

Main Submission

Introduction and Summary

1. During the 3rd UPR Cycle, the United States received 69 recommendations to strengthen and improve measures related to women's and girls' rights protection. The State supported 59 of these and supported/noted the remaining 10. Of those supported, 25 called for the ratification of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW),¹ 13 advocated for sexual and reproductive health rights and services,² 2 called for access to health services generally,³ 6 concerned discrimination against women and girls in the legal system and public life,⁴ 4 related to discrimination in employment,⁵ 3 asked for measures around maternity and paternity leave,⁶ 4 concerned sexual and gender based violence against women and girls,⁷ 1 related to women, peace, and security,⁸ and 1 called for financing for development cooperation to eliminate female genital mutilation/cutting (FGM/C) and child, early, and forced marriage.⁹ Of those supported/noted, all 10 referred to the ratification of CEDAW.¹⁰
2. This submission outlines gaps in the implementation of international human rights obligations and legislation in the United States of America in addressing constitutional sex equality, child marriage, FGM/C, and online sexual exploitation and abuse (OSEA).
3. It is concerning that none of the issues included in this report, despite their prevalence and pervasiveness across the country, have been the subject of recommendations to the US in previous UPR Cycles. We hope that these issues will be granted appropriate consideration in the upcoming review, particularly in light of significant rollbacks on rights previously thought to be protected under the US Constitution.

Rollback of Women's and Girls' Rights in the United States

4. During the past reporting period, the United States has witnessed a concerning regression in the protection and advancement of women's and girls' rights. In 2022, following the Supreme Court's decision that the US Constitution does not confer a right to abortion,¹¹ sweeping restrictions on reproductive freedoms were imposed in states across the country, with devastating consequences for women and girls.¹²
5. Most recently, policy shifts under the new government administration have further undermined gender-based protections, including in the workplace,¹³ reduced funding for equality initiatives,¹⁴ and restricted access to reproductive health care and gender affirming care.¹⁵ Internationally, the United States has distanced itself from human rights mechanisms, withdrawing from the Human Rights Council¹⁶ and placing a hold on all US foreign aid,¹⁷ which will disproportionately impact marginalized groups. These developments highlight the urgent need to restore and strengthen protections for all women and girls in the US.

Lack of Implementation of Legal Equality on the Basis of Sex in the US Constitution

6. A historic milestone in the fight for constitutional equality occurred on January 17, 2025, when President Biden declared the Equal Rights Amendment¹⁸ (ERA) as the 28th

Amendment to the Constitution and the “law of the land.”¹⁹ Until then, the US Constitution—the most authoritative legal document in the country—did not explicitly prohibit discrimination on the basis of sex. This was in stark contrast to the vast majority of UN Member States (85%), whose constitutions prohibit such discrimination.²⁰ While President Biden's affirmation was a significant achievement, constitutional equality in the US remains precarious, underscoring the urgent need for the ERA's full implementation.

