

Major Mariam Al Mansouri

From the website of Lakeridge Health,
an Ontario-based community hospital, Canada



« We don't care
what's
on your head
We care
what's in it »



WOMEN'S RIGHTS IN THE ARAB REGION: BETWEEN MYTH AND REALITY

Proceedings of the UN Geneva Side Event

Held on 15 September 2017 and Lessons Learned



GENEVA CENTRE FOR HUMAN RIGHTS ADVANCEMENT AND GLOBAL DIALOGUE
مركز جنيف لحقوق الإنسان والحوار العالمي
CENTRE DE GENÈVE POUR LA PROMOTION DES DROITS DE L'HOMME ET LE DIALOGUE GLOBAL

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The Geneva Centre for Human Rights
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WOMEN'S RIGHTS IN THE ARAB REGION: BETWEEN MYTH AND REALITY

GENEVA, 15 SEPTEMBER 2017
PALAIS DES NATIONS

List of Abbreviations

BBC	British Broadcasting Corporation
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
CEO	Chief Executive Officer
FGM	Female Genital Mutilation
FRA	European Union Agency for Fundamental Rights
GREVIO	Group of Experts on Action against Violence against Women and Domestic Violence
ILO	International Labour Organization
IMF	International Monetary Fund
IPU	Inter-Parliamentary Union
MDG	Millennium Development Goals
MENA	Middle East and North Africa
MESECVI	Committee of Experts of the Follow-up Mechanism to the Belém do Pará Convention
NGO	Nongovernmental Organization
OECD	Organization for Economic Co-operation and Development
OIC	Organization for Islamic Cooperation
OPAAW	OIC Plan of Action for the Advancement of Women
Q&A	Questions & Answers
SDG	Sustainable Development Goals
SR	Saudi Riyal
STEM	Science, Technology, Engineering and Mathematics
TSM	Temporary Special Measures
UAE	United Arab Emirates
UK	United Kingdom
UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organization
UN HRC	United Nations Human Rights Council
USA	United States of America
VAW	Violence Against Women
WEF	World Economic Forum

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FOREWORD

In September 2017, the Geneva Centre organized a panel discussion on “*Women’s rights in the Arab region: between myth and reality*”, as a side-event to the 36th session of the UN Human Rights Council. This publication provides the summary record, the written statements of the panel members, as well as a full chapter dedicated to drawing lessons from this fruitful discussion.

The abovementioned discussion, arranged in cooperation with the Permanent Mission of the Arab Republic of Egypt to the United Nations Office, sought to review the challenges and to deconstruct the existing myths with regard to women in the Arab region. This discussion was organized as a follow-up to the first panel debate on women’s rights organized by the Geneva Centre in March 2016, in cooperation with the UNESCO Geneva Liaison Bureau, which sought to offer an alternative narrative on women in the Arab region. The follow-up panel discussion aimed at broadening the debate initiated in the previous year, by challenging the oft-repeated stereotype that the issues related to women’s rights and gender inequalities are more likely to pertain to developing countries or more specifically to the Arab region. Speakers, representing UN agencies for gender equality, but also civil society organizations, academia and governments, contributed to an in-depth discussion around these themes. The value added of the meeting was its scientifically-oriented approach, which allowed for the quantification of the progress achieved and an objective assessment of the remaining impediments, placing the debate in a global context, by extending it from the Arab region to the entire world.

As became evident during the discussion, women worldwide have suffered to different degrees from the grip of patriarchy, which is now being rolled back. Women in the Arab region are no exception, and have been facing challenges which are not specific to any culture, but are in fact common, to different degrees, to the status of women in all regions.

The panel highlighted the negative impact of the stereotypical representations of Arab and Muslim women, and the intersecting forms of discrimination resulting from this phenomenon on, *inter alia*, women migrants, and those that belong to minorities. The discussion also brought out the fact that, despite sustained awareness promotion, and the further elaboration of a comprehensive international legal framework on women’s rights and gender equality, major setbacks persisted all around the world.

The countries of the Arab region, *inter alia*, are confronted with important challenges to enhance gender equality. Despite the stereotypical representations of these issues in international medias and in Western political discourse that depict them as specific to the Arab region, culture and often, to Islam, these issues are not location-specific. The pervasiveness of gender inequalities has been emphasized in reports from UN Women, the World Bank, or the World Economic Forum (WEF). The latter released in November 2017 its annual Global Gender Gap Report, which aims at examining the gap between men and women in four fundamental sub-indexes, namely Economic Participation and Opportunity, Educational Attainment, Health and Survival and Political Empowerment¹. The study examined every country of the world by means of these indicators and the results pointed to the universality of gender inequality.

Despite undeniable achievements, there seems to be retrogression at the global level. Women's rights remain challenged, inequality persists, and gender stereotypes and expectations are still deeply entrenched in societies. As a matter of fact, the gender gap actually widened in 2017 for the first time since 2006, and according to the WEF report, at the current rate it will take approximately a hundred years to close the overall gap.

Notwithstanding this dismal perspective, the Global Gender Gap Report showed that the Middle East and North Africa region continued to progress in this regard, having already closed more than 60% of its overall gender gap. The region's best-performers were Tunisia, the United Arab Emirates and Bahrain, which have closed between 65% and 63% of their overall gender gaps.² The region was shown to excel particularly at reducing inequalities with regard to educational attainment. In terms of political empowerment as well, the Arab region has progressed over recent years. In Algeria, the proportion of women holding seats in Parliament has risen from 8 % in 2011 to 31.6 % in 2017. Algeria is closely followed by Tunisia (31.3 %) and the Sudan (30.5), according to the Inter-Parliamentary Union (IPU). As a matter of fact, some Arab countries have exceeded the OECD countries' average (28.7%) in representation of women in national legislatures.³

In what has been called "*a summer of progress for women in the Arab world*", Lebanon abolished, in August 2017, a law that enabled male rapists to escape justice if they married their victims; Jordan did the same, and closed a separate loophole that allowed lighter sentences for "honour killings". Tunisia abolished a similar law in July 2017⁴, and moved on to abolish a time-honoured ban on Muslim women

1 - The Global Gender Gap Report 2017, WEF: <https://www.weforum.org/reports/the-global-gender-gap-report-2017>

2 - Ibid.

3 - The Pursuit of Gender Equality - An Uphill Battle OECD, 2017: http://www.oecd-ilibrary.org/social-issues-migration-health/the-pursuit-of-gender-equality_9789264281318-en

4 - It has been a summer of progress for women in the Arab world, The Economist, October 2017: <https://www.econ->

marrying non-Muslim men in September 2017. The efforts towards achieving gender balance were also reflected in the private sector. In September 2017, the United Arab Emirates launched a Gender Balance Guide, in cooperation with the Organisation for Economic Cooperation and Development (OECD), laying out the road-map for introducing gender balance within the UAE society, particularly in the private sector.

In spite of this concrete progress, the Arab region would still need, at the present rate, 157 years in order to fully close the gender gap. The region continues to rank last on the overall Global Gender Index. Despite efforts towards empowering women in the political sphere, the WEF highlights that the political representation gap remains significant in the countries of the region. Overall wage inequality for similar work is equally highlighted as a persisting problem across the region, coupled with the ensuing inequality in women's share of earned income.⁵

However, these are ubiquitous problems. They are evident all over the world, and plague the industrialized as well as the developing countries. The Global Gender Gap Report showed that, contrary to the voices that seek to relegate all gender-related problems to the Arab region and to link them to cultural specificities, all regions of the world are confronted with inequality at different levels. Despite its high regional average, there is a broad range of outcomes among the 20 countries covered in the Western Europe region for example, showing inconsistency in dealing with inequality. Even overall top ranking countries, like Norway and Iceland, have known marginal increases in gender gap in one or more sub-indexes since 2016. Germany for example was highlighted as lagging behind in educational attainment; Switzerland has also seen a falling share of women in professional and technical roles.

The past few months have further revealed a series of gender inequalities that continue to afflict Western countries. In terms of equality at the workplace, while an increasing number of companies are committing to equality in principle, representation of women remains low, particularly in positions of high management. To date, there are only 24 women among the 500 leaders of the top 500 US companies. As a matter of fact, there are more men named John leading big companies as CEO than women in general.⁶ Likewise, in Japan, not a single one of the companies on the Nikkei 225 index is headed by a woman. In the summer of 2017, the BBC published a list of salaries of the channels' best paid employees that revealed that the highest paid 9 officials were all men. On average, worldwide, the gender pay gap amounts to 23%. Political representation also remains staggeringly low, even in forward thinking societies such as Japan, where only 2 of 20 cabinet ministers and only 10% of lawmakers are

omist.com/news/middle-east-and-africa/21727122-credit-due-largely-womens-rights-groups-have-sprouted-across

5 - The Global Gender Gap Report 2017, WEF: <https://www.weforum.org/reports/the-global-gender-gap-report-2017>

6 - Fewer Women Run Big Companies Than Men Named John, by Justin Wolfers, The New York Times, March 2015: <https://www.nytimes.com/2015/03/03/upshot/fewer-women-run-big-companies-than-men-named-john.html>

women.⁷ Worldwide, as of October 2017, only 11 women are serving as Head of State and 12 are serving as Head of Government.

Persisting discrimination at the workplace, wage inequality, insufficient representation of women in politics and in senior positions within the private sector - these are just a few of many facets of gender inequality and discrimination that persist and challenge societies around the world, irrespective of culture, religion or geographical location. However, the media, particularly in the West, relentlessly delivers a single-sided story on women and their status in the Arab and more broadly, in the Muslim region. There is a persistence of negative depictions, presenting shortfalls in the realization of women's rights in these regions as if their societies were by essence impervious to feminism or to equal gender rights. To quote the acclaimed Nigerian writer and women's rights activist Chimamanda Ngozi Adichie, *"the single story creates stereotypes, and the problem with stereotypes is not that they are untrue, but that they are incomplete. They make one story become the only story."*⁸

It is high time that this single story on women's rights and equality in the Arab region was deconstructed and replaced with a realistic assessment of the situation, stripped of stereotypes and myths. Such was the goal of the Geneva Centre in organizing this panel discussion, backed by the findings of numerous reports on gender equality: discrimination and inequality represent universal challenges. They are not culturally specific, nor religion-based; they affect all regions of the world, to various degrees, and require the international community to work together and to tackle this scourge through cooperation.

Half of the world's population remains on the outskirts of power despite the valuable contribution that they could bring to the world's economy, to international policy, to science and research, and last but not least, to peace. There is a salient need to fine-tune and improve the existing global indicators that allow the measurement of the gender gap and of gender equality. With respect to indicators such as the wage gender gap for example, more pertinent and comprehensive disaggregated data by region and country should be made available in order to stimulate countries to increase their efforts, in order to achieve better results and to climb in global rankings. These indicators are to be implemented worldwide and monitored in an approach that values accountability and concrete measures towards improved equality.

The involvement of men as gender champions is equally crucial, particularly from the point of view of changing mind-sets and challenging stereotypical gender roles within societies worldwide. Measures like strong incentives for father's parental

7 - The Economist, November 2017

8 - TED Talk The danger of a single story by Chimamanda Ngozi Adichie, July 2009, available here: <https://www.youtube.com/watch?v=D9lhs241zeg>

leave, aimed at encouraging women's participation in the labour market, wage equity initiatives, as well as affirmative action to encourage women's representation in leadership position in the public and the private sector, represent key levers of gender equality.

The Geneva Centre gives prominence to women's rights and to their empowerment in all spheres of society. The panel discussion organized in September 2017 and the current follow-up publication will be followed by similar initiatives aimed at encouraging open debates and fostering joint efforts for gender equality in the Global North and in the Global South.

Dr Hanif Hassan Ali Al Qassim

*Chairman of the Board of Management
of the Geneva Centre*

SUMMARY RECORD¹ OF THE PANEL MEETING

1. The present report provides a summary record drawn up by the Geneva Centre on the discussions which took place during the panel meeting. It does not commit the authors of the remarks themselves, whose statements were recorded and are reproduced in full in the annex to the report.

The Geneva Centre for Human Rights Advancement and Global Dialogue (hereinafter the “Geneva Centre”) organized, in cooperation with the Permanent Mission of the Arab Republic of Egypt to the United Nations Office, the World Trade Organization and other international organizations in Geneva, a panel discussion entitled “*Women’s rights in the Arab region: between myth and reality*”, as a side-event to the 36th session of the UN Human Rights Council.

This topic had already been the subject of a panel discussion organized by the Geneva Centre in March 2016, in cooperation with the UNESCO Geneva Liaison Bureau. Further to the discussion, which had sought to offer an alternative narrative on women in the Arab region, the Geneva Centre published a study entitled “*Women’s Rights in the Arab Region: Myths and Realities*”, in March 2017. The side-event organized by the Geneva Centre aimed at broadening and updating the debate initiated in 2016, particularly by attempting to elucidate the persisting misconceptions on the situation of women in the Arab region, as well as the challenges needing priority attention.

