-style-type: none"> • The term “psychological” or “emotional” violence or abuse is clearly defined or stated in the law or provision as a form of domestic violence; or • The law or provision includes language that can clearly be interpreted as addressing psychological or emotional violence or abuse as a form of domestic violence, such as outrages upon personal dignity, humiliating and degrading treatment and harassment if affecting mental health, and harm if interpreted as emotional harm. 	<ul style="list-style-type: none"> • The law addressing domestic violence does not contain the term “psychological” or “emotional” violence or abuse or other language that can clearly be interpreted as psychological or emotional violence or abuse.

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Does legislation address economic or financial violence as a form of domestic violence?

- The term “financial” or “economic” violence or abuse is clearly defined or stated in the law or provision as a form of domestic violence; or
 - The law or provision includes language that can clearly be interpreted as addressing financial or economic violence or abuse as a form of domestic violence, such as restricting the spouse or partner’s access to goods or economic resources; or
 - The provision covers the use of violence that causes or results in consequences affecting the livelihood of the victim.
- The law or provision addressing domestic violence does not define or state the term “financial” or “economic” violence or abuse, or other language that can clearly be interpreted as financial or economic violence or abuse; or the provision covers only the destruction of property.

Does domestic violence legislation protect unmarried intimate partners?

- The law or provision addressing domestic violence clearly protects women in unmarried, intimate relationships, including non-cohabiting partners.
- The law or provision addressing domestic violence only covers married couples or spouses and does not protect women in unmarried, intimate relationships; or
- The law or provision covers de facto spouses or co-habiting individuals but does not clearly also cover non-cohabiting intimate partner relationships or places a minimum duration of relationship or other conditions to be covered under the law.

Source: Women, Business and the Law.



Table A2: Criteria Used for Considering Legal Protection against Sexual Harassment

Criteria for Legislation in Place	Criteria for Legislation Lacking
Is there legislation that specifically addresses sexual harassment?	
<ul style="list-style-type: none"> • There is a law or provision that specifically addresses and protects against sexual harassment, including unwelcome sexual advances, requests for sexual favors, verbal or physical conduct or gestures of a sexual nature, annoyance, if understood to include harassment with sexual content, or any other behavior of a sexual nature that might reasonably be expected or be perceived to cause offense or humiliation to another; or • Sexual harassment is considered a form of “discrimination” and legislation protects against discrimination. 	<ul style="list-style-type: none"> • There is no law or provision that specifically addresses sexual harassment; or • The behavior or gesture of sexual nature covered by law is performed by the use or threat of force or violence, which is understood to constitute a crime, e.g., sexual assault or abuse; or • The conduct covered in the legislation is not directed at a specific individual; or • The law only allows an employee to terminate employment based on sexual harassment but provides for no other protection or form of redress; however, a provision allowing the employer to terminate an employee’s contract for committing sexual harassment will be considered; or • The law or provision protects only a specific category of women or those in a specific area or sector of employment, e.g., protection from sexual harassment in political functions, or applicable only to government or state-owned enterprises; or • The law or provision accounts only for sexual acts, including intercourse or copulation, as clearly involving contact of or with genital organs; or • The law or provision states only that the employer has a duty to prevent sexual harassment, but no provisions exist to prohibit or provide sanctions or other form of redress for sexual harassment; or • The law addresses harassment in general but makes no reference to acts of a sexual nature or contact.
Is there legislation on sexual harassment in employment?	
<ul style="list-style-type: none"> • There is a law or provision that specifically protects against sexual harassment in employment, including unwelcome sexual advances, requests for sexual favors, verbal or physical conduct or gestures of a sexual nature, annoyance if understood to include harassment with sexual content, or any other behavior of a sexual nature that might reasonably be expected or be perceived to cause offense or humiliation to another in connection with employment, including provisions on inducing indecent or lewd behavior coupled with financial or official dependence or authority, abuse of position or authority, or language that can be clearly interpreted to mean such dependence or abuse; or • Sexual harassment is considered a form of discrimination in employment and the law protects against discrimination. 	<ul style="list-style-type: none"> • There is no legislation specifically addressing sexual harassment in employment; or • The behavior or gesture of sexual nature covered by law includes the use of force or violence or the threat of force or violence, which is understood to constitute a crime, e.g., sexual assault or abuse; or • The conduct covered by law is not directed at a specific individual; or • The law only allows an employee to terminate employment based on sexual harassment but provides for no other protection or form of redress; however, a provision allowing the employer to terminate an employee’s contract for committing sexual harassment will be considered; or • The law or provision covers only public or only private sector employees, but not both; or • The law or provision protects only a specific category of women or those in a specific area or sector of employment, e.g., protection from sexual harassment in political functions, or applicable only to government or state-owned enterprises; or • The law accounts only for sexual acts, including intercourse or copulation, as clearly involving contact of or with genital organs; or • The law or provision states only that the employer has a duty to prevent sexual harassment, but no provisions exist to prohibit or provide sanctions or other form of redress for sexual harassment; or • The law addresses harassment in general but makes no reference to acts of a sexual nature or contact.
Is there legislation on sexual harassment in education?	
<ul style="list-style-type: none"> • The law specifically covers sexual harassment in education or contains language that can clearly be interpreted as sexual harassment in education, including, for example, between teacher and students, in educational facilities, in learning. 	<ul style="list-style-type: none"> • The law does not specifically cover sexual harassment in education; or • The law covers only education within the scope of work, such as vocational training in the workplace, but not education generally; or • The law covers sexual harassment only in public or private education, but not in both; or • The law or provision only covers students up to a certain age (e.g. 18 years old).