7. To date, the US has not received any UPR recommendations regarding its lack of constitutional prohibition of discrimination on the basis of sex. However, in past UPR cycles, the US made recommendations to Kiribati to “[f]ully implement, once adopted, a draft amendment to the Constitution that would protect against discrimination on the basis of sex and gender,”²¹ and to Iraq to “[f]ully implement laws intended to enforce constitutional protections for women and minorities, including laws against discrimination.”²²
8. The ERA is an amendment to the US Constitution that guarantees equal rights under the law for all citizens regardless of sex (inclusive of gender).²³ First proposed in 1923, it was passed by Congress in 1972 but fell short of the 38-state ratification threshold due to an arbitrary time limit imposed by Congress.²⁴ In 2020, however, the number of states required to ratify the ERA was met.²⁵ In January 2025, after prolonged government pushback, President Biden affirmed the ERA's validity, declaring it the 28th Amendment to the United States Constitution.²⁶
9. Despite this, the fight to secure constitutional equality in the United States is far from over. Since the change in administration, the White House has removed President Biden's declaration on the ERA, and opponents argue his action was legally meaningless. However, this view contradicts the opinions of the country's most respected legal scholars, including the American Bar Association,²⁷ as well as Senators²⁸ and members of the House of Representatives,²⁹ who affirm that all requirements for ratification have been met and that the ERA is the 28th Amendment to the Constitution.
10. Universal recognition and implementation of the ERA will provide a firm constitutional basis of protection for sex equality under the law across the country,³⁰ requiring all federal and state laws to align with its provisions. Elevating sex to the level of protection afforded to race, religion, and national origin in the Constitution means that sex-discriminatory laws could be struck down more easily. Implementation of the ERA would make sex a “suspect classification,” requiring cases of sex discrimination to undergo “strict scrutiny”—the highest level of review in the US legal system—, and raise gender equality to the status of a fundamental right, categorizing sex as a “protected class.” Moreover, the ERA gives Congress the legal foundation and constitutional mandate to enact laws to address systemic and structural gender inequality, i.e., take positive measures to advance equality. It would be harder for courts to find that Congress lacks the constitutional authority to pass such laws, helping to prevent future rollbacks of rights.
11. Without constitutional equality, the US has been in direct violation of its international human rights obligations. Specifically, this contravenes one of the most fundamental international human rights principles of equality and non-discrimination as guaranteed

under articles 2 and 3 of the International Covenant on Civil and Political Rights (ICCPR),³¹ which the US has an obligation and duty to respect, protect, and fulfill, including through formal protection in its Constitution.³² In its 2023 review, the Human Rights Committee emphasized this point, urging the US to “redouble its efforts to guarantee protection against sex- and gender-based discrimination in its Constitution, including through initiatives such as the Equal Rights Amendment.”³³

12. It is well-documented that constitutional equality provisions around the world have had far-reaching impacts and have acted as an effective trigger for legislative and policy changes in support of gender equality.³⁴ The ERA could have a transformative impact in eliminating gender-based violence, such as child marriage and FGM/C, ensuring access to sexual and reproductive health rights, facilitating women’s full and equal economic participation, and more. While the US Government has submitted that legal equality is guaranteed to women through the Equal Protection and Due Process clauses of the 14th and 5th Amendments to the Constitution,³⁵ recent jurisprudence leaves these protections extremely vulnerable.³⁶
13. When the Supreme Court of the United States (SCOTUS) rules on cases involving gender and sex discrimination, they often fail because existing constitutional provisions do not provide sufficient protection.³⁷ In 2022, in *Dobbs v. Jackson Women’s Health Organization*, SCOTUS overruled *Roe v. Wade* and held that the right to abortion does not have a basis in the Constitution. Using an “originalist” approach, the majority opinion stated that the 14th Amendment only protects those rights intended to be protected by the framers of the Constitution and/or 14th Amendment when written, or rights “deeply rooted in the Nation’s history and traditions.” This devastating decision has not only had a harmful impact on pregnant women’s and girls’ lives, it also threatens all previous SCOTUS decisions that rely on a constitutional right to privacy or sex based-discrimination. Without this constitutional basis, precedents granting rights to birth control, same-sex marriage, or the prohibition of discrimination on the basis of sexual orientation and gender identity are—like *Roe*—all open for review. Thus, comes the necessity of the ERA—by grounding rights related to sex and gender in equality, rather than privacy, the ERA would help protect fundamental human rights from being overruled.
14. The US government has also previously asserted that it is sufficient that US states address sex discrimination in their own constitutions.³⁸ Although 23 out of 50 states have added equal rights amendments to their state constitutions,³⁹ state-level efforts do not satisfy the US obligations as a nation. Even if every state had an ERA, courts could continue to be inconsistent in their rulings regarding claims of sex discrimination.⁴⁰
15. Multiple avenues of ensuring equal rights for women and girls in the country are being deployed and require meaningful support and concrete action by the US federal government. For the US to fulfill its obligations under international law, it is essential that it universally recognizes and fully implements the ERA so as to provide fundamental constitutional protection from sex and gender-based discrimination and for the US Congress to be able to enact laws that uphold equality on account of sex.

