

A look at the Constitutional rights of women in selected countries

Country	Explicit recognition of women's equal rights	Recognition of right to land, housing and/or property
Brazil	<p>Yes</p> <p>Article 5(1) - equal rights and duties</p>	<p>Yes</p> <p>Article 5(1) - equal rights and duties</p> <p>Article 5(XXII): The <i>right to own property</i> is guaranteed;</p> <p>Article 5(XXIII): Ownership of <i>property</i> shall attend to its social function;</p> <p>Article (XIV): The law shall establish the procedure of expropriation for public use or need, or for social interest, against just and prior compensation in money, with the exception of the cases set forth in this Constitution;</p> <p>Article 5(XXX): <i>The right to inheritance</i> is guaranteed;</p>
Cambodia	<p>Yes</p> <p>Article 31(1): The Kingdom of Cambodia shall recognize and respect human rights as stipulated in the United Nations Charter, the Universal Declaration of Human Rights, the covenants and conventions related to human rights, women's and children's rightsArticle 32(2): Every Khmer citizen shall be equal before the law, enjoying the same rights, freedom and fulfilling the same obligations regardless of (...) sex.</p>	<p>Article 44(1): All persons, individually or collectively, shall <i>have the right to ownership</i>. Only Khmer legal entities and citizens of Khmer nationality shall the <i>right to own land</i>.</p> <p>Article 44(3): The right to confiscate possessions from any person shall be exercised only in the public interest as provided for under law and shall require fair and just compensation in advance.</p> <p>Article 36(3): The work by housewives in the home shall have the same value as what they can receive when working outside the home.</p>
China	<p>Yes</p> <p>Article 48: Women in the People's Republic of China enjoy equal rights with men in all spheres of life, political, economic, cultural and social, and family lifeArticle 33: All citizens of the People's Republic of China are equal before the law. Every citizen enjoys the rights and at the same time must perform the duties prescribed by the Constitution and the law.</p>	<p>Article 10: <i>Land in the rural and suburban areas is owned by collectives</i> except for those portions which belong to the state in accordance with the law; house sites and private plots of cropland and hilly land are also owned by collectives. The state may in the public interest take over land for its use in accordance with the law. No organization or individual may appropriate, buy, sell or lease land, or unlawfully transfer land in other ways. All organizations and individuals who use land must make rational use of the land.</p> <p>Article 13: The state protects the right of citizens to own lawfully earned income, savings, houses and other lawful property. The state protects by law the right of citizens to inherit private property.</p>
Egypt	<p>No</p> <p>Article 11 states that "the State shall guarantee the proper co-ordination between the duties of woman towards the family and her work in the society, considering her equal with man in the fields of political, social, cultural and economic life without violation of the rules of Islamic jurisprudence." In Article 8, the State guarantees equality of opportunity to all citizens.</p>	<p>Articles 29 and 32: private ownership has a social function and may not conflict with the general welfare of the people</p>
Eritrea	<p>No</p> <p>Article 14(1) states that all persons are equal before the law, which implies women's equal rights.</p>	<p>Article 23(2) stipulates that all land, water and natural resources of Eritrea belong to the State. Citizens may have usufruct rights. The recognition in Article 23(1) of the right of any citizen to acquire, own, and dispose of all property individually or in association with others and to bequeath to heirs, thus refers to developments on the land. Article 23(3) deals with expropriation of property in the national/public interest, subject to the payment of just compensation and in accordance with due process of law.</p>
Jordan	<p>No</p> <p>Article 6(i) stipulates that all Jordanians shall be equal before the law.</p>	<p>Article 11 states that no property of any person may be expropriated except for purposes of public utility and in consideration of a just compensation, as may be prescribed by law.</p>

Lesotho	No Article 4(1) recognises and declares every person in Lesotho to be entitled to the fundamental rights and freedoms of the individual, whatever "his sex", but such rights are subject to limitations laid down in other Sections. Linked to Article 18(4)(b) and (c) this means that discrimination of women in areas related to property and inheritance rights is allowed to continue.	Article 17(1) recognises <i>the freedom from arbitrary seizure of property</i> . Listed exceptions from this freedom are identical to Article 75 of the Kenyan Constitution (see above). While Article 17(3) deals with prompt payment of full compensation and access to court, Article 17(4) furthermore lists 12 other grounds for expropriation.
Morocco	No Equal political rights (Article 8(1) and equal rights to education and work (Article 13) are explicitly recognised only	Article 15(1) guarantees <i>the right of private property</i> and free enterprise. According to Articles 15(2) and (3), the law may prescribe limitations to these rights and uses, if required by socio-economic development planned for the Nation, and the law shall prescribe circumstances and provisions related to expropriation.
Nepal	No Article 11(1): All citizens shall be equal before the law. No person shall be denied the equal protection of the laws.	Article 17(1) <i>recognises the right of all citizens, subject to the existing laws, to acquire, own, sell and otherwise dispose of, property</i> . Article 17(2) provides that the State shall not, except in the public interest, requisition, acquire or create any encumbrance on, the property of any person. Article 17(3) states that the basis of compensation and procedure for giving compensation for any property requisitioned, acquired or encumbered by the State in the public interest, shall be as prescribed by law
Nicaragua	Yes Article 27(1) Furthermore, Article 73 stipulates that family relations rest on respect, solidarity and absolute equality of rights and responsibilities between the man and woman.	Article 64 recognises the <i>right to decent, comfortable and safe housing</i> that guarantees family privacy. Article 44 recognises the <i>right to personal property</i> and necessary goods, essential for the integral development of each person.
Philippines	Yes Article 14: "The State recognizes the role of women in nation-building, and shall ensure the fundamental equality before the law of women and men."	Article 9 states that <i>private property</i> shall not be taken for public use without just compensation.
Thailand	Yes Article 24: Man and woman shall have equal rights. Section 25: All persons are equal before the law and shall enjoy equal protection under the law	Article 37 states that the <i>property right</i> of a person is protected. The extent and the restriction of such right shall be specified by law. The succession is protected. The right of succession of a person shall be specified by law.
Tunisia	Yes Article 6: All citizens have the same rights and the same duties. They are equal before the law. Article 7: The citizens exercise the plenitude of their rights in the forms and conditions established by the law. The exercise of these rights cannot be limited except by a law enacted for the protection of others, the respect for the public order, the national defense, the development of the economy, and social progress.	Article 14 recognises the <i>right to property</i> , which is exercised within the limits established by the law.
Zambia	No Article 11(1) recognises and declares every person in Zambia to be entitled to the fundamental rights and freedoms of the individual, whatever "his sex". However, the same article states that the entitlement of these rights and freedoms are subject to limitations contained in Part III related to Fundamental Rights and Freedoms. Linked to Article 23(4) this means that discrimination of women in areas related to property and inheritance rights is allowed to continue.	Article 16 provides for protection against deprivation of property, which may only be carried out under an Act of Parliament providing for payment of adequate compensation.