

Forum: United Nations Commission on the Status of Women

Issue: Addressing oppressive practices on women's rights in Middle Eastern countries

Student Officer: Kelly Lee

Position: President

Introduction

Regardless of where you live or stay, gender equality should be and is a fundamental human right. Advancing gender equality is critical to all areas of a healthy society, from reducing poverty to promoting the health, education, protection and the well-being of both girls and boys. However, across the world, many women and girls still constantly face discrimination on the basis of sex and gender. This results in the underpinning of many problems that disproportionately affect women and girls and become large barriers in the process of reaching gender equality, such as sexual violation and exploitation, unequal division of unpaid care and domestic work, discrimination in public office, and limits in education and employment. Furthermore, in the Middle East and North Africa, women and girls face extended violations in terms of the rights to inheritance, divorce, political representation and employment opportunities.

Worldwide, nearly half of married women lack decision-making power over their sexual and reproductive health and rights. 1 in 3 girls aged 15-19 have experienced some form of female genital mutilation/cutting in the 30 countries in Africa and the Middle East, where the harmful practice is most common with a high risk of prolonged bleeding, infection (including HIV/AIDS), childbirth complications, infertility, and death. Around 2.4 billion women of working age are not afforded equal economic opportunity – nearly 2.4 billion women globally don't have the same economic rights as men. 178 countries maintain legal barriers that prevent women's full economic participation.

Despite the international commitments to advance gender equality bringing improvements in the past few years, the promise of a safe world in which every woman and girl can enjoy full gender equality, and where all legal, social and economic barriers to their empowerment have been removed, remains unfulfilled, potentially even more devastated than before. It is crucial that currently implanted measures are followed through, and that additional effective, both short- and long-term solutions are implemented accordingly, especially in regions like the Middle East and relative parts of Africa where gender inequality and human rights violations of women and girls are prevalent and severe.

Definition of Key Terms

Discrimination against women

Any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

Gender-based violence

Any type of harm that is perpetrated against a person or group of people because of their factual or perceived sex, gender, sexual orientation and/or gender identity.

Human rights

Rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and many more. Everyone is entitled to these rights, without discrimination.

Middle East

The countries of southwestern Asia and northern Africa; usually considered to include all countries extending from Libya on the west to Afghanistan on the east. Always included countries are Bahrain, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Oman, Palestine, Qatar, Saudi Arabia, Syria, Turkey, UAE, and Yemen.

Middle East and North Africa (MENA)

Defined through the MENA-OECD Initiative on Governance and Competitiveness for Development, initiated and led by the region, MENA covers Algeria, Bahrain, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Palestinian Authority, Qatar, Saudi Arabia, Syria, Tunisia, United Arab Emirates, and Yemen.

Violence against women

Any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

Background

Women and girls across the Middle East and North Africa, as elsewhere, face discrimination in the law and across society, including widespread violence. Huge inequalities in the law leave women and girls treated as second-class citizens and a significant lack in protection from violence. Conflict, the resurgence of extremist religious groups, and political turmoil in the region are adding onto the significant reduction in space for constructive civil society engagement with governments. Existing inequalities across the region have been further exacerbated by the pandemic, and in many cases, attempts at passing long-term legal change and legislature are stalled as people focus on the moment's survival. The inevitable connection and interlacing of nationalist movements, women's demand for more rights, and the history of colonization of the region has further arisen from the beginning of the 20th century, with most Arab Middle East having the history of being colonized by Western powers with notable exceptions. Thus, in most of the region, the struggle for women leaving the domestic sphere and entering the public has been tied to nationalist movements trying to overthrow colonial powers across the region.

Although women's rights activists have succeeded in securing women's increased freedoms in many countries of the Middle East and North Africa (MENA) region, old and new restrictions still require women to seek permission from their male guardian – typically their father, brother, or husband – to move within their country, obtain a passport, or travel abroad. Additionally, in a number of countries, women cannot travel abroad with their children on an equal basis with men, with authorities in the MENA region imposing varying restrictions on women's rights to freedom of movement. 15 countries in the region still apply personal status or family laws that require women to either “obey” their husbands, live with them, or seek their permission to leave the marital home, work, or travel. Courts may also order women to return to their marital homes or lose their right to spousal maintenance. Additional armed groups have imposed guardianship restrictions in areas under their control in the midst of conflict, further exploiting the situation and the rights of women.

Gender-based violence remains prevalent, rising in severity and quantity alongside the numerous violent conflicts happening throughout the region. Women human rights defenders and activists are often subject under prosecution, interrogation and/or other forms of harassment for speaking out against sexual violence and gender-based discrimination, and so-called “honor killings” of women and other femicides continue.