Lack of Protection Against Child Marriage

16. Child marriage, a marriage where one or both parties are under the age of 18, is legally permitted in the vast majority of the US.⁴¹ Only 13 out of 50 states have set the minimum age at 18 and eliminated all exceptions, and four US states do not even specify any absolute minimum age for marriage, with parental and/or judicial waiver.⁴² States with a specified minimum age to get married in the law can go as low as 15 years of age.
17. In the third UPR cycle, the US received only one recommendation related to ending child, early, and forced marriage. However, the recommendation—from Costa Rica, to “[i]mplement the commitment made at the Nairobi summit to increase the financing of development cooperation for the prevention of...child and forced marriage”⁴³—did not relate to the US’ obligations at home, but instead focused abroad.
18. In past UPR cycles, the US has made several recommendations regarding child, early, and forced marriage. For example, the US recommended Pakistan to “[e]nforce and strengthen existing provincial laws and support national laws on child, early, and forced marriage of women and girls and hold violators accountable,”⁴⁴ Afghanistan to “[l]aunch public information campaigns and work with religious leaders to raise awareness of the legal rights for women and girls guaranteed in Afghanistan’s Constitution, including the legal age for marriage,”⁴⁵ and China to “[e]nd forced labour, marriage, birth control, sterilization, abortion, and family separation in Xinjiang.”⁴⁶
19. Despite making such recommendations, the US has failed to take adequate steps in its own country to end child, early, and forced marriage; all of which facilitate increased rates of domestic and sexual violence against women and girls. In the US, at least 300,000 minors were legally married between 2000 and 2018.⁴⁷ A few were as young as 10, though nearly all were aged 16 or 17.
20. Girls are disproportionately impacted by child marriage and are further unprotected without an explicit constitutional prohibition against sex-based discrimination. 86% of the children who married between 2000 and 2018 were girls, and most were wed to adult men.⁴⁸ Further, when girls married, their average spousal age difference was four years, whereas when boys married, their average spousal age difference was less than half that at 1.5 years.⁴⁹
21. In most US states, child marriage is considered a valid defense to statutory rape.⁵⁰ Alarming, at least 60,000 marriages since 2000 occurred at an age or spousal age difference that should have been considered statutory rape.⁵¹ State laws which provide a marital exception to statutory rape condone and promote child marriage in cases where the act itself is criminal.
22. Additionally, there are other federal laws that contain legal loopholes and exceptions that encourage child marriage. For instance, the Uniform Code of Military Justice prohibits sex with a child aged 12 to 15 but specifically exempts those who are married to the child.⁵² Additionally, there is no federal minimum age to petition for a foreign spouse or fiancé or to be the beneficiary of a spousal or fiancé visa.⁵³ United States Citizenship and Immigration Services (USCIS) and the State Department may approve a spousal or fiancé visa involving a minor if the marriage would be legal in the state where the couple will

reside. This law allows and encourages children in the US to be trafficked for their US citizenship. It also encourages minors from other countries to be trafficked to the US legally, under the guise of marriage. Both of these laws encourage child marriage and child rape.

