

Research Report

Special Conference on Peace and Justice 1
Peace and Justice amongst the Arab States
Preventing violence towards women in Arab
States



MUNISH



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Forum	Special Conference 1
Issue:	Preventing violence towards women in Arab States
Student Officer:	Mathieu Mougey
Position:	Deputy President

Introduction

The Arab States have, through reluctant but steady efforts, paved the way for a significant improvement in the lives of women since the first signing of the Convention on the Elimination of All Forms of Discrimination Against Women in 1979. Yet, while promises have abounded at international conferences and gatherings, in practice, violence geared towards women continues to exhibit itself in many forms throughout the Arab region. As a result of stolid societal norms and lax legislation, many Arab States have been unable to adequately punish and prevent violence towards women. This research report will elucidate the issue by outlining the underlying cultural and legal trends of the region, as well as discussing the various types of violence against women that have found their way into many Arab nations.

Definition of Key Terms

Violence Against Women

The Universal Declaration of Elimination of Violence Against Women defines violence against women as “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.”

Gender-Based Inequality

Any disparity between the social, legal, and economic rights of women and men.

Arab States

By definition of various United Nations organizations, the Arab States include 22 nations: Algeria, Bahrain, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Malta, Mauritania, Morocco, Oman, the Palestinian Territories, Qatar, Saudi Arabia, Somalia, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, and Yemen. These countries are located in Northern Africa and on the Arabian Peninsula, and are home to about 350 million individuals.



Map of Arab States (in green) Note: Malta is not included

General Overview

Gender-Based Inequality

Numerous studies have found gender inequality to stand as an inherent cause of violence directed towards women. The inability of women to integrate into a nation's workforce as a result of economic, legal, and cultural hurdles, in conjunction with established gender norms, find many placed in a position of inferiority to their male counterparts. A vast proportion of Arab States exhibit an undercurrent of cultural restrictions on women, who are often removed from schooling at young ages, expected to assume a housewife role. While this may seem like a broad generalization, it is important to note that only 25% of women in

Arab States are employed or looking for employment, a blatant indication of the gender-driven guidelines of the region. Reducing incidences of violence towards women can be achieved in part through investing in schooling and an increase in women's rights—both in cultural and legal contexts. The empowerment of women, brought about in part by a bridging of current gender divisions, would enable females in Arab States to rise above a perceived male-dominated society, gaining more respect both in the workplace and society.

Types of Violence

Domestic Abuse

Domestic abuse refers to the physical, sexual, or psychological abuse of an individual within the household setting, often by a person who is close to them. In Arab States, many women—young and old—regularly experience abuse at the hands of males within their own homes. These acts of violence are often self-justified by their perpetrators, who employ them as a means to punish what they see as reprehensible acts, which can range from simple disobedience to more onerous matters such as adultery. While domestic abuse is a widespread issue within the Arab world, it is also one that remains largely concealed, rarely leaving the confines of the home. As a result, few official figures exist on the extent of domestic abuse within Arab nations, in addition a significant dearth of options being available to female victims, both legally and socially.

Abuse of Refugees and Women in War-Stricken Nations

Women and girls that find themselves in war-torn nations are often required to flee their homes, or inhabit refugee camps after having been displaced. Women in refugee camps are often placed in extremely vulnerable positions, in which they have no recourse whatsoever to seek protection, and are at the mercy of others for their safety. Often, soldiers will make use of the physical and sexual abuse of women as a means of humiliating them. In addition, female civilians—both in and outside of refugee camps—are in many instances raped as “spoils of war”, after combatants manage to defeat whichever community the women happened to belong to. Unfortunately, the sexual and physical abuse of women is often employed as a means of waging and winning war, with gross disregard to the civilian-status of these women, in addition to their circumstances of high vulnerability. As a result, many women in war-torn regions must live under constant fear of abuse.

Honor Killings

In many Arab nations, the seemingly outdated practice of honor killings continues to have a significant impact on the lives of women. In these situations, relatives will kill a woman they believe to have irreversibly tarnished the honor of the family. In most cases, a woman is accused of adultery, incest, sexual intercourse prior to marriage, wanting to marry by own choice, refusing an arranged marriage, or even dressing inappropriately. In many cases, women who have been raped or assaulted also face repercussions, as they are perceived impure as a result.

Abuse by Authorities

The sexual and physical abuse of women by authority figures—most often police—also occurs frequently, driven both by gender inequality and by women’s lack of legal representation. As a result, it is relatively easy for individuals in positions of legal authority to take advantage of women in vulnerable positions, as women may be unjustly arrested, beaten while in custody, and even assaulted when in prison.

Harassment in Public Spaces

Many Arab women also face harassment when going about their day-to-day lives, and are sometimes the victims of targeted violence towards them, often by men who consider them to be immorally dressed.

