

# INDICATOR ANALYSIS

## EXISTENCE OF LEGAL FRAMEWORKS TO PROMOTE, ENFORCE AND MONITOR EQUALITY AND NON-DISCRIMINATION ON THE BASIS OF SEX

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Overview	<p>This indicator is based on an assessment of legal frameworks that promote, enforce and monitor gender equality (1). According to the United Nations, the indicator is measured using a questionnaire comprising 45 yes/no questions under four areas of law:</p> <ul style="list-style-type: none"> <li>a) overarching legal frameworks and public life;</li> <li>b) violence against women;</li> <li>c) employment and economic benefits; and</li> <li>d) marriage and family</li> </ul> <p>On the questionnaire, answers to the questions are coded with simple “Yes/No” answers with “1” for “Yes” and “0” for “No” (2).</p> <p>The scoring methodology is the unweighted average of the questions under each area of law calculated as:</p> $A_i = \frac{q_1 + \dots + q_{m_i}}{m_i}$ <p>Where <math>A_i</math> refers the score in the area of law <math>i</math>; <math>m_i</math> refers to the total number of questions under the area of law <math>i</math>; <math>q_1 + \dots + q_{m_i}</math> refers to the sum of the coded questions under the area of law and where <math>q_i = 1</math> if the answer is “Yes” and <math>q_i = 0</math> if the answer is “No” (1).</p> <p>This indicator is part of the United Nations’ Sustainable Development Goals (SDG) as a specific indicator for Target 5.1, which seeks to “end all forms of discrimination against all women and girls everywhere” [1]. Both this indicator and Target 5.1 fall under the broader scope of SDG 5 “Gender Equality”, whose primary objective is to “achieve gender equality and empower all women and girls” (1).</p>
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<b>GLOBAL TRENDS</b>	
What are the global patterns for this indicator? Trends, geographic patterns etc.	According to the United Nations, studies confirm that while there has been progress in reforming laws to promote gender equality, discrimination against women in the law continues in many countries. Even where legal reforms have taken place, gaps in implementation persist (1).

<b>RELEVANCE TO UNDERSTANDING RELATIONSHIPS AMONG GENDER, HEALTH, FRAGILITY/PEACE</b>	
How could this indicator contribute to our understanding of how gender, health and fragility	Removing discriminatory laws and putting in place legal frameworks that advance gender equality are prerequisites to ending discrimination against women and achieving gender equality (3).

and peace influence one another?	
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<b>UTILITY</b>	
What does the indicator measure?	This indicator measures the existence of legal frameworks to promote, enforce and monitor equality and non-discrimination on the basis of sex.
What does it NOT measure - what does it miss?	<p>This indicator does not measure:</p> <ul style="list-style-type: none"> <li>a) To avoid duplication, the indicator does not cover areas of law that are addressed under indicator 5.a.2 (Proportion of countries where the legal framework (including customary law) guarantees women’s equal rights to land ownership and/or control) [4]</li> <li>b) Whether or not these legal frameworks are consistently implemented</li> <li>c) Whether or not these legal frameworks have a positive effect if they do exist</li> </ul>

<b>AVAILABILITY</b>	
Sources for indicator (CRVS, DHS etc.);	<p>According to the United Nations, the data for the indicator is collected from an assessment of legal frameworks using primary sources/official government documents for particular laws and policies/action plans (1). The assessment is carried out by national counterparts, including National Statistical Offices (NSOs) and/or National Women’s Machinery (NWMs), and legal practitioners/researchers on gender equality, using a questionnaire as mentioned previously (1).</p> <p>Indicator values are available through:</p> <ol style="list-style-type: none"> <li>1. The indicator dashboard of UN Women (country level 2018) (5).</li> <li>2. The SDG indicator database (country level 2018 and 2020) <a href="https://unstats.un.org/sdgs/indicators/database/">https://unstats.un.org/sdgs/indicators/database/</a></li> </ol>
Most recent data available;	Most recent data available are for 2020.
Availability across geographic areas;	This indicator is not regularly produced by countries which led to its classification as a second tier indicator by the Inter-Agency and Expert Group on Sustainable Development Goals Indicators (6).