The panel discussion took place on 15 September 2017, from 10:00 to 12:00, in room XXIV at the Palais des Nations, in Geneva. The Chairman of the Geneva Centre’s Board of Management, **H. E. Dr Hanif Hassan Ali Al Qassim**, and **H. E. Mr Amr Ramadan**, Ambassador and Permanent Representative of the Arab Republic of Egypt to the United Nations Office at Geneva, delivered inaugural remarks. **H. E. Ms Tahani Ali Toor Eldba**, Minister of State of Sudan also delivered an opening statement on the advancements in the Sudan in this regard.

The debate benefited from the presence of prominent international experts on women’s rights from the Arab region and from the West, which included **H. E. Ms Hoda Al-Helaissi**, Member of Saudi Arabia’s Shura Council, and former Vice-Chairperson at King Saud University; **H. E. Ms Naela Mohamed Gabr**, Member of the UN Committee on the Elimination of Discrimination against Women; **H. E. Ms Dubravka Šimonovic**, UN Special Rapporteur on violence against women, its causes and consequences; **Dr Susan Carland**, Researcher and specialist on gender and Islam in the modern world, and Director of Monash University’s Bachelor of Global Studies in Australia; and **Ms Sarah Zouak**, Co-founder of the association *Lallab*, writer and producer of the documentary *Women Sense Tour*.

H. E. Ms Emna Aouij, Member of the UN Working Group on Discrimination against women in law and in practice, was prevented at the last minute from attending the panel discussion, but her written statement was circulated in the room.

Ambassador Idriss Jazairy, Executive Director of the Geneva Centre for Human Rights Advancement and Global Dialogue, moderated the debate.

In his opening remarks, **H. E. Dr Hanif Al Qassim**, *Chairman of the Board of Management of the Geneva Centre* noted that the theme of the panel discussion



Speakers during the panel discussion: (from left to right) H. E. Ms. Dubravka Šimonovic; H. E. Ms. Naela Mohamed Gabr; Ms. Sarah Zouak; H. E. Mr. Amr Ramadan; Ambassador Idriss Jazairi; H. E. Dr. Hanif Hassan Ali Al Qassim; H. E. Ms. Hoda Al-Helaissi; Dr. Susan Carland and H. E. Ms. Tahani Ali Toor Eldba.

was closely aligned with the core mission of the Centre, namely to enhance human rights in the Arab region while demystifying prevailing misunderstandings and misconceptions. Quoting former UN Secretary-General Ban Ki-Moon, Dr Al-Qassim remarked that: *“Where men and women have equal rights, societies prosper. Equality for women is progress for all.”*, underlining that women’s rights and gender equality were the pillars of an inclusive and harmonious society.



H. E. Dr. Hanif Hassan Ali Al Qassim

Dr Al Qassim highlighted that gender inequality persisted in every region of the globe and deplored the slow progress with regard to the enhancement of women’s rights. He reiterated the importance of promoting economic self-reliance for women and equal access to the labour market as a precondition for sustainable development.

He further called for the promotion of favourable social norms and attitudes

to prevent discrimination and violence against women, and recalled the need to define a common global agenda and to work jointly towards gender equality.

Finally, Dr Al Qassim referred to the recently adopted UNHRC Resolutions 35/10 of 21 April 2017, 35/18 of 13 April 2017 and 35/22 of 30 March 2017, calling upon States to take concerted measures to foster the elimination of all forms of violence and discrimination against women and to ensure equal access to education for girls.



H. E. Mr. Amr Ramadan

H. E. Mr Amr Ramadan, *Ambassador and Permanent Representative of the Arab Republic of Egypt*, reiterated in his opening remarks the particular importance that the Egyptian society attached to women's issues and empowerment. He quoted Egyptian President Abdel Fattah al-Sisi, who had declared that *"our national duty and our responsibility before history oblige us to take faster steps towards the empowerment of women, by preserving her rights and her rightful place that suits her value, her*

capacities and her sacrifices throughout history." Ambassador Ramadan underscored the fact that without women, no development effort could be complete and no objective could be achieved. He noted that the empowerment of women was not a matter for women alone; it was a general necessity for all societies to build a strong, cohesive nation, confident in the future.

Ambassador Ramadan recalled that the National Council for Women in Egypt had launched its 2030 National Strategy for the Empowerment of Women, built around four main focus areas: political empowerment, promotion of women's leadership roles, economic empowerment, and social empowerment and protection.

The strategy also aimed to change the society's culture towards women and to enhance access to their legal rights.

He further underlined the importance of the new Egyptian Constitution adopted in 2014, which included several provisions guaranteeing equal opportunities, preventing discrimination against women, and guaranteeing their protection. As a result, Egyptian women had the highest quota of representation that they had ever had in the Chamber of Deputies (87 seats), since the establishment of the Egyptian Parliament. They also occupied a quarter of the seats in local Councils. From a social standpoint, the gender gap in school enrolment had declined, and maternal mortality

levels had decreased significantly.



H. E. Ms. Tahani Ali Toor Eldba

work. Minister Tahani Eldba recalled that the Sudanese national legislation and in particular, the Labour Code, contained provisions that facilitated the integration of women in the workforce, including maternity leave. The Minister also highlighted the important political empowerment experienced by Sudanese women over the past years, mentioning the fixed quota of 30% women representatives in the Parliament,



Ambassador Idriss Jazairy

H. E. Ms Tahani Ali Toor Eldba, *Minister of State at the Ministry of Justice of the Republic of the Sudan*, emphasized in her opening remarks the progress achieved in the Republic of the Sudan in terms of women's empowerment. She noted in particular the provisions of the 2005 transitional Constitution of the Republic of the Sudan, as well as the provisions of the previous 1997 Constitution, which guaranteed women's political, social, economic and cultural rights, as well as the right to equal pay for equal

as well as women's participation in the executive authority at all levels, and in the judiciary system.

Ambassador Idriss Jazairy, *Executive Director of the Geneva Centre*, briefly welcomed the participants, reiterating that the goal of the panel organized by the Geneva Centre was to enhance cooperation and the exchange of best practice on the topic of women's rights and equality, in light of the fact that no region could claim to have achieved gender balance so far.

H. E. Ms Hoda Al-Helaissi, *member of Saudi Arabia's Shura Council and former Vice-Chairperson at King Saud University* spoke about the significant transformations undergone by Saudi Arabia in the space of 85 years, highlighting its rapid growth. Ms Al-Helaissi remarked that the Saudi population was young (65% of the population was under the age of 30), and that the youth was well connected to the outside world through social media. In light of these elements, it was argued that all changes in



H. E. Ms. Hoda Al-Helaissi

the Saudi society had to come from within, driven by its young and active population. In this sense, Ms Al-Helaissi noted that education played a fundamental role in the Saudi society, remarking that education for girls had started in 1962. Public education was free at all levels, and the government currently allocated the largest part of its budget to education (23%).

Challenging the image of the Saudi woman, particularly in the West, Ms Al-Helaissi deplored the persisting

stereotypes that came about as a result of uninformed sensationalist writings. As a result, the Saudi woman was constantly depicted as oppressed, subservient to and suffocated by men, as well as uneducated and not allowed to work.

She noted that the country's Tenth Five-year plan (2015-2020) as well as Vision 2030 stressed the importance of greater female participation in the national economy and provided women with more job opportunities in various sectors. As a result, the number of women working in the private sector had increased from 215 000 in 2012 to 496 000 in 2016: also, according to figures provided by the Ministry of Labour and Social Development, Saudi women represented 30% of the total Saudi workforce in the private sector, which marked a significant increase from only 12% in 2011.

Ms Al-Helaissi recalled two major decisions taken by King Abdullah in 2013 with regard to women's participation in the political field. Firstly, a minimum of 20% of the Shura Council seats were allocated to women; this meant 30 women members out of a total of 150 members. Secondly, a law was enacted permitting women to participate in municipal elections, which resulted in 22 women being elected in municipal councils. In 2017, King Salman had approved the appointment of women in leadership positions in various institutions that had previously been male-dominated, such as the Capital Market Authority – Tadawul, Bank CEOs and Advisors, the National Population Committee.

Finally, Ms Al-Helaissi underscored the remaining challenges and obstacles in the achievement of full equality, but insisted on the importance of avoiding superficial judgment, deploring this as a sign of lack of understanding of the culture, religion, traditions or history of others. She noted that respecting others for who they were was a basic human right, and called for the promotion of shared values and dialogue in favour of cultural diversity.



H.E. Ms. Naela Mohamed Gabr

H. E. Ms Naela Gabr, *member of the UN Committee on the Elimination of Discrimination against Women*, echoed the concern of previous panellists with regard to the stereotypical images of Arab and Muslim women that prevailed particularly in Western societies. She highlighted that Arab countries were participating in international meetings and conferences on women's rights, leading to ambitious programmes and action plans. Ms Gabr also noted in this regard that the political declarations and the programmes of action of the

League of Arab States reflected the political will and the consensus to promote gender equality. She recalled that all but two Arab countries (Sudan and Somalia) had acceded to the United Nations Convention on the Elimination of Discrimination against Women (CEDAW), out of seven developed and developing States that had not ratified the Convention.⁹ Referring to the periodic reports submitted by Arab States to the CEDAW Committee, as well as the Committee's concluding observations and the follow-up procedures, Ms Gabr noted that there was a positive trend with regard to women's status. She discussed the important historical involvement of Arab women in the development of their countries, speaking of the example of Palestinian women in times of conflict and occupation.

She recalled the resistance of Syrian women and the plight of women refugees in the current context.

Ms Gabr further highlighted the importance of NGOs, which she saw as essential for development, particularly through the creation of job opportunities and the promotion of small-scale and micro enterprises. NGOs also played a constructive role in demanding the implementation by States of their obligations under the CEDAW. Egypt had been putting women's rights and women's empowerment at the top of its agenda over the recent years, declaring 2017 the Year of women and aiming to adopt legislation to combat violence against women. Ms Gabr recalled that other countries in the region, such as Jordan and Lebanon, were also paving the way towards gender equality, by abolishing legislation that was discriminating against women.

Despite this progress, Ms Gabr deplored the persistence of a distorted image of Arab

⁹ - The United States and Palau have signed, but not ratified the treaty. The Holy See, Iran, Somalia, Sudan and Tonga are not signatories to CEDAW

women, oppressed, suffering from injustice and subordination. In this context, she admitted the existence of serious negative impacts on the status of the rights of Arab women and deplored the ideologies that denied the rightful place that women had in Arab societies according to Islam. She remarked that minority views persisted within Arab societies, affecting the position of women in society and unfortunately encouraging violence against women and harassment in the workplace. However, Ms Gabr concluded by emphasizing that the current situation of women's rights in the Arab world represented a good basis, whether in legislative terms (laws / international agreements), or in institutional terms (mechanisms related to women's rights including ministries and specialized councils for women's affairs).

Furthermore, Ms Gabr commended the initiative of the Organization of Islamic Cooperation (OIC) to establish a women's development body, to train officials and to exchange best practice among the OIC countries on the promotion and development of women.



H. E. Ms. Dubravka Simonovic

H. E. Ms Dubravka Simonovic, *UN Special Rapporteur on violence against women, its causes and consequences*, highlighted the importance of international standards in order to accurately address the situation of women and their rights, as well as the importance of measuring progress in order to objectively account for improvements. According to Ms Simonovic, during the past decade, legal rights for women worldwide, including the Arab region, had improved; however the progress

remained too slow. Ms Simonovic mentioned her 12-year CEDAW membership and her past experience with UN treaty bodies, highlighting the importance of cooperation between different bodies on matters such as discrimination and violence against women. As a Special Rapporteur, her work included evaluating the legislation of each State and the implementation of its commitments under the ratified treaties. Among the instruments used intensively by her office, she enumerated CEDAW General Recommendation 19/35, the Beijing Platform for Action, and the 2030 Sustainable Development Agenda - particularly Goal 5, as well as the UN General Assembly Declaration on the Elimination of Violence against Women and other relevant regional instruments.

Ms Simonovic commended the countries in the Arab region that had adopted

legislation to promote women's rights, referring to Tunisia, which had adopted in July 2017 a new law on the elimination of violence against women and had set a new standard for the region, in line with General Recommendations from CEDAW. Ms Simonovic then reflected on the importance of changing discriminatory laws already in place – referring to Jordan, Lebanon and Tunisia that had all modified their Penal Codes to change provisions that allowed pardoning the perpetrator of a sexual act with a minor if he married his victim. In the same vein, she called on all other countries that had not yet changed these laws to do so in due time. She remarked that many discriminatory laws were “hidden” in Penal Codes, hence the importance of introducing appropriate reforms in the criminal justice systems.

In terms of measuring progress, political participation was seen as fundamental and Ms Simonovic referred to the improvements reflected in the reports of the Inter-parliamentary Union in this sense. She spoke of the example of Algeria, where the proportion of women holding seats in the Parliament had risen from 8 % in 2011 to 31.6% in 2017, well over the world average of women in parliament, which is 23.3%. She however expressed concern over the slow progress in this regard and said that *“even if we reach 50% participation of women, this would be gender balance, not necessarily gender equality.”* In this regard, Ms Simonovic showed that temporary special measures, such as quotas, were important accelerators of the inclusion of women.

