



# **MAKING EQUAL RIGHTS REAL**

**Taking Effective Action to  
Overcome Global Challenges**

**Edited by Jody Heymann and Adèle Cassola**

**CAMBRIDGE**

# **Making Equal Rights Real Taking Effective Action To Overcome Global Challenges**

**Charles Ngwena, Ilze Grobbelaar-du  
Plessis, Helene Combrinck, Serges  
Djoyou Kamga**

## **Making Equal Rights Real Taking Effective Action To Overcome Global Challenges:**

**Making Equal Rights Real** Jody Heymann,Adele Cassola,2012-02-27 Details approaches to implementing equal rights for women in Africa children in the Middle East and different minorities in Asia and North America **University of Chicago Law Review: Volume 81, Number 2 - Spring 2014** University of Chicago Law Review,2014-06-27 The second issue of 2014 features articles and essays from recognized scholars Contents include these Articles Group to Individual G2i Inference in Scientific Expert Testimony David L Faigman John Monahan Christopher Slobogin Game Theory and the Structure of Administrative Law Yehonatan Givati Habeas and the Roberts Court Aziz Z Huq Cost Benefit Analysis and Agency Independence Michael A Livermore Accommodating Every Body Michael Ashley Stein Anita Silvers Bradley A Areheart Leslie Pickering Francis In addition the issue includes a Review Essay by Sharon R Krause entitled The Liberalism of Love and these student Comments Toward a Uniform Rule The Collapse of the Civil Criminal Divide in Appellate Review of Multitheory General Verdicts Nathan H Jack All out of Chewing Gum A Case for a More Coherent Limitations Period for ERISA Breach of Fiduciary Duty Claims Raphael Janove Quality ebook formatting includes active TOC linked notes active URLs in notes and all the charts tables and formulae found in the original print version **Research Handbook on Economic, Social and Cultural Rights as Human Rights** Jackie Dugard,Bruce Porter,Daniela Ikawa,Lilian Chenwi,2020-10-30 This exciting Research Handbook combines practitioner and academic perspectives to provide a comprehensive cutting edge analysis of economic social and cultural rights ESCR as well as the connection between ESCR and other rights Offering an authoritative analysis of standards and jurisprudence it argues for an expansive and inclusive approach to ESCR as human rights **International Human Rights Law and Diplomacy** Kriangsak Kittichaisaree,2020-03-28 This incisive book provides an unparalleled insight into the ways in which international human rights law functions in a real world context across cultural religious and geopolitical divides Written by a professor former ambassador and international judge the book demonstrates how power diplomacy tactics and processes operate within the human rights system from the perspective of a non Western insider with more than three decades experience in the field *African Disability Rights Yearbook Volume 5 2017* Charles Ngwena,Ilze Grobbelaar-du Plessis,Helene Combrinck,Serges Djouyou Kamga,2017-01-01 About the publication The African Disability Rights Yearbook addresses disability rights within the foundational structure laid down by the inaugural issue The structure comprises a tripartite division between articles country reports and shorter commentaries on recent regional and sub regional developments The African Disability Rights Yearbook aims to advance disability scholarship Coming in the wake of the United Nations Convention on the Rights of Persons with Disabilities it is the first peer reviewed journal to focus exclusively on disability as human rights on the African continent It provides an annual forum for scholarly analysis on issues pertaining to the human rights of persons with disabilities It is also a source for country based reports as well as commentaries on recent developments in the field of disability rights in the