Availability in conflict affected settings;	Questionnaires can be difficult to conduct within fragile and conflict affected settings where government cooperation is necessary (2). Data in conflict affected settings are limited and do not appear for Syria, Sudan, Libya, and Yemen.
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<b>GRANULARITY</b>	
<i>Disaggregation at national level</i>	
Data disaggregated by sex;	No.
Data disaggregated by identity group (race, ethnicity);	No.
Data disaggregated by income	No.
Data disaggregated by citizenship;	No.
Data disaggregated by migration background;	No.
<i>Disaggregation at sub-national level</i>	
Data disaggregated by geographic region;	No.
Data disaggregated by identity group (race, ethnicity);	No.
Data disaggregated by income.	No.

<b>SOURCES OF BIAS</b>	
What bias can exist with this data?	<p><i>Social desirability bias</i>: respondents can seek to gain the approval of the person/institution conducting the survey. For this reason, governments surveyed may provide an answer that does not accurately reflect their country's status;</p> <p><i>Social Desirability bias (continued)</i>: this indicator concerns subject matter that may be highly sensitive or stigmatized. Thus, some governments may not agree to partake in the study as respondents at all.i</p>

<b>VALIDITY</b>	
Clear and accepted international standards for indicator;	The questionnaire designed to collect data about this indicator is drawn from the international legal and policy framework on gender equality, in particular the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which has 189 States parties, and the Beijing Platform for Action (1).
Validity of measurement of indicator generally accepted;	Issues with bias in survey response may undermine the validity of the measurement in some countries.

<b>RELIABILITY</b>	
Reliability of indicator generally accepted;	The coverage index has a high level of reliability as it performs well in various sensitivity tests (1).

<b>COMPLEXITY</b>	
Enables analysis across time and location.	<p>According to the United Nations, there should be no discrepancies, as the data for this indicator is collected through validated surveys.</p> <p>Furthermore, the assessment of laws is initially carried out by national counterparts, and legal practitioners and researchers on gender equality (1). The data is checked and verified by the World Bank Group, OECD Development Centre, and UN Women (1). The data is then sent to the designated focal points/country counterparts to review and validate (1).</p>

<b>OTHER REFLECTIONS</b>	
Are indicator values imputed/modelled?	No.

## References

1. United Nations Statistics Division. Indicator 5.1.1- Whether or not legal frameworks are in place to promote, enforce and monitor equality and non-discrimination on the basis of sex [Internet]. 2021. Available from: <https://unstats.un.org/sdgs/metadata/files/Metadata-05-01-01.pdf>
2. Hoogeveen J, Pape U. Data collection in fragile states: Innovations from Africa and beyond. Springer Nature; 2020.
3. Biarritz Partnership for Gender Equality. Recommendations of the Gender Equality Advisory Council for advancing gender equality and the empowerment of girls and women and Call to Action [Internet]. 2019. Available from: <https://www.elysee.fr/admin/upload/default/0001/05/cfb1e2ba2b9aa09c1660f1b6df2cabbc815eccc2.pdf>
4. United Nations Statistics Division. Metadata: SDG Indicator 5.a.2- Proportion of countries where the legal framework (including customary law) guarantees women's equal rights to land ownership and/or control [Internet]. 2021. Available from: <https://unstats.un.org/sdgs/metadata/files/Metadata-05-0A-02.pdf>
5. UN WOMEN. SDG Indicator Dashboard | UN Women Data Hub [Internet]. [cited 2021 Sep 21]. Available from: <https://data.unwomen.org/data-portal/sdg>
6. United Nations Statistics Division. 5.1.1 Legal Frameworks that Promote, Enforce & Monitor Gender Equality: Area 4 - Marriage and Family [Internet]. Global SDG Indicator Platform. [cited 2021 Sep 21]. Available from: <https://sdg.tracking-progress.org/indicator/5-1-1-legal-frameworks-that-promote-enforce-monitor-gender-equality-area-4-marriage-and-family/>