

**Submission Update to the Universal Periodic Review - United States of America
53rd Session of the UPR Working Group of the Human Rights Council**

10 April 2026

Submitting Organizations:

1. **Equality Now** (main submitting organization) is a worldwide human rights organisation dedicated to securing the legal and systemic change needed to end discrimination against all women and girls, everywhere in the world. Since its inception in 1992, it has played a role in reforming 130 discriminatory laws globally, positively impacting the lives of hundreds of millions of women and girls, their communities and nations, both now and for generations to come. Working with partners at national, regional and global levels, Equality Now draws on deep legal expertise and a diverse range of social, political and cultural perspectives to continue to lead the way in steering, shaping and driving the change needed to achieve enduring gender equality, to the benefit of all.
2. **The ERA Coalition** is comprised of over 300 national, state, and local partner organizations across the United States representing millions of advocates working for equality of all. Our goal is to amend the US Constitution to ensure that one cannot be discriminated against because of one's sex. We strategize with states seeking ratification. We work with legislators to pass resolutions affirming the ratification of the ERA. We provide groundbreaking research. Our team of legal scholars has examined the next step to a fully realized ERA.
3. **Unchained at Last** is a survivor-led nonprofit working to end forced and child marriage in the United States through direct services and systems change.
4. **The U.S. End FGM/C Network** (the "Network") is a vibrant and collaborative group of over 200 survivors, civil society organizations, foundations, activists, policymakers, researchers, healthcare providers, and others committed to promoting the abandonment of female genital mutilation and cutting (FGM/C). The Network serves as the main source for information and the lead advocacy voice in the United States on ending this harmful practice in the US and around the world. Currently, the Network functions as a platform that facilitates collaboration and information sharing, empowers grassroots organizations, builds bridges between US-based and international efforts to end FGM/C, influences policies and laws on FGM/C, and leads both national and global efforts to frame the issue of FGM/C in a broad and intersectional manner.
5. **The Alliance for Universal Digital Rights** (AUDRi) exists to explore ways of creating a digital future in which everyone can enjoy equal rights to safety, freedom, and dignity – whoever they are and wherever, whenever, and however they exist and connect in the digital world. They place particular focus on women, girls, and other people from

discriminated-against groups, all of whom face intersecting forms of discrimination and gender-based stereotypes in the physical world.

Introduction and Summary

6. The following provides an update to the stakeholder report on the United States of America submitted by the same organizations for the 50th Session of the UPR Working Group.¹ Following the United States' failure to participate in its scheduled November 2025 review, the Human Rights Council rescheduled the review to the 53rd session of the Working Group in November 2026. Since the original submission, the human rights situation for women, girls, and other marginalized communities in the United States has continued to deteriorate.
7. This update outlines material developments since March 2025 as they pertain to the United States' obligations under international human rights law in addressing constitutional sex equality, child marriage, female genital mutilation / cutting (FGM/C), and online sexual exploitation and abuse (OSEA). Since the original submission, the rollback of women's and girls' rights in the United States has accelerated through targeted measures at all levels of government and the State has continued to distance itself from international accountability. We hope that these issues will be granted appropriate consideration in the upcoming review.

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

8. Since the original submission, subsequent legal developments have further demonstrated the consequences of the lack of explicit constitutional protections against sex and gender based discrimination in the United States. In *United States v. Skrametti*, decided in June 2025, the Supreme Court of the United States (SCOTUS) upheld Tennessee's ban on gender-affirming care for minors and held that the law was not subject to heightened scrutiny under the Equal Protection Clause of the US Constitution.² This development underscored the fragility of relying on existing constitutional doctrine to protect against sex- and gender- based harms and reinforced the urgent need for the full recognition and implementation of the Equal Rights Amendment (ERA).³
9. Such recognition and implementation is being sought through multiple avenues, including through affirming congressional resolutions, court cases, and sustained public and political pressure. The current administration continues to treat former President Biden's recognition of the ratified status of the ERA as moot, despite the fact that the amendment has passed all constitutional hurdles.

Lack of Protection Against Child Marriage

10. In the time since the March 2025 submission, there has been some positive legislative progress to address child marriage at the state level. Maine, Oregon, and Missouri each enacted laws in 2025 raising the minimum age of marriage to 18 without exception.⁴ As a result, 16 states, the District of Columbia, and two US territories now prohibit marriage under the age of 18.⁵ This reflects a growing recognition of the severe and lifelong harms of child marriage, but progress remains fragmented across the country as a whole.