African region The African Disability Rights Yearbook publishes peer reviewed contributions dealing with the rights of persons with disabilities and related topics with specific relevance to Africa Africans and scholars of Africa The Yearbook appears annually under the aegis of the Centre for Human Rights Faculty of Law University of Pretoria The Yearbook is an open access online publication see [www.adry.up.ac.za](http://www.adry.up.ac.za) About the editors Charles Ngwena is Professor Department of Constitutional Law and Legal Philosophy Faculty of Law University of the Free State South Africa Ilze Grobbelaar du Plessis is a senior lecturer and holds the degrees BLuris LLB LLM LLD from the University of Pretoria Helene Combrinck is Associate Professor at the Centre for Disability Law and Policy University of the Western Cape Serges Djoyou Kamgais is Senior Lecturer at TMALI UNISA Table of Contents SECTION A ARTICLES The Basic Education Act of 2013 as a tool for advancing early childhood development and education for children with disabilities in Kenya Mirriam Nthenge Access to justice of children with disabilities in defilement cases a myth or reality Bernadette Malunga Ngeyi Ruth Kanyongolo Ngcimezile Mbano Mweso The socio economic rights of children with disabilities in South Africa A comparison between the African Charter on the Rights and Welfare of the Child and the Convention on the Rights of Persons with Disabilities Zita Hansungule Trynie Boezaart De stigmatising psychosocial disabilities in South Africa Faraaz Mahomed Michael Ashley Stein Mental illness stigma and disability rights in Ghana Magnus Mfoafo M Carthy Jeff Grischow Albinism in Africa A proposed conceptual framework to understand and effectively address a continental crisis Mark P Mostert Martha M Weich The identity question versus appropriateness of legal anti discrimination measures Endorsing the disability rights approach to albinism Abdallah Possi Ally Possi SECTION B COUNTRY REPORTS Djibouti Djibril Ismail Cher Madagascar Isambilo Rabearison Andrianjara SECTION C REGIONAL DEVELOPMENTS The right to the highest attainable standard of mental health in selected African countries A commentary on how selected mental health laws fare against article 25 of the Convention on the Rights of Persons with Disabilities Elizabeth Kamundia Disability rights developments in the East African Community post 2012 Damalie Naggita Musoke BOOK REVIEW Elizabeth Barnes Minority body A theory of disability Charles Ngwena *African Disability Rights Yearbook Volume 1 2013* Charles Ngwena, Ilze Grobbelaar-du Plessis, Helene Combrinck, Serges Djoyou Kamga, 2014-01-01 African Disability Rights Yearbook Volume 1 2013 Edited by Charles Ngwena Ilze Grobbelaar du Plessis Helene Combrinck and Serges Djoyou Kamga 2014 ISSN 2311 8970 Pages 385 Print version Available Electronic version Free PDF available About the publication The African Disability Rights Yearbook breaks new ground in disability scholarship Coming in the wake of the United Nations Convention on the Rights of Persons with Disabilities it is the first peer reviewed journal to focus exclusively on disability as human rights on the African continent It provides an annual forum for scholarly analysis on issues pertaining to the human rights of persons with disabilities It is also a source for country based reports as well as commentaries on recent developments in the field of disability rights in the African region Preface This is the first issue of the African Disability Rights Yearbook ADRY Drawing inspiration from the European Yearbook on Disability Law it is

the first publication of its kind that focuses on Africa It aims to bring into prominence an area traditionally neglected by both African governments and academics Following in the wake of the adoption of the United Nations Convention on the Rights of Persons with Disabilities it is the first peer reviewed journal to focus exclusively on disability as human rights on the African continent The Yearbook which is projected to appear annually is set out in three sections Section A contains academic articles Section B consists of country based research charting recent developments on disability rights legislation case law and policy developments in selected African states and Section C deals with relevant developments in the African Union AU and African sub regional organisations The 2013 Yearbook aims to set out the situation as at 31 December 2012 The publication of the Yearbook in 2013 is a milestone in the engagement on the rights of persons with disabilities by the Centre for Human Rights Faculty of Law University of Pretoria under whose auspices this publication was conceived and is being produced It marks a highlight in the efforts taken by the Centre over the last few years to bring more academic attention to the rights of persons with disabilities in Africa These efforts have only been possible with the support of the Open Society foundations in particular Open Society Initiative for Southern Africa OSISA Over the last years OSISA has collaborated with the Centre for Human Rights University of Pretoria to strengthen the teaching and research in law faculties in the Southern Africa on disability rights The collaboration consists of the following elements a Efforts are made to assist in the building of capacity of law faculties in the region through the attendance of the LLM Human Rights and Democratisation in Africa with a focus on disability rights by staff members from these law faculties The staff members subsequently return to their faculties institute and develop teaching on disability rights and institutionalise faculty based activities and centres around disability rights So far the following faculties have participated Universidade Eduardo Mondlane Mozambique Faculdade de Direito the University of Botswana the University of Malawi Chancellor College Faculty of Law University of Namibia Midlands State University Zimbabwe Faculty of Law University of Zambia and University of Dodoma Tanzania University of Namibia These faculties centres have the responsibility mandate to research on disability rights promote awareness and sensitise key stakeholders in the population about the rights of persons with disabilities and the existing legal framework elaborate position papers and advocate for particular legal reforms keep record of identify and engage in litigation of selected cases pertaining to the violation of the rights of persons with disabilities and provide legal advice to persons with disabilities b The Centre presents a one week intensive short course on disability rights to build capacity and to disseminate information on disability rights more broadly in Africa This course is attended by participants from all over the continent c Together the participating faculties are developing a curriculum for the teaching of an undergraduate course on disability rights at law schools in the region d Academic work on and awareness about disability rights is stimulated in particular through the publication of this Yearbook an academic conference and a first Southern African Disability Rights Moot Court Competition This Yearbook is the accomplishment of many It has been a project long in planning and preparation and time consuming in