As such, the oppression and violation of women's rights as individuals and the lack of respect for women have also resulted in offensive actions from the opposite sex, further restricting women from resisting or escaping violent acts of men. Basic safety issues continue to arise from various regions of the Middle East and North Africa, further extending into illegal actions not being banned or women's rights not being protected despite continuous efforts of international organizations and individual women's rights activists.

Major Parties Involved

United Nations Women (UN Women)

As the leading organization with a global mandate to promote gender equality, women's rights and women's empowerment, the United Nation's Entity for Gender Equality and the Empowerment of Women (UN Women) calls for a specific commitment to achieving gender equality, women's rights and women's empowerment in the post-2015 development framework and Sustainable Development Goals (SDGs), as well as robust mainstreaming of gender considerations across all parts of the framework. To make a difference, the new framework must be transformative, by addressing the structural impediments to gender equality and the achievement of women's rights.

An example is through the document "A Transformative Stand-Alone Goal on Achieving Gender Equality, Women's Rights and Women's Empowerment: Imperatives and Key Components", UN Women has proposed an integrated approach that addresses three critical target areas of gender equality, women's rights and women's empowerment to address the structural causes of gender-based discrimination and to support true transformation in gender relations. Under the target areas of freedom from violence against women and girls; gender equality in the distribution of capabilities; and the gender equality in decision-making power in public and private institutions, in national parliaments and local councils, the media and civil society, in the management and governance of firms, and in families and communities, a set of indicators based on internationally agreed standards and chosen on the basis of their relevance, methodological soundness, measurability and understandability, are proposed to monitor change.

United Nations Children's Fund (UNICEF)

Working in the world's toughest places to reach the most disadvantaged children and adolescents and to protect the rights of every child, everywhere, the United Nations Children's Fund, previously known as the United Nations International Children's Emergency Funds, works across more than 190 countries and territories. The priority results for gender equality across UNICEF include improvement in the quality of maternal healthcare and nutrition, counseling and care; more gender-responsive education systems and equitable access to education for all; progress towards the elimination of violence and harmful practices; more equitable water, sanitation, and hygiene systems; and gender-responsive social protection systems.

UNICEF plans to and is adopting a multisectoral strategy across all Goal Areas specified by the Gender Action Plan (GAP), using sector-wide and survivor-centered approaches. The GAP advances gender equality priorities throughout the life course and promotes targeted actions to advance the leadership and well-being of adolescent girls. This dual-track approach emphasizes both structural and norms change – going beyond responding to the manifestations of gender inequality to tackling the underlying drivers. All works of UNICEF on gender equality and the empowerment of girls and women is grounded in the human rights principles of non-discrimination and equality, upheld in the Convention on the Rights of the Child, the Convention on the

Elimination of All Forms of Discrimination against Women, and the Convention on the Rights of Persons with disabilities.

Timeline of Events

Date	Description of event
December 18, 1979	The adoption of the Convention on the Elimination of All Forms of Discrimination against Women by the UN General Assembly (A/RES/34/180)
December 20, 1993	Adoption of the Declaration on the Elimination of Violence against Women by the UN General Assembly (A/RES/48/104)
7 February 2000	Designation of the International Day for the Elimination of Violence against Women by the UN General Assembly (A/RES/54/134)
7-10 September 2021	Second Regular Session of the United Nations Children’s Fund (UNICEF) Executive Board – UNICEF Gender Action Plan, 2022-2025 (E/ICEF/2021/31)

Previous Attempts to Resolve the Issue

Convention on the Elimination of All Forms of Discrimination against Women (1979)

Adopted by the UN General Assembly on December 18, 1979, the Convention entered into force on September 3, 1981, as the first global and comprehensive legally binding international treaty aimed at the elimination of all forms of sex- and gender-based discrimination against women. Preceded by several general human rights treaties explicitly providing that the rights they establish shall be available to women and men on an equal basis, as well as those which address specific forms of discrimination against women, the Convention provides a broad definition of discrimination against women, and further aims to eliminate all forms of discrimination against women both resulting from the activities or omissions on the part of state parties, their agents, or committed by any person or organization in all fields of life, including the areas of politics, economy, society, culture, civil and family life. Its goal is the recognition and achievement of full equality of women and men, which is to be achieved by a policy of elimination of all forms of discrimination against women incorporating all appropriate legislative and programmatic measures.

Among the international human rights treaties, the Convention takes an important place in bringing the female half of humanity into the focus of human rights concerns. The Convention, with its roots in the goals of the

United Nations to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, and in the equal rights of men and women, establishes not only an international bill of rights for women, but also an agenda for action by countries to guarantee the enjoyment of these rights. The implementation of the Convention is monitored by the Committee on the Elimination of Discrimination against Women (CEDAW), with the member state parties expected to submit a national report to the committee that indicates the measures they have adopted to give effect to the provisions of the Convention, thus ensuring that on a long-term basis, the Convention is respected and taken into account by domestic legislation of the member nations.