Cultural and Legal Background

With the exception of Tunisia, all Arab States employ Sharia law in varying degrees as part of their respective legislations. While it is not entirely incompatible with women’s rights, some aspects of this legal system—which has its roots in Islamic teachings—have prevented Arab States from adopting international treaties relating to the prevention of violence towards women. An oft-cited disparity between traditional Western law and Sharia law is the notion that nonconsensual sex between two married individuals—referred to as cases of “rape within marriage”—should be lawfully punished. As recently as June 14, 2013, Arabic member states of the United Nations Council for Human Rights (UNHRC) voted against measures which would find husbands guilty of sexual abuse if they were to have sexual intercourse with an unwilling wife. Furthermore, many Arab nations do not actively punish occurrences of domestic abuse, as many laws allow a husband to punish his wife or daughters—if such an action is provoked. However, some states have seen some

improvement on this level, with laws being ratified that make domestic violence illegal in all but the most particular of cases. Yet, it remains a common social norm that violence within the household is a strictly private matter, and that some justification is usually at the base of a husband punishing his wife or children. As a result, there is a widespread judicial and social indifference towards victims of domestic abuse, who are often left with little options to turn to. Divorce, while a viable solution to domestic abuse in some nations, is outlawed in the majority of Arab nations. While some exceptions may exist if a solid basis of evidence pointing towards an abusive husband is present, most women who face violence within their homes do not—in practice—have access to divorce as a solution, as they have few legal recourses to turn to, face significant social stigmatization, and are often unable to support themselves financially without a husband.

The abuse of women in times of war is due in part to a view that the abuse of “enemy” women is an acceptable practice, in addition to the breakdown of mechanisms that are set up to protect women that takes place during times of crises and wars. This issue ties in with abuse carried out by authorities. In both cases, they are the result of both a culture of perceived male superiority, and the impunity with which the perpetrators benefit of as a result of women’s lack of power. While both of these situations are condemned by law in the majority of Arab States, in practice many women find themselves devoid of any assistance when they are subjected to this type of ill-treatment.

While honor killings are technically illegal in the vast majority of Arab States, many existing laws are regularly used to circumvent this, and reduce or even wholly expunge the murderer’s sentence if the victim had caused a legitimate affliction on family honor. Jordan’s penal code, for example, completely pardons a man of murdering his wife if he has caught her committing adultery. In addition to these legal loopholes, cases of honor killings are also often simply disregarded by officials, who manage to stall legal proceedings in order to avoid to prosecution of the murderer.

Major Parties Involved and Their Views

United Nations Development Programme (UNDP)

The UNDP has carried out extensive work in Arab Nations with the aim of fulfilling the Millennium Development Goals. Particularly relevant to this issue is the third goal, which aims to “promote gender equality and empower women”. The organization has sought to

improve infrastructure and legislation in order to protect women from possible violence, as well as regularly documenting the situation of women in the area.

United Nations Entity for Gender Equality and the Empowerment of Women (UN Women)

Created by the United Nations General Assembly in 2010, UN Women regularly advises nations on how to adapt their legislation in order to promote gender equality, as well as monitoring whether these nations adequately progress towards bettering the situation of women.

The League of Arab States (Arab League)

The Arab League, while having played a beneficial role in the emancipation of Arab women, has also found itself opposing several international agreements on women's rights, on grounds of religious incompatibility. While it has shown to be inclined towards a progression towards greater gender equality, the Arab League is often concerned with international agreements infringing upon the culture and laws of sovereign Arab nations.

Amnesty International

The non-governmental organization Amnesty International has been at the forefront of documenting the abuse of women around the world, and plays a particularly significant role in monitoring and attempting to prevent violence towards women in Arab States.

Timeline of Events

Date	Description of event
December 10, 1948	The Universal Declaration of Human Rights is adopted by the United Nations General Assembly, outlining the basic rights of every human being—a basis for gender equality.
December 18, 1979	All Arab Nations, with the exception of Sudan and Somalia, sign the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). The treaty includes a number of clauses relating to the equality of men and women in society.
December 20, 1993	The Declaration on the Elimination of Violence Against Women is adopted by the United Nations General Assembly. The United Nations Security Council adopts Resolution 1325 on Women,

October 31, 2000	Peace, and Security Beginning of Syrian Civil War
June 19, 2008	The United Nations Security Council adopts Resolution 1820, which recognizes sexual violence, in particular that committed against women during times of war, as a crime of war and a crime against humanity, as well as aiming to protect victims of conflict.
Late 2010	The Arab Spring occurs, and many Arab women find themselves protesting alongside their male counterparts, demanding to be heard by their governments.
June 14, 2013	Arab nations reject paragraphs of the United Nations Council for Human Rights's Resolution On the Elimination of All Forms of Violence Against Women on grounds of incompatibility with national laws at a gathering in Geneva.

