

on their religion or ethnicity. Women generally suffer discrimination in this legal pluralism since laws based on cultural or religious identity often have unequal rules for men and women. This is especially true in laws governing marriage and the family, involving rights to enter into marriage, divorce, support, child custody and property. Some states use this differentiation based on cultural and religious identity to justify reservations to the CEDAW provisions on equal rights in marriage and the family. This differentiation effectively denies women justice for violations of their human rights, exacerbates their poverty, and restricts their political participation in the public sphere.

3. It may also be that the state legal system requires women to go through alternative procedures that do not necessarily serve their needs or interests. This may happen when state law requires women to submit their complaints to alternative dispute mechanisms as a prerequisite to accessing the court process, which could lead to inappropriate conciliation or settlement of gender-specific complaints such as domestic violence. In some cases, mediation or conciliation happens as a matter of institutional cultural practice within state dispute mechanisms even without a state law sanctioning or requiring it.
4. Evaluating the state legal framework and justice chain will involve the examination of the following areas:
 - (a) Form and structure of government, and the system of state governance, from the national to the local level, including its system of accountability;
 - (b) State justice system and its institutions, including (a) any specialized agency that handles gender-related cases, (b) their composition, powers, functions and rules of procedure, and (c) their relationship to the other institutions in the system of governance (i.e., in terms of checks and balances, including independence, appointments, and accountability);
 - (c) Alternative dispute resolution mechanisms in the state justice system, whether court-annexed, court-integrated, or community-based, including the general scope of their competence, the gender-related cases included within their competence, rules of procedure, and system of enforcement and implementation of decisions;
 - (d) Language policy in the state justice system, including the system of translation and interpretation, if any, for minorities and persons with disability;
 - (e) National framework and programmes on access to justice or justice reform, if any, including education and training programmes for justice system actors and community-based and public awareness programs;
 - (f) National human rights institutions and their mandate and programs with respect to access to justice, particularly of women;