Declaration on the Elimination of Violence against Women (1993)

Being the first international instrument explicitly addressing violence against women, the Declaration on the Elimination of Violence against Women provided a framework for national and international action. The Declaration covers physical, sexual and psychological violence as well as violence both at home and elsewhere in society, further claiming that violence against women is rooted in the historically unequal power relations between women and men, explaining that violence against women is one of the most crucial social mechanisms by which women are forced into a subordinate position compared with men. The Declaration's significance was further established in the fact that it made violence against women an international issue, not subject to claims about cultural relativism.

As such, the Declaration included a variety of issues such as female genital mutilation, rape and torture, domestic battery and female sexual slavery, establishing the important statement that individual rights to physical integrity should be placed above the claims of cultural rights. It also recognized that national or cultural support for such practices ignores the wishes of women themselves, as well as the many voices, even in supposedly homogenous cultures, which are opposed to such practices. The Declaration also recognizes the need to redraw the boundaries between public and private, prohibiting not only state violence against women, but also private violence, including "...battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence or violence related to exploitation", further prohibiting violence against women based on cultural practices as well.

Gender Action Plan, 2022-2025

In 2021, UNICEF began a new gender policy articulating their vision for gender equality in existing programs under the UN branch, as well as in workplaces and practices around the globe. The Gender Action Plan (2022-2025) charts UNICEF's ways forward with a series of time-bound results that deliver lasting, transformative change for children, adolescents and women worldwide. GAP further incorporates both programmatic and institutional priorities, integrating a change strategy for gender equality across internal policies, practices and accountability mechanisms. Building on past successes and lessons learned as well as taking inference from past GAPs, the plan specifies to integrating gender equality results across the life course of our programs and Strategic Plan goal areas, including health and nutrition; education; water; sanitation and hygiene (WASH); child protection; and social policy; prioritizing the leadership and well-being of adolescent girls; and strengthening policies and systems for more gender-transformative workplaces and practices.

The GAP builds on an increasing knowledge base on gender equality, including current evidence regarding the gendered effects of the COVID-19 pandemic, responding to lessons learned from the implementation of previous GAPs and an extensive global consultative process with staff, partners and younger generations. Recognizing that gender discrimination has lifelong and intergenerational impacts, the GAP advances gender equality throughout the life course, promoting targeted actions and going beyond responding to the manifestations of gender inequality to tackle its underlying basis, including by engaging boys and men as allies; advancing upstreaming financing and policy situations; and supporting girls' agency and voice.

Possible Solutions

The United Nations should impose additional restrictions and/or guidelines regarding the legislative action of countries, especially those in the Middle East. Despite the limitation of potentially violating one's sovereignty, providing guidance through additional documents and agreements that are specific to women's rights, as well as further emphasizing and expanding upon currently existing human rights documents as applicable to women as much as it is to men, seems to be quite important. It is significant for the United Nations to take part in building the basis for further international action carried out through various governmental and non-governmental organizations, especially in the long-term. Specific types of international actions, such as the mitigation of military conflicts in the region or collective sanctions, need cooperation and confirmation of various member states; thus, it may be more adequate for international action to be taken through the mitigation and with the guidance of the United Nations. The potential generation of a momentous, if not a long-running UN committee specified for the addressing of currently existing gaps of protection and provision of aid and support for women's rights could also be encouraged under the branch of UN Women.

Meanwhile, countries could also be encouraged to assist the organizations currently on ground and in the region, as well as obtain their own forms of diplomatic action that would result in the protection of women's rights, a more binding, significant factor in keeping diplomatic relations for governments and legislators present in the MENA region. Furthermore, member states can also be encouraged to look back on their own domestic policies and whether they abide by the international agreements regarding the provision and protection of women's rights, further adding to the indirect pressure on these MENA countries taking oppressive measures.

In addition, individual women's rights activists should also be recognized and receive support from the United Nations as well as related countries – the violation of the rights of these individuals, regardless of their race, should also be an additional concern that needs to be addressed shortly. If the violations on related activists continue, it is inevitable that further actions being taken, regardless of the actor, could be overlooked or ignored. Thus, a solution should recognize the efforts of these existing groups of individuals and activists, further providing protection and aid for those that need it most. Furthermore, the recognition of the critical roles of men in the

process of women is also significant, as if the individuals of the opposite sex happily abide by largely discriminatory and violating laws, changes will be insufficient and unsustainable in the future.