Ms Simonovic also referred to a 2016 Inter-Parliamentary Union (IPU) study on sexism, harassment and violence against women parliamentarians, conducted on women members of Parliaments in 39 countries, which revealed a high level of psychological and sexual violence against women, with 81, 8 % of the interviewees



(From left to right): Ambassador Idriss Jazairy; H. E. Dr. Hanif Hassan Ali Al Qassim; H. E. Ms. Hoda Al-Helaissi; Dr. Susan Carland.

reporting to have been harassed during their mandate. Ms Simonovic mentioned that she had recently learned that countries from Latin America were working on a new instrument on violence against women in the political arena.

Speaking of patriarchal norms and traditions, she emphasized that it was not sufficient to change laws, as these norms were maintained despite new legislation. Often, Ms Simonovic said, these norms went unrecognized, whilst she noted that CEDAW had specific articles ¹⁰(namely article 5 and article 2(f)) on combatting these stereotypes. Ms Simonovic concluded by referring to her upcoming report as Special Rapporteur, which would be calling on States to look at the international framework on the elimination of violence against women and to focus on implementation. In her concluding remarks, she supported the organization of a 5th World Conference on Women, addressing, among others, violence against women in the near future.

Ambassador Jazairy referred to the idea that patriarchy had no nationality and no religion, and called the attention of the audience on the recent uproar at the BBC, caused by the publication of a list of salaries of the channels' best paid employees. This list had revealed that the highest paid nine officials were all men. At the same time, the highest paid woman had a salary that was lower by 25% than the salary of the highest paid man, doing comparable, if not the same, work. Some of the stars of the BBC were getting 40% less if they were women. On average, in the UK, there was a gender salary gap difference of 18%, as noted by the moderator of the debate. Ambassador Jazairy concluded that inequality was a common challenge to be addressed jointly by all States.



Dr. Susan Carland

Dr Susan Carland, *Researcher and specialist on gender and Islam in the modern world, Director of Monash University's Bachelor of Global Studies in Australia*, reiterated the persistent myths about Muslim and Arab women that abounded in Western societies, and deplored the fact that Islam and the Arabs were wrongly conflated. This attitude, according to Dr Carland, wrongly collapsed Islam into a singular cultural identity. She

10 - Article 5 (a) of the CEDAW requires States Parties to take “all appropriate measures” to “modify the social and cultural patterns of conduct of men and women” in an effort to eliminate practices that “are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women.” Article 2(f) reinforces article 5 by requiring States Parties to take “all appropriate measures” to “modify or abolish ... laws, regulations, customs and practices which constitute discrimination against women.” (Source: http://www.ohchr.org/Documents/Issues/Women/WRGS/OnePages/Gender_stereotyping.pdf)

insisted on the importance of taking into account the factors other than Islam that impacted on the Arab world and on women's rights in particular, such as politics, culture, or society.

Dr Carland noted that unfortunately, sexism and faith were often intertwined and that this was not inherent to Islam, as Christian, Jewish, Buddhist women and men had also spoken about this issue over time. Dr Carland underscored however that there was nothing inherently sexist about religion and that the latter was a function of society like many others. Dr Carland mentioned that not all issues related to sexism in the Arab world were a function of religion and that other social institutions could be the source of discriminatory practices, including legislation or politics.

Referring to her PhD research on women fighting sexism from a pro-faith perspective, Dr Carland noted that in Australia, her home country, as elsewhere in the world, there was a lot of focus on how Islam was a problem for women's status and for their rights. Women who had left Islam were constantly put forward in the media and celebrated, whilst very little was said about women who used Islam as a tool to fight sexism. On the contrary, during her research, Dr Carland noted that she had met passionate Muslim women who were also passionately fighting sexism, and saw their fight as a religious obligation.

Dr Carland pointed out that her research had shown that using Islam as a tool to fight sexism had significant social currency, and this was an important aspect in communities that felt that this fight was foreign, imperialist, or colonialist. The religious approach to the fight for gender equality could, according to her, ease the discomfort around these topics and thus generate social cohesion around the cause of women.

Dr Carland further underlined the fact that this fight was not new, nor foreign – nor was it only happening because Muslim women had been enlightened by the West. She echoed previous panellists in recalling the fact that from the earliest stages of Islam, Muslim women had used their religion to defend their rights. People outside the Muslim community often considered Muslim women who fought against sexism as non-existent, according to Dr Carland's statement. She noted that these stereotypes could be a barrier to fighting sexism and described the concept of the *"double bind"* – which refers to Muslim women struggling with publicly speaking about their challenges, as they feared this would reinforce stereotypes and at the same time, it would attract criticism from within their respective Muslim community as well.

In her concluding remarks, Dr Carland reiterated that Islam should not be seen as a tool of oppression, but rather as a tool to fight oppression, and declared that: *"There are enough barriers to Arab and Muslim women fighting sexism as it is, we do not need other people's stereotypes or fears about who they are, to make things worse."*



Ms. Sarah Zouak

Ms Sarah Zouak, co-founder of the association *Lallab*, focused in her statement on the status of Muslim women in France. She underscored the fact that narratives were important, and that, above all, being able to write one's own story was an essential means of deconstructing pre-existing myths. Ms Zouak described herself as an Arab, Muslim, French and Moroccan woman. This particular background made her vulnerable to intersecting forms of discrimination and engaged her in a fight against

sexism on multiple grounds.

Throughout her experience, Ms Zouak noted that she had constantly been perceived as an exception to the rule, as she did not fit into the stereotypical mould of the Arab woman. Her open-mindedness and her feminist engagement were always thought to be due to her French citizenship, as opposed to her being a Muslim and an Arab woman. Ms Zouak deplored the persistence of the same narrative in the media, depicting Muslim men as inherently violent or retrograde and implying that Muslim women needed salvation from the outside. Ms Zouak joined previous panellists in disapproving unfortunate stereotypes of the oppressed, victimized and weak Muslim woman, who lacks free will by nature.

In relation to her quest to find her own identity, Ms Zouak quoted Audrey Lorde, an Afro-American writer, poetess and feminist activist who, in her autobiography *"Zami: New Spelling for my name"*, wrote that *"If I didn't define myself for myself, I would be crunched into other people's fantasies for me (...)"*. Ms Zouak evoked her long journey during which she had met exemplary Muslim women, far from the abovementioned stereotypes, from Morocco, Tunisia, Turkey, Iran and Indonesia. Out of this personal quest, Ms Zouak produced a documentary aiming to fight biases with regard to Muslim women and also, to serve as inspiration for Muslim women, in France in particular.

Returning to the matter of media representation of Muslim women, she noted that stereotypes further silence women from Muslim communities in France and elsewhere. Paradoxically, according to Ms Zouak, French media incessantly speaks about Muslim and Arab women, but never gives a voice to these women to talk about their experiences themselves. The short sightedness of the media in this regard is also illustrated, according to Ms Zouak, by the fact that whenever a debate around the hijab

or headscarf is organized on French television, the producers usually invite a political refugee, most often a man, who will only speak of the headscarf when it is forced on women. However this is an obvious shortcut to the debate itself. *“In the fight for women’s rights, it is just as important to support women who choose to wear their headgear, particularly in countries where it is politically correct to denounce it, as it is to support women who choose to take it off in opposite circumstances”*, according to Ms Zouak. She also condemned the condescending attitudes that constantly denied the compatibility between Islam with either feminism or the fight for equality.

Ms Zouak deplored the prevalence of violence against women around the world, and referred to statistics showing that in France, a women died every 3 days as a result of domestic violence – however, French media often continued to focus exclusively on the cases of violence against Muslim women by Muslim men. Noting that the gender wage gap in France was higher than 26%, she underscored that for Muslim women the discrimination went farther, as women wearing a headscarf were often not even able to enter the job market. Ms Zouak concluded by briefly presenting her association Lallab’s engagement in the fight for equality, by giving a voice to the plurality of Muslim women and thus countering stereotypes and sexist, racist and islamophobic oppression.

DEBATE

Before giving the floor to the audience for a Q&A session, the moderator of the panel discussion, Ambassador Jazairy, briefly recapitulated the statements delivered by the members of the panel, deploring the slow progress achieved in the area of women's rights and encouraging the development of indicators to better evaluate progress in the future. Ambassador Jazairy reiterated that the issues affecting women in societies worldwide represented a challenge for the world as a whole, particularly from the point of view of development, emphasizing that, without the contribution and the participation of women, the Sustainable Development Goals could not be reached.



*Panel discussion “Women’s rights in the Arab region: between myth and reality”,
15 September 2017, Palais des Nations, Geneva*

A question from a representative of the NGO International Muslim Women Union referred to the need for special measures to empower women to attain social, political and economic goals during times of conflict, particularly in situations where the disappearance of men impacted negatively the livelihoods of the families left behind. Ms Dubravka Simonovic noted in this regard the importance of looking at specific contexts where violence against women occurred. Countries in conflict were different

from countries in peace, so other instruments were needed, as pointed out by Ms Simonovic. United Nations Security Council Resolution 1325 (S/RES/1325), on the Advancement of the Agenda on Women, Peace, and Security was highlighted as important, but Ms Simonovic encouraged the use of other tools as well, such as the CEDAW Convention, the Beijing Platform for Action and the 2030 Agenda for Sustainable Development. Ms Simonovic also noted that politicians often failed to see gender equality as a priority when countries were facing conflict. It was however important to put these issues high on the political agenda and to show with strong arguments that gender equality would bring along progress faster. In particular, the inclusion of women in peace processes and in the economic development of post-conflict societies would result in more sustainable long-term solutions.



*Panel discussion “Women’s rights in the Arab region: between myth and reality”,
15 September 2017, Palais des Nations, Geneva*

A student representing the EU Business School referred to the UN Secretary General’s Plan of Action to Prevent Violent Extremism, published in 2016, noting that in this report the advancement of gender equality had been identified as a solution to address the triggering factors of violent extremism. In this sense, they wondered whether the promotion of gender equality through education could prevent the rise of violent extremism.

While Ambassador Ramadan considered that violent extremism or terrorism did not distinguish between men and women and disagreed with the affirmation that the empowerment of women could help in the reduction of violent extremism, Ambassador Jazairy noted that, in recent years, there had been an evolution in the

composition of terrorist groups. Recruits were becoming younger, had a higher level of education and also, more women were being recruited. Ms Naela Gabr underlined the fact that there were different phases in the fight against extremism. She remarked that whilst Ambassador Ramadan's comment referred to the current phase, education could be helpful when looking at the long-term phase. She stated that gender equality education and raising awareness with regard to women's rights within the society could have a positive impact on this matter. As such, medium and long-term strategies should aim to change mind-sets and to deconstruct stereotypes, and eventually to prevent further violence and extremism.



H. E. Mr. Obaid Salem Saeed Al Zaabi

H. E. Mr. Obaid Salem Saeed Al Zaabi, Ambassador and Permanent Representative of the UAE, quoted the World Economic Forum's 2016 Global Gender Gap Report, according to which the UAE was ranked as a leading country in gender equality in the region. Due to a series of public and private sector initiatives, women were playing an increasing role in all aspects of public life in the UAE. Ambassador Al Zaabi remarked that the Constitution guaranteed equal rights for men and

women in terms of access to education, access to employment, the right to health and other family welfare facilities. He also noted that 77% of women were enrolled in higher education and that women represented 70% of all university graduates, with the literacy rate of women in UAE reaching 95,8%. In terms of governance, in 2015 the Gender Balance Council had been established, aiming at increasing the role of women in leadership positions. The UAE Cabinet included, according to Ambassador Al Zaabi, 8 women, whilst 9 women held seats within the Federal National Council. Finally, the UAE was the first country in the region to enact legislation requiring female board members in every company and government agency.

A representative from the Permanent Mission of Venezuela to the UN reiterated the importance of holding similar meetings on this topic that was particularly affected by stigma and stereotypes.

H. E. Ms Nassima Baghli, Ambassador and Permanent Representative of the Organization of Islamic Cooperation to the United Nations Office and other international organizations in Geneva, addressed a question to Ms Sarah Zouak, pondering whether the fight against Islamophobia had nowadays taken precedence over the fight



H. E. Ms. Nassima Baghli

of her experience setting up her association. At the time, the French national bank refused to open an account under the name of the association, claiming that their mission of fighting stereotypes against Muslim women contradicted the principle of secularism. Similarly, their association, Lallab, was experiencing a violent misinformation and slanderous campaign, including forms of cyber-harassment and violence. Ms Naela Gabr emphasized the important role played by the OIC itself in this fight against stereotypes and encouraged the support of civil society and activists subjected to similar harassment.

against racism, and why. Ms Sarah Zouak replied that she considered Islamophobia as a form of racism that gained increasing prevalence within societies in France and elsewhere. Ms Zouak underlined the fact that Muslim women were currently the main victims of this islamophobic trend: 80% of all Islamophobia-driven acts were directed against Muslim women. Highlighting the trivialization of racist attitudes, particularly with regard to Muslim women wearing the headscarf in France, Ms Zouak spoke



Mr. Hani Abdel Wahab

Mr Hani Abdel Wahab, Member of the United Nations Committee against Torture, referred to the lack of information related to the suffering of Arab and Muslim minorities, which was accessible particularly to UN Committees such as the UN Committee against Torture, the UN Committee against Racial Discrimination and the UN on the Elimination of Discrimination against Women. He then suggested that the Geneva Centre and other such research centres provide training and assistance

to these agencies on this particular matter, in order to increase the efficiency and the accuracy of their work.