execution The publication is the endproduct of collaborations between the Centre and numerous partners in particular UWC A very sincere and profound word of thanks goes to the following The four editors the convening editor Prof Charles Ngwenya who joined the Centre for Human Rights last year he worked with Dr Ilze Grobbelaar Du Plessis UP Prof Helene Combrinck UWC and Dr Serges Djoyou Kamga UNISA as co editors It is only their dedication and devotion that has made this publication possible Prof Ngwenya was not only the convening editor but also the editor in charge of Part A He bore the brunt of the responsibility to keep the project going and to inspire and lead all involved towards the ever approaching deadline Drs Grobbelaar Du Plessis and Serges Djoyou Kamga took responsibility for Part B and Prof Combrinck for Part C They each sacrificed enormously in terms of time and energy in order to get to this end product Thanks to all contributors and all reviewers of contributions for dedicating themselves to this thankless task Kate Painting acted as a most appreciated editorial assistant She meticulously followed up references guaranteed consistency in style and ensured felicitous language use At the Centre Thuto Moratua Hlalele Yolanda Booyzen and Kevashinee Pillay also provided logistical and other support The Yearbook is published by Pretoria University Law Press PULP based at the Faculty of Law University of Pretoria The patient and professional contribution of Lizette Hermann is much appreciated We also thank the members of the advisory board who agreed to assist with the policy direction review of manuscripts and lending credibility and lustre to this Yearbook by associating themselves with this endeavour The Yearbook is very fortunate to have representation from all corners of the globe including individuals and institutions at the leading edge of disability rights research training and teaching Lastly to the Open Society Foundation and specifically OSISA and its staff Many thanks in particular to Louise Olivier for her confidence inspiration and consistent support which took the Centre and me personally along an exciting and challenging new road and to Louise Ehlers and Patricia Mwanyisa who came on board later Other Open Society staff also inspired and played important roles along the way In line with the right of access to information and knowledge this Yearbook is accessible freely as a free full downloadable document on the Centre's website [www.chr.up.ac.za](http://www.chr.up.ac.za) On behalf of all those involved and of the Centre I wish to express the hope that this Yearbook will soon come to be regarded as an indispensable tool to understand and chart legislative and policy developments on disability rights in Africa and that it will contribute to bridge the gap between the discourse of rights and its practical application and actual realisation Frans Viljoen Director Centre for Human Rights About the editors Charles Ngwenya is Professor Department of Constitutional Law and Legal Philosophy Faculty of Law University of the Free State South Africa Ilze Grobbelaar du Plessis is a senior lecturer and holds the degrees BLuris LLB LLM LLD from the University of Pretoria Helene Combrinck is Associate Professor at the Centre for Disability Law and Policy University of the Western Cape Serges Djoyou Kamgais is Senior Lecturer at TMLI UNISA

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*The United Nations Convention on the Rights of Persons with Disabilities* Valentina Della Fina, Rachele Cera, Giuseppe  
 Palmisano, 2017-01-20 This Commentary provides the first comprehensive legal article by article analysis of the provisions of  
 the Convention on the Rights of Persons with Disabilities CRPD The Convention is the key international human rights  
 instrument exclusively devoted to persons with disabilities and the centerpiece of international efforts to address inequalities  
 and barriers they encounter to the full enjoyment of human rights The book discusses the Convention's position within  
 existing international human rights law and within the framework of the United Nations measures to protect the rights of  
 people with disabilities Starting with the background of all the Convention's articles including the travaux pr paratoires this  
 Commentary examines each provision's substance and interpretation and explores the significance of each right its legal  
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 the contracting parties implementation practices Relevant European Court of Human Rights the Court of Justice of the  
 European Union and if appropriate other regional jurisdictions case law as well as the jurisprudence of domestic courts are  
 taken into consideration Contributions from leading scholars and international experts make this book an indispensable  
 resource for lawyers academics students journalists international organizations NGOs and other stakeholders wanting to