Bibliography

- Amnesty International. "Human Rights in Middle East and North Africa." *Amnesty International*, <https://www.amnesty.org/en/location/middle-east-and-north-africa/report-middle-east-and-north-africa/#:~:text=In%202022%2C%20women%20and%20girls,and%20was%20committed%20with%20impunity.> Accessed 26 Oct. 2023.
- Amnesty International. "Women's Rights." *Amnesty International*, Amnesty International, <https://www.amnesty.org/en/what-we-do/discrimination/womens-rights/>. Accessed 26 Oct. 2023.
- Chatham House. "Women and Power in the Middle East." *Chatham House*, 21 May 2021, www.chathamhouse.org/2021/05/women-and-power-in-the-middle-east. Accessed 22 Nov. 2023.
- Equality Now. "The Middle East and North Africa." *Equality Now*, www.equalitynow.org/the-middle-east-and-north-africa/. Accessed 13 Nov. 2023.
- Harvard University. "Declaration on the Elimination of Violence against Women." *Harvard.edu*, 2015, projects.iq.harvard.edu/violenceagainstwomen/publications/declaration-elimination-violence-against-women-0. Accessed 13 Nov. 2023.
- Human Rights Watch. "Middle East and North Africa: End Curbs on Women's Mobility." *Human Rights Watch*, 18 July 2023, www.hrw.org/news/2023/07/18/middle-east-and-north-africa-end-curbs-womens-mobility#:~:text=Fifteen%20countries%20in%20the%20region. Accessed 25 Nov. 2023.
- Merriam-Webster. "Definition of MIDDLE EAST." *Merriam-Webster*, 2022, www.merriam-webster.com/dictionary/Middle%20East. Accessed 25 Oct. 2023.
- Office of the High Commissioner for Human Rights. "Declaration on the Elimination of Violence against Women." *OHCHR*, 20 Dec. 1993, www.ohchr.org/en/instruments-mechanisms/instruments/declaration-elimination-violence-against-women. Accessed 26 Oct. 2023.
- Office of the High Commissioner for Refugees. "Convention on the Elimination of All Forms of Discrimination against Women New York, 18 December 1979." *OHCHR*, 1979, www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women#:~:text=On%202018%20December%20201979%2C%20the. Accessed 13 Nov. 2023.

- UN Audiovisual Library of International Law. “Convention on the Elimination of All Forms of Discrimination against Women – Main Page.” *United Nations*, 2010, legal.un.org/avl/ha/cedaw/cedaw.html. Accessed 13 Nov. 2023.
- UN Women. *A TRANSFORMATIVE STAND-ALONE GOAL on ACHIEVING GENDER EQUALITY, WOMEN’S RIGHTS and WOMEN’S EMPOWERMENT: IMPERATIVES and KEY COMPONENTS*, UN Women, June 2013, www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2013/7/post-2015%20-%20case%20for%20standalone%20gender%20goal%20pdf.pdf. Accessed 16 Nov. 2023.
- UN Women. “UN Division for the Advancement of Women - Reports and Resolutions on Violence against Women.” United Nations, www.un.org/womenwatch/daw/vaw/reports.htm#:~:text=UN%20Division%20for%20the%20Advancement. Accessed 26 Oct. 2023.
- UN Women. “What We Do: Ending Violence against Women: Global Norms and Standards.” *UN Women*, 2019, www.unwomen.org/en/what-we-do/ending-violence-against-women/global-norms-and-standards. Accessed 13 Nov. 2023.
- United Nations Children’s Fund (UNICEF). “About UNICEF.” *Unicef.org*, UNICEF, 2018, www.unicef.org/about-unicef. Accessed 25 Nov. 2023.
- United Nations Children’s Fund (UNICEF). “Gender Action Plan, 2022-2025.” *Unicef.org*, UNICEF, www.unicef.org/gender-equality/gender-action-plan-2022-2025. Accessed 25 Nov. 2023.
- United Nations Children’s Fund (UNICEF) Executive Board. “UNICEF Gender Action Plan, 2022-2025.” *Unicef.org*, UNICEF, 2021, www.unicef.org/executiveboard/documents/UNICEF-Gender-Action-Plan-2022%E2%80%932025-SRS-2021. Accessed 25 Nov. 2023.
- United Nations Children’s Fund (UNICEF) Middle East and North Africa. “Gender Equality | UNICEF Middle East and North Africa.” *Unicef.org*, UNICEF, www.unicef.org/mena/gender-equality#:~:text=To%20address%20gender%2Dbased%20violence. Accessed 25 Nov. 2023.
- United Nations. “Gender Equality and Women’s Empowerment.” *United Nations Sustainable Development Goals (UNSDGs)*, 2022, www.un.org/sustainabledevelopment/gender-equality/. Accessed 26 Oct. 2023.
- United Nations. “Human Rights.” *United Nations*, 2023, www.un.org/en/global-issues/human-rights. Accessed 25 Oct. 2023.
- World Population Review. “Middle East Countries 2020.” *World Population Review*, <https://worldpopulationreview.com/country-rankings/middle-east-countries>. Accessed 26 Oct. 2023.