23. According to international law, child marriage is a profound manifestation of gender inequality and gender-based violence.⁵⁴ It has far greater effects on girls than on boys, and violates articles of equality and non-discrimination under the ICCPR.⁵⁵ The deeply negative consequences of child marriage for women and girls are well documented,⁵⁶ including in the United States. Like their counterparts in other countries, girls in the US who are married before the age of 18 experience detrimental consequences. Child brides report high rates of physical, sexual, financial, and/or emotional abuse during their marriages, as well as early and/or unplanned pregnancies and poor mental and physical health.⁵⁷ Child marriage disrupts education and limits economic attainment, trapping girls in a cycle of poverty with little chance of becoming economically independent or secure.⁵⁸ Girls who marry are more likely to drop out of high school, earn less over their lifetimes, and live in poverty than their peers who marry at later ages.⁵⁹
24. Girls in child marriages also have limited access to justice. The age of majority, determined by state law, ranges from 18 to 21. This means that minors, who do not yet have the capacity to consent to enter into a contract, can be forced to enter into a legally binding marriage contract. However, these same minors are not able to enter into contracts to retain a lawyer, initiate legal proceedings against the husband, or file for divorce unless it is done through a legal guardian. Considering it is often the legal guardians or parents of the girl who have forced her into marriage, obtaining their consent to file can be challenging. Legal emancipation through state statute may grant married minors some of these rights, however, these vary widely by state and are inadequate protections. Further, girls under the age of 18 typically cannot access domestic violence shelters without the shelter informing their parents.⁶⁰ The lack of access to justice during marriage and at its dissolution for minor girls is in itself a violation of the US' international legal obligations.⁶¹
25. In its foreign policy, the US has presented comprehensive strategies for other countries to address child, early, and forced marriage.⁶² The US State Department has declared child marriage a human rights abuse that contributes to economic hardship and leads to under-investment in girls' educational and healthcare needs, fosters conditions that enable or exacerbate violence and insecurity, and produces devastating repercussions for a girl's life, effectively ending her childhood. Yet the vast majority of states in the US allow minors to be subjected to marriage before they reach 18 years of age.
26. Additionally, there is a lack of awareness and knowledge on the prevalence of child marriage in the US.⁶³ A recent survey found that nearly half of Americans believe child marriage is already illegal in all US states.⁶⁴ Increasing public education on the prevalence and impacts of child marriage for key stakeholders such as elected officials, parents, and others is critical to eliminating child marriage in the US.⁶⁵
27. The lack of consistent and clear legal standards on child marriage across the country, including to prohibit child marriage without exception, and the contradictions of family

law with criminal law are serious failures of the US government to comply with fundamental international human rights standards and rights.⁶⁶

Lack of Comprehensive Protections Against Female Genital Mutilation/Cutting

28. FGM/C is recognized in the US and internationally as a human rights violation and an extreme form of gender-based violence.⁶⁷ In the US, between 421,000 and 577,000 women and girls have undergone or are at risk of FGM/C.⁶⁸ Women and girls living in the US, including citizens, continue to be at-risk of FGM/C. They may be subject to FGM/C on US land, or taken to neighboring states or to their families' countries of origin—a practice known as “vacation cutting.”
29. In past UPR cycles, the US has made 8 recommendations related to ending FGM/C.⁶⁹ The US recommended Liberia to “[c]riminalize female genital mutilation or cutting and spousal rape, and increase the number of public awareness campaigns focused on preventing violence against women and girls,”⁷⁰ and Guinea to “[c]ontinue to implement and build on efforts to address female genital mutilation/cutting, including by engaging state and non-state stakeholders in dialogue on education, programming, and legislation.”⁷¹ The US has only received one previous recommendation related to FGM/C, from Costa Rica, to “[i]mplement the commitment made at the Nairobi summit to increase the financing of development cooperation for the prevention of female genital mutilation.”⁷² The lack of attention that the issue of FGM/C within the US has received—both by the US itself and by the international community—is concerning given the pervasiveness of the practice.
30. FGM/C was first outlawed under US federal law in 1996. Under the current Strengthening the Opposition to Female Genital Mutilation Act of 2020, also known as the Stop FGM Act 2020, it is illegal to perform FGM/C on a girl under the age of 18, or for the parent, caretaker, or guardian of a girl under the age of 18 to facilitate or consent to FGM/C being performed on her.⁷³ The act of transporting a girl for the purpose of FGM/C is also a punishable offence.
31. In a federal case, *U.S. v. Nagarwala*, a US-licensed doctor was charged with performing FGM/C on nine girls, aged 7-13.⁷⁴ In 2018, a federal judge dismissed six of the eight charges on the grounds that the 1996 law was unconstitutional because Congress did not have the right to criminalize the practice. The Stop FGM Act 2020, which expressly notes Congress' belief that the court erred in declaring the 1996 law unconstitutional, is now in effect.⁷⁵ In 2021, a woman in Texas was indicted for transporting a minor from the US to a foreign country for the purpose of FGM/C.⁷⁶ This case was subsequently dismissed and overall progress in enforcing the Stop FGM Act has been egregiously slow. As of January 2025, the Texas case was the only prosecution the US government had reported since the new law came into effect.⁷⁷
32. In addition to criminal provisions, the Stop FGM Act requires the Attorney General to submit an annual report to Congress containing (1) an estimate of the number of women and girls in the US at risk of or subjected to FGM/C; (2) protections available and actions taken by federal, state, and local agencies to protect such women and girls; and (3) actions taken by federal agencies to educate and assist communities and key