better understand the rights of people with disabilities Furthermore it makes a valuable contribution to appraising the impact of the Convention in the legal orders of contracting parties and to charting the way forward in the protection of the rights of persons with disabilities **Socio-Economic Human Rights in Essential Public Services Provision** Marlies

Hesselman,Antenor Hallo de Wolf,Brigit Toebes,2016-11-10 There is a clear overlap between securing socio economic human rights for all persons and arranging adequate access to essential public services across society Both are necessary to realise thriving inclusive societies with adequate living standards for all based on human dignity This edited volume brings together the two topics for the first time In particular it identifies the common challenges for essential public services provision and socio economic human rights realisation and it explores how socio economic rights law can be harnessed to reinforce better access to services An important aim of this book is to understand how international socio economic human rights law and guideposts can be used and strengthened to improve access to services and assess socio economic legal and policy decisions The volume includes contributions from different continents on a range of different services and engages with the realities of different regulatory settings After an introduction that sets out the most important challenges for universal access to services including sufficient resources mobilisation private actor involvement and regulation or the need for improved checks and balances the book goes on to discuss current issues in services provision and socio economic rights as well as explores the place and role of private business actors in the provision of services In particular it assesses how the responsibility and accountability of such actors for human rights can be improved The final part of the book narrows in on the under explored human rights concepts of participation and accountability as essential prerequisites for better checks and balances Overall this volume presents a unique and powerful illustration of how socio economic human rights law supports improved access to essential public services for all The UN Convention on the Rights of Persons with Disabilities Ilias Bantekas,Michael

Ashley Stein,Dimitris Anastasiou,2018-10-25 This treatise is a detailed article by article examination of the United Nations Convention on the Rights of Persons with Disabilities CRPD Each article of the CRPD contains a methodical analysis of the preparatory works followed by an exhaustive examination of the contents of each article based on case law and concluding observations from the CRPD Committee judgments from national and international courts and tribunals pertinent UN and other reports the key literature on the article under review The volume features commentary from a broad range of scholars across a variety of disciplines in order to provide a comprehensive study of the legal psychological education sociological and other aspects of the CPRD This encyclopaedic commentary on the CRPD effectively covers all the issues arising from international disability law and practice and will be an ideal resource for all working in the field **The Right to Inclusive**

**Education in International Human Rights Law** Gauthier de Beco,Shivaun Quinlivan,Janet E. Lord,2019-05-02 Education is a fundamental human right that is recognised as essential for the attainment of all civil political economic social and cultural rights It was not until 2006 on the adoption of the UN Convention on the Rights of Persons with Disabilities CRPD



that the right to inclusive education was codified This volume fills a major gap in the literature on the right of disabled people to education It examines the theoretical foundations and core content of the right to inclusive education in international human rights law and explores the various ways of implementing this right through an exploration of legal strategies and mechanisms With contributions by leaders in the field this volume advances scholarship on the core content of the right to inclusive education by examining the content and practice of the right at the national regional and international levels

**Human Rights and 21st Century Challenges** Dapo Akande,Jaakko Kuosmanen,Helen McDermott,Dominic Roser,2020-01-31 The world is faced with significant and interrelated challenges in the 21st century which threaten human rights in a number of ways This book examines three of the largest issues of the century armed conflict environment and poverty and examines how these may be addressed using a human rights framework It considers how these challenges threaten human rights and reassesses our understanding of human rights in the light of these issues This multidisciplinary text considers both foundational and applied questions such as the relationship between morality and the laws of war as well as the application of the International Human Rights Framework in cyber space Alongside analyses from some of the most prominent lawyers philosophers and political theorists in the debate each section includes contributions by those who have served as Special Rapporteurs within the United Nations Human Rights System on the challenges facing international human rights laws today