11. New data released in 2025 has also updated the national picture.⁶ Whereas the original submission relied on data showing that at least 300,000 minors were legally married between 2000 and 2018, updated research from the civil society organization Unchained At Last now shows that more than 314,000 minors were legally married between 2000 and 2021. 86% of the children who were married between 2000 and 2021 were girls, and most were wed to adult men, further underscoring the deeply gendered nature of child marriage. At the same time, 34 states still allow child marriage through legal exceptions, of which four states, California, Mississippi, New Mexico, and Oklahoma, do not set any statutory minimum age for marriage.⁷
12. These legal gaps continue to facilitate abuse and deny girls access to justice. A new report confirms that 19 states retain an explicit legal exception or defense to statutory rape in the case of marriage, and that at least 60,000 marriages since 2000 occurred at an age or spousal age difference where sex between the parties should have constituted statutory rape.⁸

Lack of Comprehensive Protections Against Female Genital Mutilation/Cutting

13. One of the most concerning developments over the past year has been the increasing effort at all levels of government to conflate FGM/C with gender-affirming care. In January, 2025, the White House issued an Executive Order entitled *Protecting Children from Chemical and Surgical Mutilation*, framing gender-affirming medical treatments for minors as “chemical and surgical mutilation,” equivalent to FGM/C.⁹ This was followed by a directive from US Attorney General Pam Bondi, instructing the Department of Justice (DoJ) to investigate and prosecute providers of gender-affirming care under the current federal law on FGM/C, the Strengthening the Opposition to Female Genital Mutilation Act (STOP FGM Act) of 2020.¹⁰
14. Subsequently, in May 2025, members of the US Congress introduced legislation to amend the STOP FGM Act, attempting to expand its scope to criminalize gender-affirming care under the guise of protecting children from FGM/C.¹¹ If enacted, HR 3492, the Protect Children’s Innocence Act of 2025, would impose federal criminal penalties on healthcare providers and others who facilitate gender-affirming care for minors, including prescribing hormone therapy or puberty blockers and performing any surgical intervention. The bill passed the House in December, 2025, and is now awaiting a committee hearing in the Senate.¹²
15. This conflation is not only medically inaccurate but also contravenes international human rights law. The United States has binding obligations under the International Covenant on Civil and Political Rights (ICCPR) to protect the rights to bodily integrity and freedom from torture or cruel, inhuman, or degrading treatment and to non-discrimination. Such obligations require both the elimination of FGM/C, which is recognized as a form of gender-based violence as well as torture, and the protection of access to non-discriminatory, essential healthcare services like gender-affirming care.¹³ The UN Human Rights Committee, in its 2023 review of the United States, urged the Government to “effectively implement” the STOP FGM Act and, at the same time, expressed significant concern at “laws that ban and, in some instances, criminalize gender-affirming care for

transgender persons.”¹⁴

16. Finally, the federal government’s reporting and implementation on FGM/C remain stagnant. As noted in the original submission, the STOP FGM Act requires annual reporting to Congress on prevalence, protections, and federal action on FGM/C. The most recent 2023 Report discussed in the original submission relied on the federal government’s 2016 prevalence data, and did not provide meaningful new information on prevalence rates or protective measures.¹⁵ This problem continues to persist, as the 2024 or 2025 reports have yet to be released.

Lack of Protection from Online Sexual Exploitation and Abuse (OSEA)