stakeholders.⁷⁸ Yet implementation of the reporting provision has been weak to date. The most recent 2023 annual report shared FGM/C prevalence data from 2016, which was collected many years prior to enacting the new law.⁷⁹ The report does not share any new or substantive information addressing the prevalence of FGM/C or the prosecution of FGM/C cases, indicating that the government's current programs and actions on FGM/C are not nearly enough to address a problem of this scale.

33. The 2023 report briefly describes training for law enforcement “around the country” by the Federal Bureau of Investigation (FBI).⁸⁰ However, it provides no information on whether the training is mandatory or if it was developed and implemented in consultation with subject-matter experts. The 2024 report has yet to be released.
34. At the state level, only 41 US states have specific laws against FGM/C.⁸¹ Further, in states that do have a statute outlawing FGM/C, not all have enacted comprehensive legislation or taken a multi-sectoral approach. Research shows that comprehensive approaches are required to respond effectively to FGM/C.⁸² Laws should include provisions and funding for sustained outreach and education, prevention, survivor services and multi-sectoral stakeholder training. Statutes must also prohibit the transport of women and girls for the purpose of FGM/C or “vacation-cutting.”⁸³
35. Civil society organizations and coalitions in the US have developed resources for survivors and often provide training and education on best practices for stakeholders.⁸⁴ These programs require strong institutional and financial support. The US government must provide core and project-based funding to organizations that advocate for better laws, research, and tools for addressing FGM/C, and provide services to survivors and people at risk. The federal government made some grant funding available in 2020, but not nearly enough to meaningfully address the urgent needs of the sector,⁸⁵ and not in recent years.
36. In the US, FGM/C is often considered and dealt with as an issue practiced by specific diaspora communities. Indeed, the prevalence estimates published by the CDC were determined based on the prevalence rate of FGM/C in the countries where women and girls in the US were born, or where their parents were born.⁸⁶ However, FGM/C is also practiced by local US-born communities and people from diaspora communities whose countries of origin are not countries with a high prevalence of FGM/C. There are reports and evidence of FGM/C being practiced by white, Christian communities in Midwest US states⁸⁷ and within the Bohra community,⁸⁸ among others. Despite this, reliable, disaggregated data on actual prevalence rates in the US is sorely lacking.⁸⁹ Lack of data impacts all aspects of the approach the government takes to tackle the issue effectively. Moreover, targeting of certain ethnic groups or nationalities in the context of FGM/C can cause further secrecy in practice, increase stigmatization, and lead to systemic discrimination in law and policy.⁹⁰ Accurate and sensitive data gathering on FGM/C must be undertaken and shared publicly.
37. There is also growing recognition globally that FGM/C exists in additional forms, such as the ‘husband stitch.’ The husband stitch is the term given for the placing of an extra stitch during vaginal repair after childbirth, with the purpose of tightening the vaginal opening to increase sexual pleasure for a male partner, without the consent of the woman

involved. Recent research has documented the husband stitch by various women, including in the United States, with survivors experiencing health complications and comparing the practice to FGM/C.⁹¹ Over the last year, more than 167 women in California have filed a series of civil lawsuits against a doctor who allegedly subjected them to various forms of sexual abuse and gender-based violence, including the husband stitch.⁹² This lawsuit is the first time the husband stitch has been explicitly identified and challenged as a form of gender-based violence and FGM/C in a US court.