Ambassador Jazairy noted that the Geneva Centre worked on issues related to

identity, religion and culture, and regularly organized seminars in order to shed light on the negative aspects resulting from discriminatory policies directed at Muslim communities. He also referred to the training programmes for lawyers and other concerned parties, organized by the Centre on a regular basis. Commenting on Ms Zouak's remarks, Ambassador Jazairy noted that the Centre sought to establish equal citizenship rights in every country, in order to overcome the issues related to minorities, who constantly faced discrimination. In this regard, he announced the preparation of a future world conference entitled: 'Religions, Creeds and/or Other Value Systems: Joining Forces to Enhance Equal Citizenship Rights', to be organized by the Geneva Centre in 2018.

H. E. Mr Mustafa Osman Ismail Elamin, Ambassador and Permanent Representative of Sudan, remarked that the main issue revolved around how to differentiate between myth and reality in this context, and pondered on the tools to use in this sense. He commended the work of research centres like the Geneva Centre and encouraged the publication of objective facts showing the progress achieved in the Arab countries, in order to provide a valid tool on women's rights.

Ms Al-Helaissi briefly concluded that, as showed by the debate, there was an increased difficulty in being a Muslim today in the West. Evoking her own experience of growing up in England, she noted that at the time these difficulties were less obvious. Now the situation had become more difficult. She deplored the plight of Muslim women facing harassment and stereotypes in Western societies, veiled and unveiled, remarking that they faced a double discrimination, as women and as Muslims.

DRAWING LESSONS FROM THE PANEL MEETING
and Appendix
by Ambassador Naela Gabr¹¹
Translated from Arabic¹²

11 - H. E. Ms Naela Gabr, Member of the Committee on the Elimination of Discrimination against Women (CEDAW), former Permanent Representative of the Arab Republic of Egypt to the United Nations Office and other international organizations in Geneva

12 - Edition and review of translation by Ambassador Idriss Jazairy

The situation of women's rights in the Arab world between myth and reality

INTRODUCTION

It is difficult to assess the human rights condition of Arab women without examining the geopolitical dimension and the cultural background of Arab societies. The colonial reality had its political, social and economic repercussions on the Mashreq and Maghreb countries. Currently, the State of Palestine is under fire, suffering from the tyranny of the Israeli occupation forces, whilst numerous other conflicts are unfolding in the Middle East. There is no doubt that these factors adversely affect the enjoyment of women's fundamental rights, notably the right to life.

With regard to economic factors, societies in the Gulf region that lived under nomadic and tribal traditions before the Oil Revolution, have witnessed the positive influence of income generated from oil and gas on fundamental services such as education, health, or housing, and in particular, on the creation of opportunities for women to fully enjoy their socio-economic rights. Thus, remarkable progress occurred in female education: in the Gulf States, female adult literacy rates increased from 56% in 2000 to 69% in 2010, and women's participation in tertiary education is still growing. In all eight Gulf States, women make up more than 50% of overall student enrolment. The UAE has the highest female-to-male university ratio, with women constituting 71.7% of students in government universities.¹³

Nevertheless, one cannot overlook the effect of patriarchal interpretations of Islamic law in limiting the rights of women, especially regarding the personal status system (marriage, divorce, custody, guardianship and inheritance). These interpretations jeopardize the legislative system, by allowing the enactment of laws that obstruct women's empowerment. A movement led by Muslim women theologians and activists for women's rights exists in the Arab region and seeks to tackle these patriarchal interpretations, which have been predominant for too long, thus marginalizing women's issues and their role in societies. Amina Wadud, for example, author of *"Qur'an and Woman: Rereading the sacred text from a woman's perspective"*, is engaged in the reinterpretation of Islamic sources from a more gender equal perspective. The reservations expressed by several Arab States on some articles of international conventions, particularly the Convention for the Elimination of Discrimination

13 - *"Women's rights in the Arab Region: Myths and Realities"* published by Geneva Centre for Human Rights Advancement and Global Dialogue, Geneva 2017, page 8.

against Women (CEDAW), are an indicator of the distance which remains to fulfil the aspirations of women and of the political sensitivity of introducing changes which are claimed to be at variance with the Qur'an.

Some claim wrongfully that a number of legacies and controversial practices, which affect the rights of women adversely, have religious roots, such as female genital mutilation or early marriage of girls. This is part of a broader approach that seeks to manipulate religion and to use it to justify patriarchal practices. It is also closely related to the abovementioned lack of a gender-balanced interpretation of sacred texts. Other patriarchal legacies occasionally impede, on such flimsy evidence, women's empowerment, their freedom of movement, their right to hold a position in the judiciary system or to access leadership positions or even their right to drive. However, on a positive note, the driving ban on women was abolished in September 2017 in Saudi Arabia, the only country in the world where women were forbidden from driving motor vehicles. The ban followed years of relentless advocacy work and campaign led by Saudi Arabian women, such as the Women to Drive Movement, which showcases the power of women activists in bringing about change. The focus on this emblematic development must not lead to overlooking the spectacular increase in the employment of women, in compliance with the Vision 2030 national transformation programme.

The political situation in the region has undeniable repercussions on the condition of Arab women and their enjoyment of fundamental rights. The occupation of Iraq had consequences on the situation of Iraqi women, and the political conflicts between the different religious factions in the Iraqi State similarly impacted on Iraqi society and women. The same applies to women in Syria, Libya and Yemen.

In the 1980s, Lebanon suffered from a fierce sectarian war that had a devastating impact on its political, economic and social development and on the situation of Lebanese women. The status of refugee and internally displaced women and the risks to which they were exposed, as well as the violations perpetrated against their physical and psychological integrity, significantly affected their status and their wellbeing.

In the same vein, one should not turn a blind eye to the repercussions of the so-called "Arab Spring" on the situation of women. According to a report written by the International Human Rights Federation, entitled *"Arab Revolutions: What Spring for Women"*¹⁴ : *"Women participated alongside men in the protest movements that have shaken the Arab world in 2011, calling for freedom, equality, justice and democracy. Women have paid a heavy price with men during their struggle, and today women must be able to play a full role in building their country."*

14 - International Human Rights Federation, Geneva, March 2012.

Human rights cannot be addressed in isolation from the political situation. On a positive note, a strong political mobility and participation by women was witnessed in the region despite a relative decline in the attention given to women's economic and social rights.

Previously, hostility was sometimes expressed against the CEDAW¹⁵. In Egypt for example, the Convention had been criticised and considered a threat to the family entity and its cohesion during the administration of president Morsi. Some demands were also made to withdraw from it. This was followed, however, by an explicit commitment in most of the countries in the region, particularly in Tunisia and in Egypt, where there was a change of administration, to promote women's rights and their empowerment. This about-change illustrates the impact of the political factor and the importance of having a clear and sound political vision regarding the role of women in the family and in society.

The growth of movements related to the so-called "radical Islam" has also had vile effects on the human rights of all individuals, especially women and children. The subsequent deteriorating security and economic conditions in the region have led to the decline in interest in the empowerment and the promotion of their rights.

At times women face attempts aiming at their exclusion from public life, as well as acts of discrimination and violence. These are perpetrated by extremist groups in full impunity. Acts of violence may also be committed by security forces. In the present context, where the power of conservative forces is on the rise, it is necessary to take steps in order to achieve equal rights between men and women, since gender equality is pivotal for democratic societies.

Despite the significant challenges that continue to burden the Arab region with regard to women's rights, these issues are certainly not limited to that region alone. As pointed out by WEF Global Gender Gap Index, in 2017, the average progress on closing the global gender gap stood at 68.0% meaning an average gap of 32.0% remained to be closed worldwide in order to achieve universal gender parity, compared to an average gap of 31.7% in 2016. In other words, the global gender gap has widened for the first time in a decade. On current trends, the overall global gender gap can be closed in exactly 100 years. This is clearly not soon enough.

A worrying report from The Economist¹⁶ showed that in India, the female employment rate in both the formal and informal sectors had known a steep decline, plunging from 35% in 2005 to 26% in 2018. This worrying development disregards IMF's

15 - The UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is almost universally ratified, and there is a treaty monitoring body of 23 experts responsible for monitoring and assessing States' implementation of their obligations under the Convention.

16 - "*How India fails its women*" The Economist, 7 July 2018

estimations showing that if India rebalanced its workforce from a gender standpoint, the world's largest democracy would be 27% richer. The article further showed that at the roots of this imbalance and marginalization of Indian women from the labour market, remained antiquated social mores that relegated women to unpaid housework, family life and underpaid jobs.

Women in the Western world are not spared from the syndrome of gender inequality and prejudice either. In August 2018, the CEO of PepsiCo Indra Nooyi stepped down from her position that she had held for 12 years, with a male executive taking her place. Her resignation reduced the total number of Fortune 500 companies led by women to a meagre 24 out of 500, a drop of 25% since 2017 that reveals a persisting gender gap at high-level managerial positions in the private sector, despite numerous attempts to put in place policies tackling the main issues hindering women's access to these positions¹⁷.

Today, unemployment touches half of the world's women, compared with one quarter of the world's men. Women spend two and a half times more time than men on unpaid care work and household responsibilities. They only have a 36 % share of global income, measured in purchasing power parity terms. This perpetuates massive inequalities in overall incomes, health and education.¹⁸ These inequalities are often exacerbated in countries of the South, and in the Arab world, where the share of women in GDP remains at only about 29%, against 50 % in all developing countries, and the poverty rate is 31.6 % among women, almost double than the rate among men.¹⁹ Worldwide, women being paid on average 77 cents for every dollar earned by a man, which amounts to a 23% disparity. In Silicon Valley, only 2% of venture capital goes to women entrepreneurs.²⁰ These numbers are a real wake-up call on a global scale. They show that the issue of gender inequality persists at the global level, and is not limited to a single geographical region, religion, or culture.

In this study, the situation of women in the Arab region will be assessed based on the reports of international monitoring committees, the most important of which being the CEDAW, as well as the reports of the League of Arab States and of other relevant international and regional meetings.

17 - 'We can actually count how many there are': Pepsi's Indra Nooyi says she is concerned that her departure means there will be just 24 female CEOs in the Fortune 500, Business Insider UK, 7 August 2018 <http://uk.businessinsider.com/pepsi-ceo-indra-nooyi-female-fortune-500-ceos-dwindling-2018-8?r=US&IR=T>

18 - "The case for gender equality in the Muslim world", by Maha Akeel, Director of the information department at the Organization of Islamic Cooperation.: <http://www.aljazeera.com/indepth/opinion/2017/04/case-gender-equality-muslim-world-170424095756513.html>

19 - Ibid.

20 - "Silicon Valley. A victim of its own success" The Economist, 1 September 2018

I. CEDAW COMMITTEE: CHALLENGES AND RECOMMENDATION²¹

All Arab countries, except two²², have acceded to the United Nations Convention against All Forms of Discrimination against Women (CEDAW). It should be noted however that other States, including a major industrialized country, have not ratified the Convention either. Each Member State submits a periodic report every four years, indicating how it has complied with its obligations under the Convention and its articles. Such States also provide a follow-up report every two years indicating how they tackle the most intractable problems preventing women from enjoying their rights. Based on the Concluding Observations of the experts of the CEDAW Committee, challenges are shared by most of the Arab countries, the most important of which are:

1- Reservations

The Committee calls for the withdrawal of reservations, in particular article 2 on gender equality and article 16 on family relation. States often refer to their adherence to the teachings of Islamic law to justify these reservations. The Committee noted, however, that several Arab and Islamic countries have acceded to the Convention without substantial reservations (Palestine, Comoros, Djibouti and Yemen who made reservations to article 29 regarding litigation, not to mention Indonesia which is the largest Islamic State in terms of population). In 2014, Tunisia²³ withdrew all its reservations to the Convention.

2- Revision and amendment of national legislations

The Committee recommends that a thorough review of national legislation should be undertaken in order to ensure the full implementation and dissemination of the Convention in society, particularly among government officials, legislators and law enforcement officials. The Committee also recommends promoting women's

21 - References: Concluding comments of the Committee on the Elimination of Discrimination against Women:

- Morocco: CEDAW / C / MAR / CO / 4 -08/04/2008
- Egypt: CEDAW / C / EGY / CO / 7 -03/02/2010
- Tunisia: CEDAW / C / TUN / CO / 6-05/11/2010
- Algeria: CEDAW / C / DZA / CO / 3-4 -23/03/2012
- Jordan: CEDAW / C / JOR / CO / 6 -03/03/2017
- Kuwait: CEDAW / C / KWT / CO / R.5-08 / 11/2017
- Sultanate of Oman: CEDAW / C / OMN / CO / R.2.3 / 10/11/2017

22 - Sudan and Somalia

23 - Source: UN Women

awareness of their rights in accordance with Convention provisions, and introducing legislative amendments to change any text that may be discriminatory against women.