UN Involvement, Relevant Resolutions, Treaties and Events

- The Universal Declaration of Human Rights, 10 December 1948
- Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 18 December 1979
- The Declaration on the Elimination of Violence Against Women, 20 December 1993 **(A/RES/48/104)**
- Resolution 1325 on Women, Peace, and Security, 31 October 2000, **(S/RES/1325)**
- Security Council Resolution 1820, 19 June 2008, **(S/RES/1820)**

Evaluation of Previous Attempts to Resolve the Issue

While numerous resolutions and international conventions exist on the prevention of violence towards women, the issue at hand remains one that has seen women benefit only superficially. While a commitment by Arab nations to resolve the issue is an important step, this commitment has not yet effectively been translated into a real improvement in the condition of females in the region. The problem at hand remains one that must be combatted on a community-level, as education of men, women, boys, and girls is a crucial step in bridging the gender gap, and reducing incidences of gender-based violence. Recently, young Saudi Arabian celebrities launched awareness campaigns denouncing domestic abuse.

Other governments and NGOs have launched campaigns to sensitize men and women about the destructive effects of gender-based violence, as well as empowering women with the knowledge of their legal rights. Strengthening of laws relating to violence towards women has also shown to have had beneficial results, though this improved legislation often fails to be applied in practice. While many of these localized changes have had some impact on the lives of women, much remains to be done by the governments of Arab States.

Possible Solutions

Strengthening of Legislation

As an obvious starting point, it is crucial that nations incorporate national legislation that protects women from violence effectively. These laws should encourage women to come forward, adequately punish perpetrators, and ensure that women are not themselves punished, as sometimes still occurs in courts in Arab nations. It would also be effective to ensure the removal of any “loophole laws” in national legislation, which would see offenders walk away from crimes unpunished. Bearing in mind that ambiguous texts and laws have prevented many women from obtaining justice against offenders, a resolution passed in this session of the Special Conference should seek to be unambiguous in nature, explicitly outlining the acts of violence that should be faced with clear legal ramifications—without room for exceptions. Many international organizations, UN Women for example, provide clear guidelines for governments to follow if their laws are to adequately protect women. Lawmakers working in conjunction with organizations such as UN Women could prove to be invaluable for passing effective legislation.

Enforcement of Legislation through Specialized Police Services

To ensure that legislation aiming to protect women is sufficiently enforced, special international or national committees can be created that monitor the enactment of laws pertaining to this issue, and report any systematic failures in the legal system—be it as a result of an ambiguous law, or an unscrupulous official. As many women fear approaching the police when they are subject to abuse, as well as often having their claims dismissed, it would be beneficial to create special police units—preferably made up of only female police effectives—that deal only with issues of violence towards females. This would ensure that women would have a definite place to address their issues with representatives of the government, as well as providing them with a safe and sympathetic place to do so.

Education and Involvement of Women in Political and Professional Scene



As poverty and lacking education have been linked to an increase in violence towards women, governments should also seek to pass measures that would see women placed on the same level as men in society. Compulsory and equal education for both boys and girls would significantly help bridge the gap between genders, which is often cited as an inciter to discrimination and violence. Many women in Arab nations are given no choice but to become housewives, without the chance to pursue higher education or obtaining employment. Such opportunities should be further encouraged by states, as they would drastically reduce the isolation of women, and widen their acceptance in a currently male-dominated society. Furthermore, granting women a more significant role in the political scene of a nation would aid to reduce gender-based inequality.

Sensitization Campaigns

Sensitization campaigns are another effective means of tackling this issue at its core. Through information in schools and mass media, governments working together with NGOs could slowly change mentalities on the issue of violence oriented towards women. Backed by supportive legislation, such information campaigns could serve not only to inform men of the rigid prosecution of such violence, but also to inform affected women of their rights, as well as the possible channels through which they can seek help.

Support Channels

It is also of importance that adequate support channels exist for women who have been the victims of abuse. Such channels can take the form of anonymous hotlines that assist victimized women, specialized support groups for abused women, and legal groups that aid women in obtaining justice if they have been the victims of mistreatment.

Infrastructure

Improving infrastructure can also play a significant role in reducing violence towards women. Some NGOs have seen success in this approach, in which simply increasing the luminosity of streets at night through using a few lampposts would leave women less vulnerable at the hands of potential aggressors. Providing women with secured methods of public transport could also lead to a reduction in violence. Finally, regular police patrols carried out with the aim of apprehending men who display aggressive behavior towards women in public spaces could also curb this type of behavior.

Gather Information



Due to its repressed nature, information on violence towards women in Arab States is extremely scarce. Special bodies set up to collect and analyze this information, as well as guidelines placed on police forces to report cases of abuse directly to these bodies, would enable a better understanding and tackling of the issue.

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