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Is there legislation on sexual harassment in public places?

- The law specifically covers sexual harassment in public places, including public spaces, in the public life or sphere, on the streets, or in transportation.
 - The law does not cover sexual harassment in public places, public spaces, in public, in the public life or sphere, on the streets, or in transportation; or
 - The law covers only sexual harassment in the provision of goods, services and facilities, if its application is limited to the relationship between the service provider and the user; or
 - The law or provision only prohibits loitering outside the area where the victim resides, works or carries business.
-

Are there criminal penalties for sexual harassment?

- The law establishes criminal sanctions, such as fines and imprisonment, for sexual harassment.
 - There are no criminal sanctions for sexual harassment; or
 - The law or provision on sexual harassment refers to penalties for more serious offenses in the criminal code, such as sexual assault; or
 - The law only prohibits sexual harassment in employment and sets forth that the employer should apply discretionary sanctions.
-

Are there criminal penalties for sexual harassment in employment?

- The law establishes criminal sanctions, such as fines and imprisonment, for sexual harassment in employment.
 - The law establishes no criminal sanctions for sexual harassment in employment; or
 - The law on sexual harassment in employment refers to penalties for more serious offenses in the criminal code, such as sexual assault; or
 - The law only prohibits sexual harassment in employment and sets forth that the employer should apply discretionary sanctions.
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Source: Women, Business and the Law.



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Recommended citation for this note:

Tavares, P., and Wodon, Q. 2017. *Global and Regional Trends in Women's Legal Protection against Domestic Violence and Sexual Harassment*. Ending Violence against Women Notes Series. Washington, DC: The World Bank.

This note was prepared by a team at the World Bank. The team acknowledges support for this note as part of a work program funded by the Children's Investment Fund Foundation and the Global Partnership for Education. The findings, interpretations, and conclusions expressed in this note are entirely those of the author(s) and should not be attributed in any manner to the World Bank, its affiliated organizations or members of its Board of Executive Directors or the countries they represent. Citation and the use of material presented in this report should take into account its provisional character. The World Bank does not guarantee the accuracy of the data included in this work. Information contained in this note may be freely reproduced, published or otherwise used for noncommercial purposes without permission from the World Bank. However, the World Bank requests that the original study be cited as the source.

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