3- National Mechanisms for the promotion of women's rights

The Committee is concerned with the issue of strengthening the institutional capacities of national mechanisms for the advancement of women and the elimination of discrimination (such as the National Council for Women or a specialized Ministry for women). The Committee is also concerned with the extent to which States support the human, technical and financial resources of these national bodies, while paying special attention to the follow-up mechanism of women's complaints as well as women's access to justice and to legal services (General Recommendation 33 for the year 2015).

4- Negative stereotypes

The Committee is concerned with the persistence of negative or traditional stereotypes regarding the role of women as mothers and wives, without reference to their role as full partners in the family and in the development of society. The Committee calls for the modification of this image through the revision of textbooks, the development of media content and the modernization of religious discourse.

5- Temporary special measures (TSM)

The Committee calls for expanding the use of TSM pursuant to Article 4 (1) and to General Recommendation No. 25 (2004) by raising awareness among parliamentarians, government officials and lawmakers about the necessity to resort to measures for enhancing women's political, economic and social empowerment in order to achieve gender equality. This applies not only to the use of quota during elections, but also to all fields where women face discrimination, such as holding senior administrative and executive positions and holding high positions in private companies, institutions and boards of directors.

6- Violence against women (VAW)

The Committee is deeply concerned about the prevalence of VAW in the region (within and outside the household and in the workplace) and about the existence of a limited number of laws and penalties condemning these acts, which are seldom

reported and documented. The Committee is also concerned about the frequent resort to reconciliation in cases of domestic violence and about the lack of shelters, support services and protection measures available to women who are victims of violence. The Committee calls for breaking the silence and reporting such practices even when they involve people from the closest family circles.

7- Participation in political and public life

The Committee notes the overall low level of participation of women at all levels of decision-making in the Government, the Parliament, the judiciary and local institutions. It calls for specific steps to be taken to face the factors causing the exclusion of women (including prevailing social and cultural attitudes). The Committee also calls for the implementation of General Recommendation 23 (1997) on women in political life and public life.

8- Marriage and family relations

The Committee notes the continued applicability of discriminatory provisions in personal status laws, in particular the permissibility of polygamous marriages, discrimination in the inheritance law, high rates of marriage among young women, consequences of divorce on women (difficulty in obtaining divorce, material losses in case of repudiation, alimony and custody). The Committee calls for a review of these situations through the experience of countries closely related to this cultural system (the Islamic countries of the OIC countries).

The CEDAW Committee further makes specific observations and recommendations concerning some States. For example, granting the nationality to the children of a woman married to a foreigner is an issue for some Arab countries, but no more for others. Some Arab countries therefore issued a reservation on Article 9, paragraph 2 of the CEDAW, which refers to the equal rights of women and men to confer their nationality to children. “Servants or domestic workers” also constitute an issue in some Arab countries that concerns, in particular, foreign women subjected to some forms of violence. Social and economic services provided to women and girls have deteriorated in a number of cases, such as education, health and credit services (with the exception of the Gulf States). Furthermore, some remaining cases of female genital mutilation in the Nile Basin countries (Egypt, Sudan, etc.) and the ensuing health and psychological damage to girls at the age of maturity, has been observed.

9- Statistical data

Most countries in the region do not use figures as an important indicator for

evaluating women's status and do not have access to disaggregated data and statistics with regard to gender²⁴. These indicators are fundamental to all the reports examined by the CEDAW Committee. Therefore, the Committee has repeatedly requested the inclusion of these indicators in the very core of the periodic reports or in supplements thereto²⁵. The Committee emphasized its concern about the limited statistical information and data on the situation of women in rural areas (in many countries of the region they are the majority of the labour force in the agricultural sector), in all matters concerning health, education, employment and participation in political and social life. This needs to be addressed urgently.

10- Employment

The following have been identified as causes for concern:

- The lack of adequate measures for promoting the sharing of family responsibilities, as well as the difficulties faced by working women while trying to reconcile work with family responsibilities.
- The rise in the unemployment rate among working women and their exclusion from official labour markets.
- The persistence of horizontal and vertical occupational segregation, and women's predominant presence in low-paid jobs.
- The ongoing gap between the wages of women and men, especially in the private sector.
- Most labour laws do not include provisions for the principle of equal pay for work of equal value for both men and women.
- Lack of information on inspections of women's working conditions, especially in the private and non-formal sectors.
- Insufficient representation in trade unions.

There is no doubt that developments have been achieved in the advancement of women's rights in the Arab region, although the process is sometimes slow and does not meet all expectations. However, the question of gender equality, women's status, their rights, and their full participation in all aspects of society remains a central issue on the international agenda. Hardly any State in the world can pride

24 - "Women's rights in the Arab Region: Myths and Realities" Geneva Center for Human Rights Advancement and Global Dialogue Geneva 2017, page 61. "The lack of accuracy in data provided about women's rights in the region results in significantly undermining the evaluation of the evolution of the status of Arab Women and thus has had an adverse impact as an information guide to policies in this respect."

25 - Only half of the Arab countries who report to CEDAW include statistics disaggregated by gender.

"Women in public life: Gender, Law and policy in the MENA region" OECD and the Centre of Arab Women Training and research, 2014.

itself with a flawless record as regards gender equality. Both the North and the South have a long way to go in terms of achieving gender equality and are confronted with noteworthy obstacles in this regard. A statement released on the occasion of the 2017 International Women's Day²⁶, signed by a group of women's human rights experts, including the Chair-Rapporteur and members of the Working Group on the issue of discrimination against women in law and in practice and the Special Rapporteur on violence against women, urged the international community to acknowledge that "*the continuing existence of direct and indirect discrimination, both visible and invisible, is responsible for women lagging behind in a number of fields*". To this day, women's high educational achievements worldwide have not translated into corresponding leadership positions or equality in the economic field. Also, the persistence of violence against women, the lack of access to specific health and safety and other such unsettled issues stymie the achievement of equality between men and women globally.

Against this background, it is important to recognize the progress and the accomplishments of the Arab region. Arab countries have made visible progress over the past years not only in increasing the percentage of women occupying executive positions in politics²⁷, but also in promoting gender equality through women's education and inclusion in the workforce. The following section will present these accomplishments as included in the reports of the CEDAW.

26 - International Women's Day Statement by United Nations Women's Human Rights Experts, 7 March 2017: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21302&LangID=E>

27 - In 2016, the Arab States had reached 9.7 % of senior executive posts held by women, led by Tunisia and the United Arab Emirates, at 23.1 % and 26.7 %, respectively, according to the IPU.

II. ACCOMPLISHMENTS IN THE ADVANCEMENT OF WOMEN'S RIGHTS IN THE ARAB REGION (ACCORDING TO THE REPORTS OF THE CEDAW)

The process of discussing periodic reports before the CEDAW Committee represents an opportunity for Arab countries to pool their energies towards improving the status of women. This can be achieved within the governmental and the non-governmental framework. Coordination meetings are held in the framework of each concerned field and sometimes between the concerned parties in order to gather information. Meetings are held with the private sector and official bodies are increasingly interacting with non-governmental organizations.

The concluding comments of the Committee are to be submitted to the higher bodies of the State, particularly national Parliaments, as provided in the Committee's recommendations.

Based on the abovementioned CEDAW reports, the progress achieved refutes any claim of stagnation in terms of activating the rights of women in the Arab region.

The Arab States have acceded to many international instruments that are directly or indirectly related to human rights issues, and that have an impact on the rights, security and integrity of women, such as the United Nations Convention against Transnational Organized Crime and its Additional Protocols (on human trafficking and on smuggling of migrants), the Protocols associated with the Convention on the Rights of the Child (not ratified by a major industrialized country), the Convention on the Rights of Migrant Workers, ratified by over half of the Arab States (which has yet to be ratified by major industrialized countries), and, with one exception, the Convention on the Rights of Persons with Disabilities, which has not been ratified by a major industrial State and by several non-Arab developing States.

The following are examples illustrating achievements in some Arab countries, as noted by the CEDAW Committee²⁸:

- The Committee commended the Kingdom of Morocco for its important legal reforms in the area of human rights, in particular for the elimination of discrimination against women. These reforms include the adoption of the Family Code, the Law on Nationality, the Civil Status Code, the Labour Code and the Code of Criminal Authority, as well as the amendments to the Criminal Code. In addition, the Advisory Council for Human Rights was restructured in accordance

28 - It should be noted that these periodic reports were submitted between 2008 and October 2017, and therefore some data have improved significantly in recent years. We refer here to the concluding observations associated with the submission on time of the periodic report of the State.

with the Paris Principles.

- The Committee noted that Tunisia is an example for many Arab and Islamic countries. Firstly, it was one of the first Arab countries to ratify the Optional Protocol to CEDAW. Secondly, the Committee commended the country for allowing women married to foreigners to transfer their nationality to their children born abroad in the event of death, disappearance or legal incapacity of the father, as well as for enabling women with child custody to stay in the house where they got married unless they have another home. The Committee also commended Tunisia for establishing a social security system for certain groups including domestic service and for the adoption of a penal code criminalizing sexual harassment.
- The Committee commended Egypt for:
 - The withdrawal of reservations to article 9, paragraph 2 (granting citizenship to the children of a woman married to a foreigner);
 - The performance of the National Women's Council;
 - The adoption of the new Child Act, which raises the age of marriage from 16 to 18 for males and the Act on Criminalizing Female Genital Mutilation.
- The Committee commended Algeria for:
 - The withdrawal of reservations to article 9, paragraph 2;
 - The promulgation of institutional and legislative measures extending women's representation to a minimum of 30% in all elected councils at the national and local levels;
 - Preventing guardians from forcing minors into marriage;
 - The amendment of the Penal Code to criminalize sexual harassment including articles on human trafficking;
 - The adoption of a programme strengthening the leadership role of women;
 - The establishment of the National Council for Women and the Family.
- The Committee commended Jordan for:
 - The adoption of the Social Security Act of 2014, aimed at enhancing the social and economic protection of women, especially those working in small enterprises;
 - The establishment of a system of delivery of alimony for the year 2015 aimed at expediting the payment of alimony;
 - The amendments to the civil service system in 2013, which allowed a parental leave and a daily one-hour-long break for women to breastfeed their baby,

for nine months after maternity leave;

- The establishment of the National Framework for Family Protection against Violence, the National Strategy to Combat Violence against Women (2014-2017) and the Anti-Trafficking Unit at the Directorate of Public Security.
- The Committee commended Kuwait for:
 - The progress made in the legislative reforms, in particular the adoption of a law on domestic workers, on trafficking in persons (especially women and children) and on smuggling of migrants;
 - The legislative regulation on the protection of national unity, which criminalize the incitement to discrimination against women, as well as the institutional and operational procedures, related to the National Development Plan (2015-2020);
 - Achievements in the field of equality in education at all stages;
 - Progress made in the achievement of the Millennium Development Goals before the 2015 deadline;
 - Reaching the world's first place as regards bridging the educational gender gap;
 - Progress achieved in improving health services for women and children in the framework of the Millennium Development Goals (before the deadline);
 - The ratification of the United Nations Convention on the Rights of Persons with Disabilities.
- The Committee welcomed the progress made in the Sultanate of Oman in the legislative area. The Committee welcomed, in particular:
 - The adoption of the Child Act, which prohibits discrimination based on sex and criminalizes harmful traditional practices, and of the Royal Decree, which recognizes the principle of equal pay for equal work in government, including credit loans, remittances and real estate transactions;
 - The institutional improvements that would accelerate the elimination of all forms of discrimination against women and would help realize gender equality;
 - The Social Strategy and its Plan of Action (2016-2026), which are based on changing the traditional negative view of gender and providing an appropriate environment for enhancing the economic role of women in the family and society, as well as in decision-making;
 - The Agricultural Development Strategy aiming at the economic empowerment of women;

- The establishment of a Family Protection Department that develops protection plans and receives complaints concerning violence against women;
- The interest in improving the SDGs and establishing a new mechanism for achieving its objectives.

III. OTHER POSITIVE ASPECTS IN REGARD TO WOMEN'S RIGHTS

The present study on the human rights situation of Arab women illustrates both positive and negative aspects. However, the mainstream representation that lingers, especially in Western societies, depicts a dim image of women's rights in this region, based on stereotypes and ignorance.

The prevailing opinion in some societies, especially Western ones, about the situation of Arab women is sometimes superficial and distorted. Their image is plagued by negative and traditional stereotypes. According to this image, Arab women suffer from oppression, injustice and are in a subordinate position as they depend on men and on their families. Arab women wearing *hijab*, *khimar* or *niqab* are depicted as submissive and almost absent from the decisions of the family and of the society. This image is far from reality. These stereotypes exist in the Arab region as a result of patriarchy, which is rife in societies world-wide, and is not limited to the Arab region.