38. FGM/C is deeply rooted in discriminatory social norms that are present in nearly all cultures, religions, and communities across the world. To meaningfully eradicate the practice, there must be a multi-sectoral approach which includes training law enforcement officials and providing education for teachers, parents, faith-based leaders and at-risk communities;⁹³ developing prevention-based methods and addressing FGM/C in healthcare systems; providing financial support to the sector; and increasing awareness among various stakeholders.⁹⁴

Lack of Protection from Online Sexual Exploitation and Abuse

39. There is a need for strengthened concrete action and urgent attention to address online sexual exploitation and abuse (OSEA) in the US in addition and in relation to in-person sex trafficking. OSEA has not been raised to the US in previous UPR Cycles. Sexual exploitation and abuse in the physical and digital realms operate together in a continuum, reinforcing each other as part of the same system of violence rooted in gender-based inequality and systemic misogyny.
40. The US is a key player in the fight against OSEA and its role in this fight is especially important because the US is a global hub of technological development and business interest. Many digital service providers and platforms are domiciled in the US and over 94% of Americans have internet access.⁹⁵ Traffickers operate online too. According to the US Department of Justice (DoJ), in the US, approximately 40% of sex trafficking victims are recruited online, making the internet the most common place for recruitment.⁹⁶ Further, online advertising is the main tactic used by traffickers to solicit buyers for commercial sex. In 2020, over 80% of DoJ sex trafficking prosecutions involved online advertising.⁹⁷
41. Over the past two years, the US has been central in shaping international efforts to combat OSEA. In November 2024, the US joined other governments and took the significant step of adopting the Global Digital Compact,⁹⁸ a major step toward establishing global standards for digital safety and accountability. The US was also instrumental in drafting the UN Convention Against Cybercrime, which will open for ratification later this year. While these efforts demonstrate US leadership in addressing online harms, meaningful progress requires the US to align its domestic laws and policies with these global commitments to ensure real protection against OSEA at home.
42. Existing US laws on sexual abuse and exploitation, including the Trafficking Victims Protection Act (TVPA), have not kept pace with digital technology. The TVPA criminalizes sex trafficking, including commercial sex acts involving minors, and penalizes ventures that exploit them.⁹⁹ However, advancing technology complicates

enforcement. Cloud data fragmentation makes tracking sources difficult, especially across jurisdictions.¹⁰⁰ Gathering e-evidence is further hindered by legal inconsistencies, jurisdictional challenges, and limited cooperation between governments and the technology sector.

