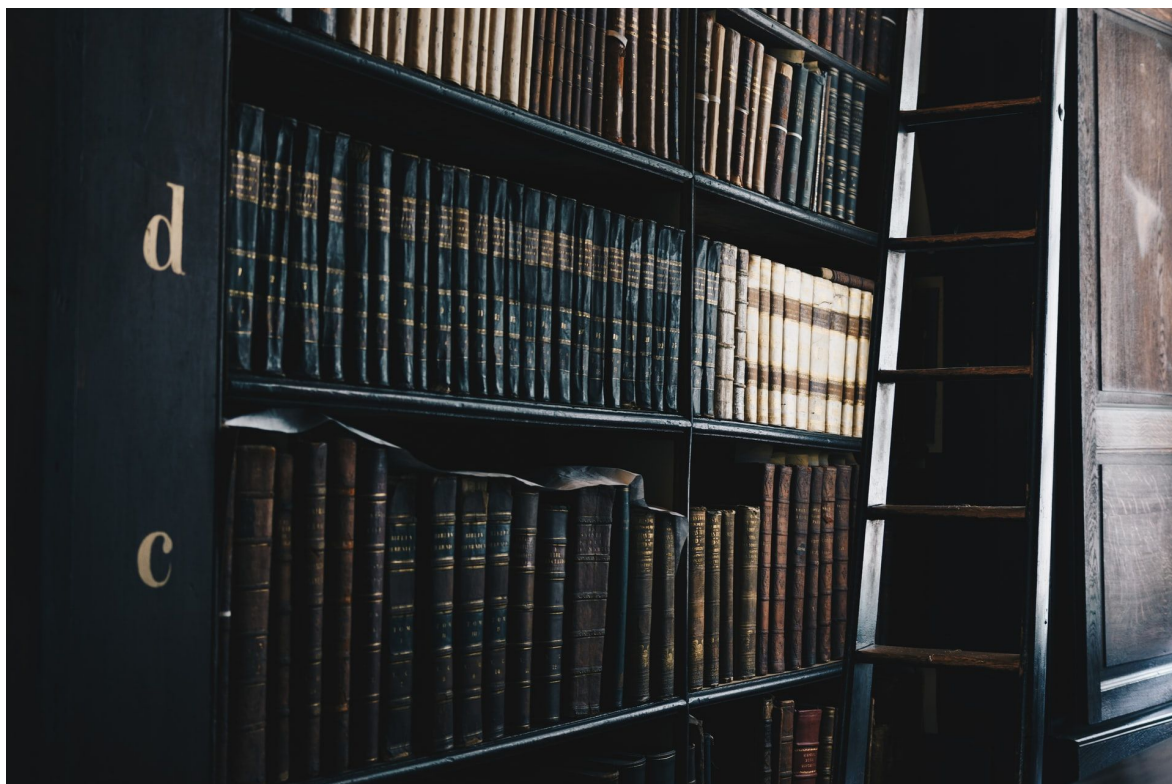


Violence against women and the girl child

## Laws on domestic violence



## Key points

- Over one-third of countries in Northern Africa and Western Asia (43%) and sub-Saharan Africa (35%) do not have laws on domestic violence.
- The majority of developed countries (96%) as well as countries in Latin America and the Caribbean (97%), Eastern and South-Eastern Asia (93%) and Oceania (90%) have laws on domestic violence.
- Although domestic violence laws are almost universal in countries in Latin America and the Caribbean, fewer countries in the region (64%) have laws on sexual harassment.
- Few countries (27%) have laws explicitly criminalizing marital rape: even in the case of developed countries and countries in Latin America and the Caribbean, less than half have explicitly criminalized marital rape.
- As at 2020, 153 countries have laws on domestic violence; 106 countries have laws on sexual harassment; and 45 countries have laws on marital rape.