In order to obtain an objective and scientific assessment of the status of women's rights, one must first rely on the current situation in all its dimensions. The setbacks and the barriers that keep gender equality at bay in certain Arab countries must certainly be approached from an objective point of view, in the broader context of difficulties encountered also in the Western world.

Over the past few years, several laws were adopted in the Arab countries and amendments were made to existing legislation, calling for the respect and the promotion of women's rights, as well as the accession to the relevant international conventions.

Arab countries are actively participating in international meetings and conferences on women's rights, which lead to the development of ambitious programmes and action plans improving the situation of women in all countries of the world. Political declarations and programmes of action issued by the League of Arab States reflect the political will and consensus in this regard. The most important of these is the Cairo Declaration on Arab Women and the Development Agenda for Women in the Arab Region 2030²⁹.

The CEDAW Convention is the parent Convention protecting and promoting women's rights. There are Arab states that have acceded to the Convention without reservations and others that have announced reservations. Some of these reservations were made in general and some of them are related to certain articles³⁰, especially Article 16

29 - League of Arab States, Department of Social Affairs, Department of Women, Family and Childhood

30 - Report of the Human Rights Council in Geneva, Page 31:

related to personal status and conditions within the family and their conformity with the provisions of the Islamic Sharia, and Article 9 paragraph 2 on the transmission of the mother's nationality to her children. However, several States have recently withdrawn all or some of their reservations. At the same time, Libya has acceded to the Optional Protocol to the Convention, which allows individual and collective complaints to be submitted to the Committee of Experts of the Convention, which controls also the implementation by States of all articles (considered after verifying their seriousness and the exhaustion of all national remedies).

As shown in the previous section, according to the periodic reports submitted by the Arab States to the CEDAW Committee and the Concluding Observations of the Committee as well as the Follow-up Reports (in the framework of the follow-up procedure), a lot of data reflects a positive development regarding the status of women's rights, including political, social and cultural rights, not to mention their rights to education, health and housing. Progress has also been achieved regarding the situation of marginalized or discriminated groups.

The role of Arab women in political participation during the so-called revolutions of the *Arab Spring* has been and remains pivotal for the expression of popular willingness to change and for the rejection of extremist trends and restrictions on rights and freedoms³¹.

Arab women have always shown unmatched strength in the face of adversity. The model of Palestinian women both in the Gaza Strip and in the occupied Arab territories is a clear example. Syrian women also resisted the ravages of the military conflict that wiped out wide areas of the country. Arab women have also proven their patience and fortitude in the country and abroad when they were forced to emigrate. They have sought to work and to be effective to help provide a decent living for their family. This is a model to be followed and which is worthy of respect. They also work in their home as small-scale and micro-scale women entrepreneurs (a model well known in Cairo in the areas of *Sixth of October*, *Sheikh Zayed* and *Rehab*).

Arab women resist terrorism in all its forms, whether in Syria, Iraq, Yemen or Libya. The Egyptian woman model is an epic tale of courage and sacrifice. They are the grieving mother, the widowed wife, the daughter and the sister who lost a martyr and who never bowed to anyone.

Reservation to Article 9/2: Oman, Qatar, Saudi Arabia, Syria, UAE,

Reservation to Article 16: Algeria, Bahrain, Egypt, Iraq, Jordan, article 16 paragraph 1 (c) f, g Kuwait 1, f, Lebanon 16 1 (c), d, f, g, , Libya, 16 c, d, Morocco.

31 - For example, the legislative elections held in Egypt in 2015 under the new legislation, in the light of the new Constitution, have enabled Egyptian women to obtain 89 seats in the Parliament. Some of them got these seats after an intense competition with men in individual elections in different governorates in Egypt. This significant improvement reflects women's success in obtaining voter confidence.

It is noted that the role of NGOs in combating negative practices, especially female genital mutilation, child marriage and child labour, is essential to the areas of education and development. This has been achieved through employment opportunities, the promotion of small-scale and micro enterprises and the promotion of their products.

As regards Female Genital Mutilation (FGM) , in November 2018, the Department for International Development of the British government announced a £50 million pledge aimed at ending FGM by 2030. The pledge by the British Government constitutes the biggest donor investment aimed at eradicating this practice by an international donor so far.

The majority of the funds will go to grassroots programmes working to stop the practice across Africa, where it is most prevalent, but ending FGM in the UK is also one of the objectives of the investment. This pledge is an important milestone in the fight to end violence against women and girls globally, and constitutes a positive step forward in raising the awareness of international donors on this practice that will affect almost 70 million girls by 2030, unless drastic action is taken, according to UNFPA.

The activities of NGOs in the fight for women's rights and gender equality, and also against crime and trafficking in human beings, have been complementary to the efforts made by Governments. The term of "all forms of exploitation of women" (specifically those in need or those who suffer from poverty and ignorance, including rural women, refugee women, women with special needs, migrant women, women affected by contractual marriage or forced labour - female domestic workers -) has largely contributed in these efforts.

NGOs and associations focused on women's rights and often led by women activists, play a constructive role in calling for States to implement their obligations under CEDAW. These organizations also hold meetings and engage in dialogue with other institutions in order to prepare shadow reports, and attend the CEDAW sessions when the reports of their respective countries are discussed. By means of their participation, women from the Arab region obtain a seat at the table and are given a voice to express their needs and issues in an international context. The tireless work of these women activists, who often face intimidation or threats, is fundamental for advancing their status and their rights, and delivers an objective picture of the real situation on the ground.

The data mentioned above, in addition to the CEDAW reports, shows a serious effort that reflects in one way or another Arab women's awareness of their rights, their connection to the outside world and their continuous interaction with the political, economic and social realities that surround them. It also reflects Arab governments' belief in the importance of women as political actors, as a productive force and as

an influential factor for the image of the State to prove its credibility and to ensure respect of internationally recognized human rights principles and standards.

The most striking examples of State reforms adopted over the past few years in Arab countries, with a view to improving women's rights and their participation in society, are:

1-Legislation

The Tunisian Constitution adopted in 2014, explicitly highlights that the State must take all measures to eliminate violence against women, aiming at achieving full equality between men and women. More recently, in 2017, Tunisia lifted the ban on inter-religious marriages and allowed women to marry a non-Muslim. Also, the law on violence against women, including domestic violence, approved by the Tunisian Parliament on July 26, 2017, is considered a landmark step for women's rights, especially with at least 47 % women experiencing domestic violence in their lives.³² The law included the removal of a loophole in the Penal Code that allowed rapists to escape punishment if they married their victims, and included the key elements of prevention, protection, and prosecution in combating domestic violence.

Morocco had already passed a bill criminalizing sexual harassment against women in 2015. Furthermore, countries like Iraq, Sudan, Lebanon, Tunisia and the State of Palestine have adopted specific plans of action to combat gender-based violence in conflict and post-conflict situations, aiming to implement UN Resolution 1325.³³

The year 2017 has also seen the abolition of articles of legislation that would allow the offender accused of rape to be exempted from the punishment if he marries his victim, in Jordan and in Lebanon. In Egypt, the President al-Sisi proclaimed the year 2017 as the "*Year of Women*", in an initiative to adopt legislation to combat violence and exploitation³⁴. In the same vein, the "*Strategy for the Empowerment of Egyptian Women 2030*" was issued in March 2017 and approved by the President of the Republic as the strategy of the State for the coming years.

In Algeria, a new law entered into force in February 2016 penalizing violence against women and sexual harassment. The law includes increased penalties for assault against a spouse, or members of the family, and criminalization of psychological and economic violence against spouses.

32 - According to a 2010 survey from the National Family Office.

33 - "Women's rights in the Arab Region: Myths and Realities", Geneva Centre for Human Rights Advancement and Global Dialogue Geneva 2017, page 10.

34 - Declaring 2017 as the year of Egyptian women (Equal rights - equal opportunity - development for all).

2-Political participation

Other enlightening examples refer to women's political participation, which has known an important rise over the past years in the countries of the Arab region, despite the fact that the average in women's participation in Parliaments in the region remains low at 18%, compared to the world average of 23%. According to the annual statistics provided by the Inter-Parliamentary Union (IPU), in Algeria and Tunisia women represent more than 30% of the total number of members of the Parliament³⁵. These two leading countries in terms of women legislators, are followed by Iraq with 25%, and Morocco and the UAE with 20%. It is interesting to point out that these numbers are higher than in some industrialized, Western states, such as the USA for example, which stands at 19,3% , Hungary, member of the European Union, which only has 10% women parliamentarians or Japan, which stands at 9,3%.

Positive developments in this regard were registered in Lebanon, a country where women made up only 3% of Parliament³⁶, when a record number of 86 female candidates competed for the country's 128 legislative seats in the May 2018 elections, compared to just 12 women in 2009³⁷. The end result was however modest, with only 6 women elected (2 more than in the previous elections). Other countries in the region have incorporated women's participation into electoral law by introducing "temporary special measures" (TSM). For example, Jordan reserves 15 seats for women in Parliament.

In Saudi Arabia, the Government issued Royal Decree No. A/44 in 2013, allowing women to enjoy full membership of the Consultative Council or the Shura Council. As a result, as of October 2017, women make up 20% of the Assembly's total number, slightly more than the United States Congress (19.3%). Moreover, legislation criminalizing domestic violence against women was introduced in 2013.³⁸

With regard to women holding ministerial positions, the aforementioned IPU study shows that the UAE have made significant progress and are currently leading the Arab region with 26,7%, followed by Tunisia with 23,1%. The gap with the other countries in the region is however important and represents one area where improvements are needed in the coming years.

However, on the whole, from a political participation standpoint, the Arab region has

35 - IPU Women in politics 2017: <https://www.ipu.org/resources/publications/infographics/2017-03/women-in-politics-2017>

36 - Lebanon currently ranks 185th out of 193 countries, according to the Inter-Parliamentary Union (IPU) index.

37 - Record number of women on the ballot in Lebanon's first parliamentary elections since 2009, UN Women, 23 may 2018: <http://www.unwomen.org/en/news/stories/2018/5/news-record-number-of-women-on-the-ballot-in-lebanon>

38 - "*Women's rights in the Arab Region: Myths and Realities*" published by Geneva Centre for Human Rights Advancement and Global Dialogue, Geneva 2017, page 39.

been constantly improving over past years.

3-Education

Education is one of the most important social services that have seen significant progress over the past two decades in the MENA region, where enrolment rates have increased and the gap between girls and boys in secondary school has shrunk or even disappeared. Enrolment rates in universities have improved. In several instances, the gender balance has even tipped in favour of women. The Gulf countries, in general, have made a huge breakthrough, with education rates rising from 56% in 2000 to 69% in 2010. Women represent more than 50% of all university students in the region.

The WEF Global Gender Gap Report 2017 highlights that the UAE comes close to fully closing its gender gap on the Educational Attainment sub-index³⁹.

Similarly, women's literacy rates in Kuwait⁴⁰ have greatly improved over the past years. In the Kingdom of Bahrain, statistics showed that the ratio of female students in higher education institutions to total students reached 61% in 2012, and was growing from year to year⁴¹.

Moreover, countries in the Arab region have more female participation and, hence, are closer to closing the gender gap, in regards to enrolment in STEM disciplines (science, technology engineering and mathematics). In Algeria, 41% of college graduates in these fields are female. In comparison, women make up just 14.4% of all people working in STEM in the UK, despite being about half of the workforce. Moreover, Jordan, Qatar and the UAE are the only countries in which girls are significantly more likely than boys to be “comfortable” working on maths problems.⁴² Referring to these statistics, recent studies have coined the term “gender equality paradox”, arguing that in countries where gender equality is generally lower, more women tend to enrol in STEM studies as these ensure a solid, financially secure career path. Nevertheless, this shows great progress in closing the gender gap at the education level in Arab countries, particularly in fields that have long been stereotypically perceived as “more masculine”.

39 - WEF Global Gender Gap Report 2017, Middle East and Africa: <http://reports.weforum.org/global-gender-gap-report-2017/middle-east-and-north-africa/>

40 - Fifth periodic report of Kuwait 11 January 2016 CEDAW / C / KWT / 5

41 - “*Women's rights in the Arab Region: Myths and Realities*” published by Geneva Centre for Human Rights Advancement and Global Dialogue, Geneva 2017, page 44.

42 - “*In countries with higher gender equality, women are less likely to get STEM degrees*”, by Jeff Sossamon, WEF 20 February 2018: <https://www.weforum.org/agenda/2018/02/does-gender-equality-result-in-fewer-female-stem-grads>

4-Economic Empowerment

Women's economic participation has also impressively increased in Arab societies, witnessing a rise between 1980 and 2000 in Saudi Arabia, Qatar, Kuwait and Bahrain. The ratio of participation of women in employment has tripled in the UAE and Oman. The importance of women's financial contribution increased by 30% in Egypt, as has the involvement of women in decision-making positions in the economic field. Their participation in the economy increased in 2013 (48.2% in Kuwait, 35% in Qatar, 25.6% in Tunisia, 17.6% in Algeria).