An Introduction to Disability Inclusive Disaster Risk Reduction Shaun Grech,Jörg Weber,2025-03-20 This first of its kind volume introduces Disability Inclusive Disaster Risk Reduction DIDRR in unprecedented critical and interdisciplinary ways covering the complex conceptual theoretical and practice terrain Established and emerging scholars and practitioners introduce and probe key discourses theory policy and practice at the intersections of disability disasters and disaster risk reduction navigating compound and dynamic areas including climate change governance wars and conflict forced migration disability representation geopolitics gender and ethnicity This edited book lays out and questions established policies discourses and practices in mainstream areas including Disaster Risk Reduction Disaster Risk Management and Humanitarian Action opening an effective critical debate to understand challenge and shift dominant paradigms By developing new theory on DIDRR it will serve as an important tool for academics researchers and practitioners working in multiple fields including disability studies disaster management global health humanitarian studies international studies and geography among others

**Ableism at Work** Paul David Harpur,2019-12-19 The UN Convention on the Rights of Persons with Disabilities promotes ability equality but this is not experienced in national laws Australia Canada Ireland the UK and the US all have one thing in common regulatory frameworks which treat workers with psychosocial disabilities less favorably than workers with either physical or sensory disabilities Ableism at Work is a comprehensive and comparative legal practical and theoretical analysis of workplace inequalities experienced by workers with psychosocial disabilities Whether it be denying anti discrimination protection to people with episodic disabilities addictions or other psychological impairments

failing to make reasonable accommodations adjustments for workers with psychosocial disabilities or denying them workers compensation or occupational health and safety protections regulatory interventions imbed inequalities Ableism sanism and prejudice are expressly stated in laws reflected in judgments and perpetuated by workplace practices and this book enables advocates policy makers and lawmakers to understand the wider context in which systems discriminate workers with psychosocial disabilities

**Making Equal Rights Real** Jody Heymann,Adele Cassola,2012-02-27 **Making Equal Rights Real** brings together leaders from around the world who have been working effectively to increase equal economic and social rights ranging from rights in the workplace to property ownership and education The contributors tell the detailed stories of effective approaches to implementing equal rights for racial and ethnic minorities in North America women in Africa children in the Middle East and sexual minorities in Asia They also describe approaches taken around the world to increase equal rights for people living in poverty for those living with disabilities and for all people seeking the information they need to hold their government accountable for implementing everyone s rights The book addresses what can be done by policymakers civil society non governmental organizations lawyers seeking to implement equal rights legislation and advocates working in the community as well as those developing constitutions and negotiating international agreements

**Making Equal Rights Real** Jody Heymann,2012 Details approaches to implementing equal rights for women in Africa children in the Middle East and different minorities in Asia and North America

**International Organizations and the Law of the Sea 1998** Barbara Kwiatkowska,Harm Dottinga,Erik J. Molenaar,Alex G. Oude Elferink,Alfred H.A. Soons,2021-08-04 Now in its 14th year the NILOS Documentary Yearbook provides the reader with an excellent collection of documents related to ocean affairs and the law of the sea issued each year by organizations organs and bodies of the United Nations system Documents of the UN General Assembly Meeting of State Parties to the 1982 UN Law of the Sea Convention CLCS ISBA ITLOS Follow Up to the UN Straddling Fish Stocks and Small Island States Conferences Panama Canal ECOSOC UNEP and UNCTAD are included first followed by the documents of FAO IAEA IMO UNESCO IOC As in the previous volumes documents which were issued in the course of 1998 are reproduced while other relevant documents are listed The NILOS Documentary Yearbook has proved to be of invaluable assistance in facilitating access by the community of scholars and practitioners in ocean affairs and the law of the sea to essential documentation The entry of the 1992 UN Law of the Sea Convention into force on 16th November 1994 and of the Part XI Agreement on 28 July 1996 and progress in the implementation of Chapter 17 of Agenda 21 make continuation of this assistance of particular significance in the years to come Volume 14 contains Special Report by Editor in Chief Barbara Kwiatkowska on The Law of the Sea Related Cases in the International Court of Justice During the Presidency of Judge Stephen M Schwebel 1997 2000 It explores the unique role of the ICJ as the principal judicial organ of the United Nations in the development of ocean affairs and the law of the sea in the context of an ongoing follow up to the Overall Review and Appraisal of the UNCED Agenda 21 The members of the Yearbook s Advisory Board are Judges Abdul