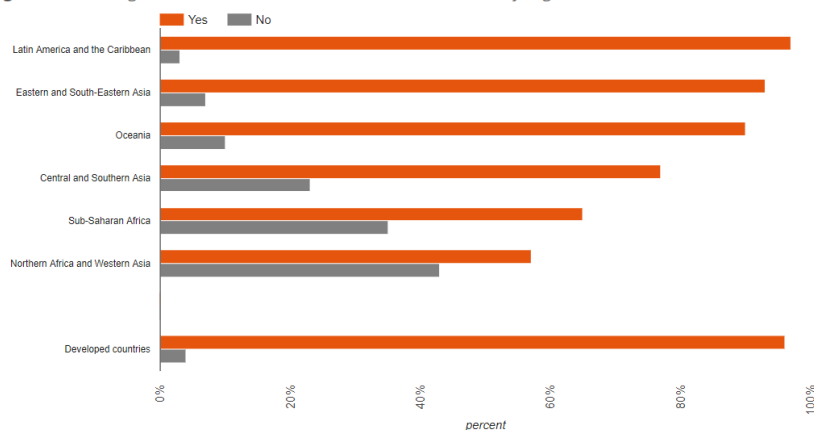
## Background

Not all countries have laws criminalizing or containing provisions on violence against women, and when such laws are in place, authorities are often more focused on responding to cases of domestic violence through criminal justice processes rather than on ways of preventing its occurrence by providing support and resources to women at risk of abuse. Furthermore, even when domestic violence laws exist, they are not necessarily implemented, or implemented in a form that helps the victims in substantive ways.

In many cases, victims and survivors of domestic violence are economically dependent on their intimate partners and the conviction and/or imprisonment of perpetrators often leaves victims deprived of their one source of economic support. In the light of these factors, domestic violence laws need to be implemented in tandem with measures for the economic empowerment of women, including, in particular, appropriate social support mechanisms for those who take the difficult step of seeking legal recourse.

## Laws on domestic violence

As of 2020, at least 153 countries have passed laws on **domestic violence**, 106 have laws on sexual harassment and 45 have laws on marital rape. As shown in figure I, developed countries as well as countries in Latin America and the Caribbean, Eastern and South-Eastern Asia and Oceania (excluding Australia and New Zealand) have the highest coverage; over 90% of countries in those regions have laws on domestic violence. This is in stark contrast to the situation in countries in sub-Saharan Africa and Northern Africa and Western Asia, where less than 65% have laws specifically criminalizing domestic violence.

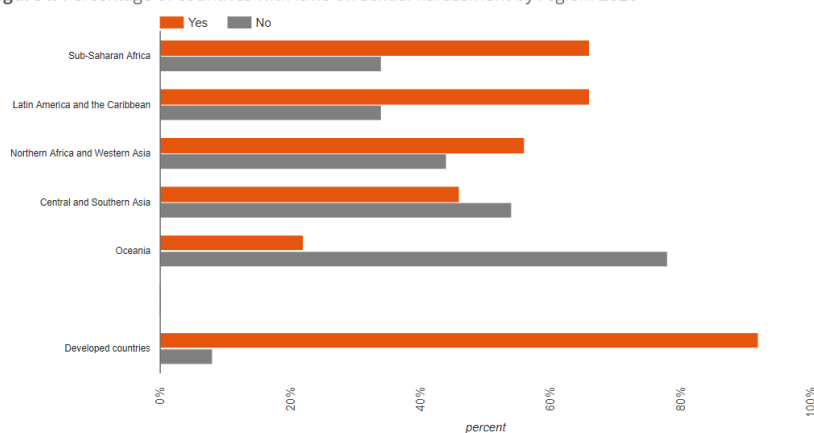
**Figure I** Percentage of countries with laws on domestic violence by region: 2020

**Source:** Compiled by the United Nations Department of Economic and Social Affairs (UNDESA), Statistics Division, based on data in the [United Nations Minimum Set of Gender Indicators](#) (accessed July 2020) and data from the World Bank (<https://databank.worldbank.org/reports.aspx?source=283&series=SG.LEG.DVAW>) (accessed July 2020).

**Note:** The "No" category includes countries where data is not available or where contradictory data sources exist.

## Laws on sexual harassment

As of 2020, 106 countries have passed laws on sexual harassment, and the regional distribution is broadly similar to that observed with respect to laws on domestic violence (see figure II). However, there is one noticeable difference: in the Latin America and the Caribbean region, while the majority of countries have laws on domestic violence (97%), far fewer have laws on sexual harassment (64%).