Also, ILO reports highlighted a decrease in the employment gap between men and women during the period of 2002-2007 compared to Eastern and Western European countries. In addition, the presence of women in the public sector is relatively high. For instance, Egyptian women working in the public sector represent three quarters of the total number of employees; in Saudi Arabia and Morocco, the percentage is 50%.⁴³

The nexus between economics, development and the realization of women's rights has been repeatedly highlighted in recent studies. Women's increased participation in the market economy would boost economies worldwide. Limiting women's access to labour markets is costly, as poor female labour force participation hampers economic growth. More measures to close the gender gap are therefore needed, particularly in the Arab region.

From the standpoint of women's participation in the labour market, the World Bank highlighted that the average female employment rate increased in the region from 22% in 1990 to 27 % in 2012. Women are gradually entering the workforce and contributing to the economy, but the pace remains slow. The National Statistical Office of Algeria noted that at the end of 2013, female labour force participation had risen to 19%. In Kuwait, women constitute more than 40% of the labour force in the public sector and more than 50% in the private sector.⁴⁴ Moreover, as highlighted in the statement of the Kingdom of Bahrain during the 39th session of the UN Human Rights Council in September 2018⁴⁵, Bahrain had launched several initiatives to increase women's participation in the workforce, resulting in 55% of Bahraini women holding supervisory positions. Furthermore, Bahraini women's participation in the

43 - *Women's rights in the Arab Region: Myths and Realities*" published by Geneva Centre for Human Rights Advancement and Global Dialogue, Geneva 2017, page 11.

44 - *"Women's rights in the Arab Region: Myths and Realities"* published by Geneva Centre for Human Rights Advancement and Global Dialogue, Geneva 2017, page 45.

45 - Statement of Kingdom of Bahrain during the Clustered Interactive Dialogue with Special Rapporteur on the Right to Development and the Special Rapporteur on Unilateral Coercive Measures, 39th session of the UN Human Rights Council, 12 September 2018, available on the Human Rights Council Extranet : <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/39thSession/Pages/Statements.aspx?SessionId=26&Meeting-Date=12/09/2018%2000:00:00>

public sector has reached 53%, and in the private sector it amounts to 33%. Women are also slowly breaking the glass ceiling around high-management positions: in the UAE, female business owners constitute 15% of members of Boards of directors of Chambers of Commerce and Industry.⁴⁶

According to the World Economic Forum, countries in the Gulf region have greatly reduced the gender wage gap over the past few years. The UAE is leading in the region, closing almost 80% of its gender wage gap.⁴⁷ Moreover, a law ensuring women are paid an equal wage to their male peers was approved by the UAE Cabinet in April 2018. However, the results are mitigated from the standpoint of participation to the labour market, which remains low for women in the region and does not reflect the very high rates of female enrolled in and graduating from university.

46 - “*Women’s rights in the Arab Region: Myths and Realities*” published by Geneva Centre for Human Rights Advancement and Global Dialogue, Geneva 2017, page 45

47 - World Economic Forum Global Gender Gap Report 2017, Middle East and Africa: <http://reports.weforum.org/global-gender-gap-report-2017/middle-east-and-north-africa/>

IV. NEGATIVE ASPECTS IN REGARD TO WOMEN'S RIGHTS

There is a persistence of ideologies that deny historical facts confirming that in the early days of Islam women were men's partners in trade and in the dissemination of Islam. These ideologies also deny that monotheist religions, especially Islam, have always given women a special status, emphasizing respect for their rights.

Some customs and traditions ignore women's health and psychological interests. This is reflected by practices such as female circumcision or FGM (which is alien to Islam, but still implemented in a few Arab societies) and early marriage of girls. In addition, there are practices associated with an increasing reliance on religion (such as polygamy and inheritance) without resorting to *ijtihad* and to a thinking based on the intellectual and social development of the religion's teachings that once pioneered the establishment of modern principles, in an age dominated by ignorance (*Jāhiliya*). Although practices that limit women's freedoms and rights persist with regard to marriage and inheritance for example, important progress has nevertheless been achieved to remedy these shortcomings (see previous sections on legislation for example). Contrary to common "orientalist" interpretations of inheritance law, there exists no "one case fits all" approach in Arab States.⁴⁸ The apportioning of inheritance shares often varies, on the contrary, according to the degree of proximity between the deceased and the heirs, and not to gender.⁴⁹

Personal Status Laws, also known as family laws, govern marriage, divorce, alimony, paternity, inheritance and children's custody in the Arab region. Most of the CEDAW Committee recommendations to Arab countries relate to the improvement of their Personal Status Laws. Important steps were taken to gradually adapt legislation to international norms, and to improve women's civil rights. As previously mentioned, Tunisia, Morocco, Jordan, Algeria have abolished a series of discriminatory provisions regarding marriage. Further examples include Algeria's reform of the Family Code in 2005, which broadened the cases in which women are allowed to request a divorce. Also, a divorced woman who is also a mother has priority in the occupancy of the family home.

Similarly, the reformed Personal Status Law of 2010 in Jordan allowed women to file for divorce without the burden of evidence. Similar initiatives to protect women in

48 - "Women's rights in the Arab Region: Myths and Realities" published by Geneva Centre for Human Rights Advancement and Global Dialogue, Geneva 2017, page 50.

49 - For a detailed presentation on inheritance in Algeria, please see Annex II of *Women's rights in the Arab Region: Myths and Realities*, published by Geneva Centre for Human Rights Advancement and Global Dialogue, on "Determinants of shares of inheritance of male and female heirs", page 77.

divorce situations were adopted in the UAE.⁵⁰

With regard to polygamy, in 1994 the CEDAW Committee elaborated on Article 16 of the Convention (on marriage and family relations) by means of General Recommendation No. 21, stating that “*polygamous marriage contravenes a woman’s right to equality with men, and can have such serious emotional and financial consequences for her and her dependents that such marriages need to be discouraged and prohibited*”. In Arab societies, after gaining economic autonomy, women refuse polygamy categorically.⁵¹ Arab societies increasingly discourage this practice, with many civil society organisations actively pushing for its prohibition by law.⁵²

However, despite these nuances and the progress achieved in this regard, one may surmise that there is still a need for review of national family provisions dealing with polygamy and inheritance in the Arab region.

Patriarchy within Arab societies affects women’s enjoyment of their rights, also preventing the effective enforcement of laws (for example, the implementation of custodial provisions for mothers, child support). These views affect the role of women in the family and in society, where violence against women is thus recurrent, leading to harassment, verbal and sexual abuse. Violence against women prevents their full participation in political life, when used as a threat to marginalize them and to deprive them of their basic rights, whether as a voter or as a candidate. Civil society organisations⁵³ call for the adoption of legislation that recognizes such acts as crimes, and for the development of effective strategies to eliminate it⁵⁴.

Despite the boom witnessed in education, some persisting traditions anchored in patriarchy and discrimination prevent Arab women in some countries from penetrating areas that are still seen as largely male-dominated, particularly some fields of work that some see as too dangerous for women, such as metallurgical industries, oil extraction, and even in some cases, jobs related to public prosecution.

50 - “*Women’s rights in the Arab Region: Myths and Realities*” published by Geneva Centre for Human Rights Advancement and Global Dialogue, Geneva 2017, page 48.

51 - “*Women’s rights in the Arab Region: Myths and Realities*” published by Geneva Centre for Human Rights Advancement and Global Dialogue, Geneva 2017, page 52.

52 - Tunisia and Turkey have prohibited by law polygamy.

53 - Bahrain Centre for Human Rights “Discrimination against Women in Bahrain Society and Legislation “, February 2014.

54 - Among the positive reactions: 1- The announcement by the State of Bahrain that on the 25th November of each year the International Day for the Elimination of Violence Against Women will be celebrated. 2- 2800 cases of domestic violence were revealed. 3-TheNational Council for Women in Egypt drafted a law on violence against women.

V. WOMEN'S RIGHTS IN THE ARAB WORLD: A FUTURE PERSPECTIVE

The recommendations and observations of the CEDAW Committee represent a road map for Arab States to use, in addition to the technical assistance provided by relevant UN bodies and the recommendations of meetings and seminars held within the League of Arab States.

Arab countries can draw on best practices in their midst. They may make comparative studies of their experiences in all aspects related to women's rights. The League of Arab States and its Women's Department have abundant research and documentation in this area. Relevant resources include the panel debate on nationality of children of Arab women married to foreigners⁵⁵ and a regional workshop, held in Bahrain in February 2016, during which experts from the Arab region discussed the implementation of nationality rights of women.

Furthermore, the field of women's rights is researched by many Arab women experts with vast local and international experience. Their experience allows them to draw facts from the reality on the ground, as well as to assess the international variables so as to draw up policy recommendations that would not jar with accepted value-systems.

Compliance with Islamic law as a religious framework and an ethical conceptual system is advocated by the Organization for Islamic Cooperation (OIC), a regional organization regrouping 67 Muslim Countries and Observer States. Women's issues are put on the agenda of the organization since the convening of the Third Extraordinary Summit Conference in 2005, which focused on the rights of women, youth and family in the Muslim world. This is leading to many positive developments, such as the establishment within the Secretariat of a specialized Department for Family and Social Issues, and the convening of a Ministerial Conference for Women every two years. The Organization has adopted an Action Plan for the Advancement of Women (OPAAW), which includes objectives, operational procedures and an implementation timeframe. All Arab States are members of this Organization. This policy has therefore a positive impact on the States of the region from the standpoint of women's rights.

CEDAW, the OIC, the Arab League and civil society should join forces to chart a path towards full gender equality in the near future by addressing the following priorities:

⁵⁵ - Arab Conference on Good Practices and Regional Opportunities to Strengthen Women's Rights and Equal Access to Nationality », League of Arab States, Cairo, 1-2 October 2017.

1- Stimulating attitudinal change and combating negative stereotypes

This is a common aspiration in all Arab countries, whether they are advanced countries in terms of national income and per capita level, or developing countries facing great economic challenges, or small countries.

Positive action in this area requires a set of complementary ingredients. Education for all (including girls) is a fundamental element along with the elimination of illiteracy. The elimination of illiteracy (and computer illiteracy) regarding legal facts is also essential. This would contribute to women fully acknowledging their rights and duties.

With regard to the situation of women in the Gulf, although the Gulf region is a trailblazer in many ways, especially for its economic empowerment of women, it has yet to achieve a similar performance in the political arena and to complete the evolution of the societal vision concerning the role of women.

The modernization of religious discourse is required in all Arab countries because religion (including teachings and rituals) influences all areas of life. The development of the educational system and educational curricula for teachers in religious institutes is a necessary and fundamental starting point.

Changes are being introduced in the role of written and read media in all its forms across the region. NGO's have an important role to play, especially in remote areas far from urban areas and in slums. For example, NGOs play an important role in Egyptian villages, to raise awareness of the dangers of early marriages (in order to implement the International Convention on the Rights of the Child and the relevant national laws) and arranged marriages (in accordance with the Palermo Protocol and the Egyptian Law 64 of the year 2010 on trafficking in human beings). This performance should be backstopped by Centres of excellence and reviewed periodically by qualified academics.

2-Promoting the economic empowerment of women

Ensuring a favourable climate conducive to women's economic empowerment, regardless of their position in social life, is a fundamental ingredient enabling them to activate their role in the society. Rural women, who constitute the majority of women in some Arab countries (Egypt, for example) need to be aware of methods allowing them to develop and to improve their living and working conditions, such as agricultural extension, pest control and credit facilities for micro-enterprises.⁵⁶ The beneficiaries should also include female heads of households, women seeking to

56 - CEDAW General Recommendation on Rural Women No. 34, 2016

establish an independent enterprise and women entrepreneurs. At a broader level, it is essential to respect working women's equal chances to obtain promotions and to take on high leadership positions, as a result of their competencies, without discrimination.

The establishment of nurseries is an urgent requirement for employers in private and governmental institutions, so as to encourage and facilitate the participation of women in the workforce.

3. Gaining acceptance for the political empowerment of women

The opportunity given to Arab women to become more involved in the political arena is imperative so as to provide a gender-balanced vision of the citizenry⁵⁷. The process of political empowerment begins with the inclusion of women in local councils and trade unions and, in elected bodies at the national level. Women's role in this arena should not be limited to their capacity as an important electoral bloc. Women should not only exercise their constitutional right to vote, but should also have an equal level of representation with men in elected fora and play an effective role within them⁵⁸.

Although some Arab State leaders have favoured the use of Article 4 paragraph 1 of the CEDAW Convention regarding the quota system (25% in local councils of Egypt and 30% in all elected councils of Algeria), this kind of catching-up process should be based on a societal recognition of the importance of this representative role, starting with women themselves whose own awareness needs to be enhanced⁵⁹.

4- Ensuring full implementation of the law

The lack of effective enforcement of legislation on women's rights has to be addressed. Most international treaties on human rights and women's rights are binding for Arab States. Two conditions remain in order to enable women to benefit from their rights.

57 - A new article was added to the Constitution of Algeria confirming the political participation of women. In Morocco, the principle of parity was adopted. Tunisia also adopted a law that establishes gender parity in the electoral system. See more in the section on legislation of the current study.