Koroma and Shigeru Oda of the ICJ Judges Thomas Mensah Dolliver Nelson and Tullio Treves of the ITLOS as well as Rosalie Balkin Edward Brown Lee Kimball Bernard Oxman and Shabtai Rosenne *Meeting the aspirations of the British people* Great Britain. Treasury, Great Britain: H.M. Treasury, 2007-10-09 The Government's objective is to build a strong economy and a fair society in which there is opportunity and security for all The 2007 Pre Budget Report and Comprehensive Spending Review Meeting the aspirations of the British People Cm 7227 presents updated assessments and forecasts of the economy and public finances describes reforms that the Government is making and sets out the Government's priorities and spending plans for the years 2008 09 2009 10 and 2010 11 including maintaining macroeconomic stability investing in the future with total public spending rising from 589bn in 2007 08 to 678bn in 2010 11 including an additional 2bn for capital investment in public services continuing the sustained investment in the NHS with resources rising from 90bn in 2007 08 to 110bn by 2010 11 and with value for money savings of at least 8 2bn contributing to the funding of the conclusions of the Darzi Review Our NHS our future further sustained increases in resources for education science transport housing child poverty security and international poverty reduction and the 2012 Olympic and Paralympic Games simplifying the tax system to make it fairer simpler and more efficient modernising the tax system through major reforms to inheritance tax and capital gains tax steps to protect the environment including reforms of the tax regime for aviation and a new Environmental Taxation Fund to support the demonstration and deployment of new energy and efficiency technologies For related publications see 9780102944556 2007 Budget Statement 9780101698429 2006 Pre Budget and for the Darzi Review see [http://www.ournhs.nhs.uk/files/283411\\_OurNHS\\_v3acc.pdf](http://www.ournhs.nhs.uk/files/283411_OurNHS_v3acc.pdf) **Typography Essentials Revised and Updated** Ina Saltz, 2019-02-12 *Typography Essentials 100 Design Principles for Working with Type* is a practical hands on resource that distills and organizes the many complex issues surrounding the effective use of typography An essential reference for designers since 2009 *Typography Essentials* is now completely refreshed with updated text new graphics and photos and a whole new look Divided into four sections The Letter The Word The Paragraph and The Page the text is concise compact and easy to reference Each of the 100 principles which cover all practical aspects of designing with type has an explanation and inspiring visual examples drawn from international books magazines posters and more *Typography Essentials* is for designers of every medium in which type plays a major role and is organized and designed to make the process enjoyable and entertaining as well as instructional **Human Rights Defenders and the Law** Núria Saura-Freixes, 2023-02-24 This book presents a comprehensive examination of the Declaration on Human Rights Defenders and provides an analysis of the level of its reflection in regional human rights systems The work explores the development of the role of the individual in human rights protection since the 1998 United Nations Declaration on Human Rights Defenders It locates the nature activities and need for protection of human rights defenders within the current international legal framework and outlines the place and scope for a specific right to promote and protect human rights It traces the origins of the right and the main international

instruments that define it both at national and international level Finally it considers the impact that the right to defend human rights can have on constitutional and international law The book will be a valuable resource for academics and researchers working in the areas of International Human Rights Law and Constitutional Law

**Women and Entrepreneurship in India** Harpreet Kaur, 2021-09-23 The Indian Constitution is the largest written constitution that guarantees equality to women and empowers the State to take affirmative actions in favour of women India has adopted International conventions for protection of rights of women and granting them equality and ratified the Convention on Elimination of All Forms of Discrimination Against Women CEDAW in the year 1993 The National Policy for Women Empowerment was presented in 2001 the goal of that policy to bring about the advancement development and empowerment of women and enable women to become financially independent Currently India is the only country where the economic gender gap is larger than the political gender gap Women are required to understand their own potential and overcome social barriers With constant support of the government change in stereotype mindset and skill development in women India will continue witnessing gradual increase in women entrepreneurship in future The aim of this book is to show the latest state of knowledge on the topic of women entrepreneurship the role of women in business and women empowerment in India Many aspects relating to role of women in business sustainable business development and aspects going beyond economic empowerment of women are discussed in addition to presenting legal and regulatory frameworks This book will be of interest to researchers academics policymakers and students in the fields of entrepreneurship empowerment gender studies and law

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