**Figure II** Percentage of countries with laws on sexual harassment by region: 2020

**Source:** [United Nations Minimum Set of Gender Indicators](#) (accessed July 2020).

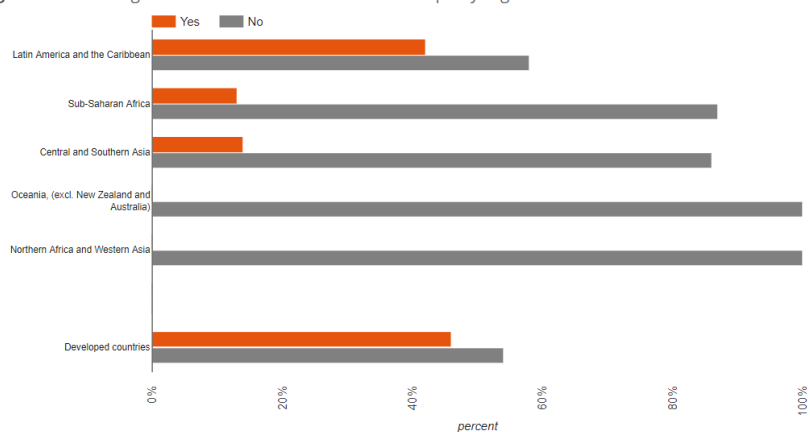
**Note:** The "No" category includes countries where data is not available or where contradictory data sources exist.

## Laws on marital rape

In many parts of the world legislation does not adequately protect women from marital rape. As of 2020, only 45 countries have adopted laws on marital rape; only 46% of developed countries have laws on marital rape; and fewer than 14% of developing countries in sub-Saharan Africa, Central and Southern Asia, Northern Africa and Western Asia and Oceania (excluding Australia

and New Zealand) have such laws (figure III).

**Figure III** Percentage of countries with laws on marital rape by region: 2020



**Source:** [United Nations Minimum Set of Gender Indicators](#) (accessed July 2020).

**Note:** The "No" category includes countries where data is not available or where contradictory data sources exist.

## Sources

- [United Nations Minimum Set of Gender Indicators: Human rights of women and girl children; Existence of laws on domestic violence.](#)
- [World Bank, databank on gender statistics.](#)

## About the data

### Coverage

Adult and adolescent women worldwide.

### Availability

As of 2020, the United Nations Minimum Set of Gender Indicators contains data on the existence of: laws on domestic violence from 187 countries; laws on sexual harassment from 153 countries; and laws on marital rape from 166 countries.

Oceania (excl) refers to Oceania (excluding Australia and New Zealand) throughout the publication.

## Definitions

Existence of laws in countries in relation to broad categories of violence against women, including domestic violence, sexual harassment and marital rape (United Nations Minimum Set of Gender Indicators).

- Domestic violence:** Includes a range of sexually, psychologically and physically coercive acts used against adult and adolescent women by a current or former intimate partner, without her consent.<sup>1</sup> Data refer to instances where domestic violence is specifically criminalized or where provisions for protection orders are in place.
- Sexual harassment** is defined as any unwelcome conduct of a sexual nature that might reasonably be expected or be perceived to cause offense or humiliation, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment. Sexual harassment may occur in the workplace or in connection with work. While typically involving a pattern of conduct, sexual harassment may take the form of a single incident. In assessing the reasonableness of expectations or perceptions, the perspective of the person who is the target of the conduct shall be considered.<sup>2</sup> Data refer to whether countries have laws in place that prohibit sexual harassment: voluntary guidelines or policies are not counted.
- Marital rape:** Also called spousal rape, is non-consensual sex where the perpetrator is the victim's spouse.<sup>3</sup>

---

## Footnotes

1. General Assembly document A/61/122/Add.1, para. 113.

2. [UN system model policy on sexual harassment](#), 2018.

3. In general, while rape laws (except where the exemption of a spouse is explicitly stated) do not preclude a spouse from being prosecuted, data refer to instances where laws explicitly criminalize marital rape without qualifications, for example, by providing that sexual assault provisions apply irrespective of the nature of the relationship between the perpetrator and complainant, or that no marriage or other relationship shall constitute a defense against a charge of sexual assault under the law. In other instances, a marital (or equivalent) relationship may be explicitly cited in the law as an aggravating factor. Explicit criminalization of marital rape is recommended as best practice by, among other bodies, the Council of Europe.