17. During this updated reporting period, there has been one significant positive federal development; the enactment of the Take It Down Act in May 2025.¹⁶ This law criminalizes the intentional disclosure of nonconsensual intimate images and requires platforms to remove such content within 48 hours of receiving a report. While significant, these legal developments are insufficient and the legal landscape addressing OSEA remains fragmented and underdeveloped.
18. Other significant bills to address OSEA remain under consideration or stalled. The Disrupt Explicit Forged Images and Non-Consensual Online Edits (DEFIANCE) Act passed the Senate in January 2026 and remains under consideration in the House.¹⁷ The Stopping Harmful Image Exploitation and Limiting Distribution (SHIELD) Act was referred to the House Committee on the Judiciary in February 2025 and has not progressed from there.¹⁸
19. Moreover, a January 2026 report of survivors’ lived experiences in the United States found that every survivor who reported abuse described the experience as overwhelmingly negative, and none succeeded in obtaining the complete removal of materials or meaningful accountability for perpetrators.¹⁹ Survivors continue to bear the burden of navigating content takedowns, law enforcement, and ongoing abuse while their materials remain online or are repeatedly reuploaded.
20. Technology companies also continue to wield largely unchecked power. As the previous submission described, Section 230 of the Communications Decency Act has been interpreted broadly to shield platforms from civil accountability, making it extremely difficult for survivors to hold platforms accountable for harmful content published on their servers.²⁰ Although a growing number of class action lawsuits against major tech companies are proceeding across the United States, cases focus on the addictive design of social media platforms and related failures to warn.²¹ These developments signal a modest shift towards greater scrutiny of platform conduct, but do not resolve the broader lack of accountability towards OSEA-related harms. Section 230 remains a major obstacle to justice, and governmental action is needed to cease impunity for technology companies.
21. Meanwhile, although the UN Convention Against Cybercrime opened for signature in October 2025, the US declined to sign on, stating the need for continued review.²² This reflects a further failure by the United States to align its domestic laws with international

norms, particularly in light of the US' significant involvement in the drafting of this treaty.

Ratification of International and Regional Human Rights Instruments

22. There has been no meaningful progress in the ratification of core human rights instruments, such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Convention on the Rights of the Child (CRC), since the original submission. Instead, the past year has been marked by deeper disengagement from international institutions and processes, including failure to engage in the UPR process, and attempts to weaken the interpretation of “gender” in the Beijing Declaration and Platform for Action.²³
23. This is reflected in the current administration's directives concerning UN bodies and international organizations more broadly. In January, 2026, a presidential memorandum was issued withdrawing the US from 66 international organizations and instruments, including 31 UN entities.²⁴ The effect of such withdrawals is not only ceased participation but also ceased funding to such entities. These organizations include bodies working to uphold the rights of women and girls, to advance climate solutions, and the promotion of the rule of law.

Conclusion

24. Since the original March 2025 submission, there have been limited positive developments in the focus areas of this submission, including additional progress on child marriage legislation and the passage of the federal Take It Down Act. These developments have, however, been fragmented and outweighed by broader regression. Across all four thematic areas, women and girls in the United States continue to face structural discrimination, weak legal protections, and a shrinking federal commitment to gender equality and human rights.

We respectfully urge Member States to recommend to the United States of America to:

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

- Collect regular, comprehensive disaggregated data on the prevalence of FGM/C in the US.
- Provide funding, resources, and state support to community-based organizations and organizations with expertise in addressing FGM/C.
- Encourage state governments to pass comprehensive state-level laws that explicitly:
 - Define, prohibit, and criminalize all forms of FGM/C in the state.
 - Provide education and awareness-building to the public and key stakeholders on FGM/C.
 - Provide appropriate, mandatory, and integrated training for public institutions including public safety personnel, medical professionals, and educational institutions.
 - Allocate earmarked funding for education on FGM/C for public institutions and civil society organizations that engage directly with survivors.
- Maintain medically accurate and human rights-based distinctions between FGM/C and gender-affirming care across law and policy.
- 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.
- Ensure laws and policies address all forms and aspects of OSEA, and are aligned with international standards.
- Ensure legal protections offer support to survivors to prevent further exploitation.
- 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.
- Mandate digital platforms and service providers to implement easy-to-use, clear and efficient policies relating to posting, sharing, publication, and takedown of OSEA material, and mandate penalties for noncompliance.
- Require digital platforms and service providers to adopt human rights-based approaches, prioritize safety-by-design in the development and use of algorithms, and encourage them to collaborate with the US government.
- 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.
- 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.
- Sign and ratify the UN Convention Against Cybercrime, ensuring its provisions are incorporated into domestic law and enforcement practices.
- Ratify core human rights treaties, including CEDAW and the CRC, and implement their provisions into domestic law and policy.

Endnotes

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15. STOP FGM Act: 2023 Report of the Attorney General, Dep't of Justice (2024), <https://www.justice.gov/criminal/media/1352956/dl?inline>
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