43. In response to this growing crisis, the US passed FOSTA-SESTA, which limits the “safe harbor” rule of the Communications Decency Act,¹⁰¹ allowing victims to sue platforms that knowingly facilitate trafficking.¹⁰² However, a 4 year constitutional challenge for infringing on freedom of expression has slowed progress on the use of this law.¹⁰³
44. Federal law also criminalizes the interstate transmission of communications containing threats to property or reputation, but lacks specific protections against online sexual exploitation and coercion, which disproportionately harm women and girls.¹⁰⁴ It is also a crime to send obscene content or Child Sexual Abuse Material (CSAM) to minors, but state definitions on obscenity vary leaving gaps in protection.¹⁰⁵ At the end of 2024, Congress passed the REPORT Act, which extends mandatory data retention and reporting requirements for CSAM on online platforms to assist investigations.¹⁰⁶ Though this was a significant step forward, the legislation only applies to CSAM, leaving a large proportion of intimate images outside of the regulation.
45. There are additional inconsistencies across state laws. Not all state laws address all forms and aspects of OSEA, and not all remedy these harms in the same way. Some states, like Illinois¹⁰⁷ and Florida,¹⁰⁸ prohibit online solicitation and grooming but primarily protect children, overlooking vulnerable adults and long-term impacts on survivors. While 48 states have laws that criminalize image-based sexual abuse, laws differ widely. New Jersey prohibits the non-consensual recording and distribution of intimate images,¹⁰⁹ while California penalizes posting explicit images without consent.¹¹⁰ Further, some laws create unnecessary obstacles for victims. For example, Arizona requires “intent to harm or harass” or a domestic relationship between the offender and victim.¹¹¹
46. Despite federal and state laws, there remain significant gaps, including that of AI-generated or manipulated OSEA—images or videos depicting the victim. The US FBI in 2023 warned of an increase in reports of bad actors manipulating images and videos with AI to create sexually explicit content and extort and harass victims.¹¹² The Disrupt Explicit Forged Images and Non-Consensual Online Edits (DEFIANCE) Act creates a civil remedy against certain people who create, distribute, or receive sexually explicit manipulated images. The Act passed through the Senate in 2024, but did not make it through the House. It was reintroduced in 2025. Passage of the Act would be a significant step towards protecting survivors, however, additional legislation will be necessary to adequately address the issue. Other bills, such as the SHIELD Act and the Take It Down Act also did not pass into law in 2024,¹¹³ and will be reintroduced in 2025.¹¹⁴ These would respectively criminalize the distribution of non-consensual intimate images and prohibit their posting online. It is imperative that the US take swift legislative action to pass these bills into law.
47. To fully and effectively address OSEA, it is important that women and girls in the US can realize the full array of human rights—the right to education, to health, including sexual and reproductive rights and bodily autonomy, to housing, economic security, and

others enshrined in international law. The realization of these rights reduces their vulnerability to sexual exploitation and abuse.

Ratification of International and Regional Human Rights Instruments

48. The US remains one of only six states that have not ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW),¹¹⁵ and the only state that remains to ratify the Convention on the Rights of the Child.¹¹⁶ The US government has also not signed the American Convention on Human Rights or the Belém do Pará Convention, formally known as the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence Against Women.¹¹⁷

Conclusion

49. The period under review has involved drastic setbacks for women in the US, particularly with respect to sexual and reproductive rights as embodied by the *Dobbs* decision, as well as the subsequent enactment by state governments of extreme abortion bans and restrictions in dozens of US states. This has caused significant harm to women, girls, and pregnant people in the US, particularly people of color, low-income people, and people from other marginalized communities. Yet women and girls in the US lack the international scrutiny, effective mechanisms, and constitutional protection they need in order to advocate for and achieve transformative change.

50. We submit that it is time for the US to further demonstrate that it takes its international human rights commitments seriously. As this submission highlights, current US laws fall short of addressing urgent human rights concerns and there are many outstanding recommendations that need to be effectively implemented and fully realized in the lives of all women and girls in the US, to the benefit of themselves, their families and communities, and the world.

Recommendations

51. We respectfully urge Member States to recommend to the United States of America to:
- a. Take every step necessary to universally recognize and fully implement the ERA as the 28th Amendment to the US Constitution.
 - b. Enact laws that set the minimum age of marriage within the US at 18, without exceptions, at the federal and state levels
 - c. Repeal all marital exceptions or defenses to the crime of statutory rape at the federal and state levels.
 - d. Amend all federal laws that encourage, condone, or incentivize marriage before the age of 18.
 - e. Collect nationwide, disaggregated data on the prevalence of child marriage in the US.
 - f. Provide public education and increase awareness on the prevalence and impact of child marriage in the United States and its obligation to protect children.
 - g. Effectively implement the federal law on FGM/C.

- h. Collect regular, comprehensive disaggregated data on the prevalence of FGM/C in the US.
- i. Provide funding, resources, and state support to community-based organizations and organizations with expertise in addressing FGM/C.
- j. Encourage state governments to pass comprehensive state-level laws that explicitly:
 - i. Define, prohibit, and criminalize all forms of FGM/C in the state.
 - ii. Prohibit transporting women and girls to another country or state for the purpose of FGM/C.
 - iii. Provide education and awareness-building to the public and key stakeholders on FGM/C.
 - iv. Provide appropriate, mandatory, and integrated training to public institutions such as public safety personnel, medical professionals, and educational institutions.
 - v. Allocate earmarked funding for education on FGM/C for public institutions and civil society organizations that engage directly with survivors.
- k. Enact laws that address the root causes of OSEA, in particular gender and sex-based discrimination, intersecting inequalities, and the proliferation of misogyny and abuse of power online and through the use of digital technologies.
- l. Ensure laws and policies address all forms and aspects of OSEA, and are aligned with international standards.
- m. Ensure legal protections offer support to survivors to prevent further exploitation.
- n. Provide adequate resources to investigate and prosecute OSEA and support victims' access to the legal system, including through funding to law enforcement, child protection services, women's rights departments, and civil society organizations.
- o. Mandate digital platforms and service providers implement easy-to-use clear and efficient policies relating to posting, sharing, publication, and takedown of OSEA material, and mandate penalties for noncompliance.
- p. Require digital platforms and service providers to adopt human rights-based approaches and encourage them to collaborate with the US government.
- q. Support civil society initiatives to raise understanding of OSEA, including on how to identify violations and report to law enforcement, digital service providers, and platforms.
- r. Fully implement the commitments made in the Global Digital Compact into actionable policies and lead by example in holding tech companies accountable for upholding human rights online.
- s. Sign and ratify of the UN Convention Against Cybercrime when it opens for ratification, ensuring its provisions are incorporated into domestic law and enforcement practices.

¹ Paraguay (Rec. 26.5); India (Rec. 26.16); Russian Federation (Rec. 26.18); Togo (Rec. 26.19); Republic of Korea (Rec. 26.22); Canada (Rec. 26.23); Côte d'Ivoire (Rec. 26.24); Cuba (Rec. 26.26); Ukraine (Rec. 26.27); Israel (Rec. 26.30); Japan (Rec. 26.31); Kenya (Rec. 26.32); Lithuania (Rec. 26.36); Maldives (Rec. 26.37); Myanmar (Rec. 26.38); Nepal (Rec. 26.39); New Zealand (Rec. 26.40); Uganda (Rec. 26.41); North Macedonia (Rec. 26.42); Sri Lanka (Rec. 26.43); Latvia (Rec. 26.44); Niger (Rec. 26.45); Slovakia (Rec. 26.46); (Rec. 26.47); Botswana (Rec. 26.163).

² Norway (Rec. 26.299); United Kingdom of Great Britain and Northern Ireland (Rec. 26.300); Australia (Rec. 26.301); Austria (Rec. 26.302); Canada (Rec. 26.303); Denmark (Rec. 26.304); France (Rec. 26.306); Iceland (Rec. 26.307); Luxembourg (Rec. 26.308);

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- 26.308); Malaysia (Rec. 26.309); Mexico (Rec. 26.310); Netherlands (Rec. 26.311); New Zealand (Rec. 26.312).
- ³ Ethiopia (Rec. 26.292); Finland (Rec. 26.305).
- ⁴ Russian Federation (Rec. 26.113); Ghana (Rec. 26.139); Iceland (Rec. 26.140); Kenya (Rec. 26.143); Belgium (Rec. 26.146); Bahrain (Rec. 26.324).
- ⁵ Republic of Moldova (Rec. 26.314); India (Rec. 26.317); Montenegro (Rec. 26.320); Bolivarian Republic of Venezuela (Rec. 26.321).
- ⁶ Romania (Rec. 26.315); Israel (Rec. 26.318); Sri Lanka (Rec. 26.316).
- ⁷ Malta (Rec. 26.148); Israel (Rec. 26.240); Greece (Rec. 26.322); Georgia (Rec. 26.323).
- ⁸ Luxembourg (Rec. 26.319).
- ⁹ Costa Rica (Rec. 26.149).
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