58 - Egyptian men are still not enthusiastic about women's involvement in politics. There are real obstacles to women if the election system based on uninominal colleges is not implemented in order to overcome the biased attitudes of men and the use of violence. It is also necessary to reorganize the society and all its institutions based on democracy and human rights and to believe in the concept of a modern civil state. «*Women and Parliamentary Elections*» National Centre for Social and Criminal Research / National Council for Women, study published in 2012/2013.

59 - ESCWA called on the United Nations Economic and Social Commission for Western Asia (ESCWA) to conduct a regional workshop to discuss the effective enforcement of the right to political participation, especially the promotion of women's participation in public life, through the exchange of visions and experiences of countries in the Middle East.

The Regional consultation on draft guidelines on the effective implementation of the right to participation in public affairs: enhancing women participation, ESCWA Beirut December 2017.

The first condition is access to justice,⁶⁰ while the second condition is effective enforcement of the law. Women should be aware of their rights, and it is also important to provide them with legal advice and access to courts (including for rural residents, in slums and remote villages). Individuals responsible for the administration and the enforcement of justice (police, prosecution and the judiciary) should be informed of women's rights and of any developments in this area.

60 - CEDAW Recommendation No. 33, 2015.

VI. DRAWING ON BEST PRACTICE

The recommendations of the CEDAW Committee, as a reference to the majority of the world's States and based on their assessment of States, have been formulated in a legally binding manner, through the articles of the Convention (16 substantive articles). The present study reviews the CEDAW concluding observations on the performances of Arab countries. Positive aspects have been drawn from the outcome of resolutions and publications, as well as regional and international conferences. Similarly, negative aspects were also discussed in order to reach the main objective of this study, namely the impartial assessment of the situation as a whole.

The Committee's reports are based on transparency, clarity and neutrality. Although they provide non-numeric indicators, they facilitate the conduct of comparative studies between Arab and other countries. For example, some topics can be selected for comparison, such as discriminatory laws, violence against women, labour laws, political participation, and personal status.

1- Discriminatory laws

Western States have achieved considerable progress in revising their legislation in order to abolish laws including discriminatory provisions against women, taking into consideration that CEDAW is a valid legal instrument in courts. Most States have also acceded to the Optional Protocol to the Convention, which makes it possible to submit complaints to the Commission.

Arab States have also taken important steps towards the revision of legislation perpetrating inequality and discrimination against women. In Morocco, article 475 of the Penal Code which allowed rapists to avoid prosecution if they marry their victims was repealed in 2014. In August 2017, Lebanon abolished similar legislation. So did Jordan, which also toughened sentences for "honour killings". Tunisia abolished a similar law in July 2017, when the Parliament passed a landmark legislative package on violence against women, reinforcing penalties for sexual violence against minors and mandating compensation and follow-up support for survivors, among other things. Tunisia also banished the ban on Muslim women marrying non-Muslim men, in September 2017.

2-Negative stereotypes

The stereotypes regarding women in developed Western countries are different

from those in the Arab world. Women in these societies are being “commodified” or manipulated for publicity purposes. This is offensive to their self-respect and undermines the respect that society should have for them. On the other hand, the influence of religious factors plays a serious role in abortion. The Catholic Church, especially in Latin America, like the Islamic tradition, refuses to allow abortion. Women may be subject to sanctions when they resort to abortion. Some Catholic countries of Europe, including Ireland, and others in Latin America have recommended bans on abortion. The respect for the freedom of women to dispose of their body is also questioned in Western States, when legislators decide on whether and when women can be allowed to wear a mere headscarf.

Negative stereotyping persists therefore worldwide, irrespective of religion, culture or traditions. Western countries are still faced with biases in the representation of women. Gender roles persist and the glass ceiling, particularly in positions of high management, be it in the private or the public sector, remains unbroken. Toxic masculinities pervade all aspects of everyday life in the world at large, leading to persisting high rates of violence against women and to lingering inequalities. Stereotypes related to women having to choose between a professional career and having a family are prevalent and showcase the unconscious biases that still affect even advanced societies.

3-Violence against women

There is a growing trend to pass legislation condemning and punishing all forms of violence against women, whether in the home, focusing on marital rape, or outside it. The Istanbul Convention on Domestic Violence, which is essentially a European Convention adopted by the Council of Europe Committee of Ministers in April 2011, is open to accession by all States.

Arab States have, as mentioned in the previous sections, taken important steps in regard with legislation to repeal violence against women in all its forms. Nevertheless, in the Arab region as in other parts of the world, social mores and other entrenched factors still foster a culture of impunity regarding violence against women, associating it with the private sphere and thus often discouraging denunciation and encouraging impunity. The most prevalent forms of violence against women in the region include honour-related violence directed at both unmarried and married women, forced marriages, sexual harassment, female genital mutilation, and other forms of exploitation.

A United Nations’ study from 2013⁶¹ shows that 99.3% of Egyptian women ever

61 - “Study on ways and methods to eliminate sexual harassment in Egypt: results/outcomes and recommendation”

experienced sexual harassment. More generally, according to UN Women, 37% of Arab women have experienced some form of violence in their lifetime.⁶² Moreover, according to the same source, 14% of Arab girls marry under the age of 18. Social stigma poses an important challenge for women in seeking protection or support, thus leading to more impunity.

However, rates of violence against women remain high in European countries as well. A recent survey led by the European Agency for Fundamental Rights (FRA) across Europe, showed that about one in three European women had experienced physical and/or sexual violence since the age of 15, and most of them had not declared the abuse to the police.⁶³ On the whole the report shows that an estimated 13 million women in the EU had experienced physical violence in the course of 12 months before the survey interviews. In the USA, a 2016 report⁶⁴ showed that 34% of women were regularly concerned about being sexually assaulted, up from an average 30% in 2013-2015. Moreover, more than 1 in 4 women in Washington DC, United States, have experienced some form of sexual harassment on public transportation, according to a survey conducted in 2016.⁶⁵

In a 2013 United Nations-funded survey of more than 10,000 men, the most common reasons for rape included sexual entitlement, seeking of entertainment and rape as a form of punishment. Masculinity and dominance over women were also noted as associated factors in the report. Violence against women is pervasive in the political field as well, often used as a weapon to discourage women from participating in politics. 82% of women parliamentarians who participated in a study conducted by the Inter-Parliamentary Union in 39 countries across 5 regions reported having experienced some form of psychological violence while serving their terms, and nearly half of those surveyed (44 %) reported having received death, rape, assault or abduction threats towards them or their families.⁶⁶

4-Labour laws

Arab States have engaged in close cooperation with international bodies such as

UN Women, Cairo Demographic Centre, New York, 2013.

62 - *Arab States/North Africa: Facts and figures*, Un Women: <http://arabstates.unwomen.org/en/what-we-do/ending-violence-against-women/facts-and-figures>

63 - *Violence Against Women: an EU-wide survey*", Report by European Agency for Fundamental Rights (FRA), December 2017: <http://fra.europa.eu/en/publication/2014/violence-against-women-eu-wide-survey-main-results-report>

64 - *Annual Crime Poll*, Gallup, 2016: http://news.gallup.com/poll/196487/one-three-women-worry-sexually-assaulted.aspx?utm_source=alert&utm_medium=email&utm_content=morelink&utm_campaign=syndication

65 - *Understanding Sexual Harassment on Public Transportation*, UN Women (2017)

66 - *Sexism, harassment and violence against women parliamentarians*, Inter-Parliamentary Union, 2016.

the International Labour Organization (ILO), thus committing to the application of international labour standards to promote a decent work agenda and to fight against discrimination in the employment field. The 2009 Arab Action Agenda for Employment reaffirms this commitment. According to the ILO, gender inequality remains a major concern in the region. Labour force participation rates for men average 76 % in the Middle East and North Africa (MENA), while they are 27 % for women.⁶⁷

However, women's participation in the labour market has been growing steadily over the past years, particularly in the Gulf States, as previously mentioned. There have been several women's breakthroughs in the workforce that challenged social norms and contributed to more equality. The judiciary is one such area, with an important presence of female judges. In Lebanon, the number of women judges soared from almost none in the 1990s to 38 % of all judges in civil, criminal and commercial courts, and 28 % of judges in the administrative courts by 2010.⁶⁸ In Jordan, a programme to encourage female judges was implemented and the percentage of women in the judiciary rose from 1.2 % in 2000 to 7.1 % in 2009.⁶⁹ Moreover, in the United Arab Emirates, an instruction from the Government makes it mandatory to have female board members in every company and government agency in the country.⁷⁰

Laws in advanced economies assert the principle of equality in employment, but there is gross discrimination in wages⁷¹, and often in access to leadership positions in large corporations and institutions, as previously mentioned. There is also important discrimination in regard to pensions. Although there are laws explicitly condemning sexual harassment in workplaces, many of the degrading practices that women experience in their working lives are perpetrated by their supervisors, colleagues or associates. The harassment and discrimination faced in the workplace is often exacerbated in Western societies by intersecting forms of discrimination, which become evident with women of colour, or Muslim women wearing a visible religious sign like a *hijab*, for instance.

5-Political participation

Women have made significant progress in different political contexts, as previously

67 - *Labour inspection, gender equality and non-discrimination in the Arab states: guide book*; ILO, 2014: https://www.ilo.org/beirut/publications/WCMS_249296/lang-en/index.htm

68 - *Ibid.*

69 - Jordan's Fifth National Periodic Report to the CEDAW Committee – Summary, p. 7.

70 - For further data on women's participation in the workforce across the Arab region, please see page 44, section 4-Economic empowerment.

71 - Even in Sweden, which is at the top of the hierarchy regarding the gender gap, according to the report of the World Economic Forum.

mentioned. Some African and Arab countries have also achieved a breakthrough regarding the presence of women in Parliaments (Rwanda, Algeria and South Africa for example).

6-Personal Status

It is difficult to carry out a full comparison concerning the situation of the family in the context of different value systems. In many countries some relationships are not registered, whether they take the form of civil marriage or religious marriage known as “*de facto union*” (in some African countries, especially under tribal traditions). There is a growing interest to study the consequences of these unions and their effect on the rights of spouses and children.⁷² Illegal relationships exist alongside legal marriages, known as extra-marital marriages. The latter has legal and financial consequences.

It is clear that an abstract comparison between Arab States and Western States is not easy due to the difference in political and economic conditions, and more importantly, to the difference in shades of their value systems. A common benchmark has nevertheless been provided by the United Nations to achieve the Millennium Development Goals (MDG) and the current Sustainable Development Goals 2015/2030 (SDG). Other indicators have been developed by regional organizations (the Arab League) or transregional organizations (OIC Plan of Action for the Advancement of Women (OPAAW) or other international fora (World Economic Forum)).

72 - CEDAW General Recommendation 29, 2013.

VII. INDICATORS FOR THE ASSESSMENT AND EVALUATION OF GENDER EQUALITY AND WOMEN'S RIGHTS

1. 2030 Sustainable Development Goals

UN indicators can be relied upon as a basis for performance assessment of all States: this is the case for the SDGs (16 goals) and other related indicators. A comparison can be made between the situation of women in the Arab world and the situation of women in other regions of the world when Member States duly report on the achievement of these goals, particularly Goal 5 on gender equality and the empowerment of women and girls. The following is a review of indicators assessing performances that can guide and give inspiration for the development of indicators for Arab countries.

Objectives and targets (of the 2030 Sustainable Development Plan):

Goal 5: Achieve gender equality and empower all women and girls⁷³:

5.1 End all forms of discrimination against all women and girls everywhere.

5.1.1 Whether or not legal frameworks are in place to promote, enforce and monitor equality and non-discrimination on the basis of sex.

5.2 Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation.

5.2.1 Proportion of ever-partnered women and girls aged 15 years and older subjected to physical, sexual or psychological violence by a current or former intimate partner in the previous 12 months, by form of violence and by age.

5.2.2 Proportion of women and girls aged 15 years and older subjected to sexual violence by persons other than an intimate partner in the previous 12 months, by age and place of occurrence.

5.3 Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation.

5.3.1 Percentage of women aged 20-24 who were married or in a union before age 15 and before age 18.

5.3.2 Percentage of girls and women aged 15-49 who have undergone female genital mutilation/cutting, by age group.

5.4 Recognize and value unpaid care and domestic work through the provision of

⁷³ - *Spotlight on Sustainable Development Goal 5: Achieve gender equality and empower all women and girl*, UN Women, 2017: <http://www.unwomen.org/en/digital-library/multimedia/2017/7/infographic-spotlight-on-sdg-5>

public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate

5.4.1 Percentage of time spent on unpaid domestic and care work, by sex, age group and location.

5.5: Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life

5.5.1 Proportion of seats held by women in national Parliaments and local governments.

5.5.2 Proportion of women in managerial positions.

5.6: Ensure universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action and the outcome documents of their review conferences

5.6.1 Proportion of women aged 15-49 who make their own informed decisions regarding sexual relations, contraceptive use and reproductive health care.

5.6.2 Number of countries with laws and regulations that guarantee full and equal access to women and men aged 15 years and older to sexual and reproductive health care, information and education.

Indicators:

5.a Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws.

5.a.1 (a) Proportion of total agricultural population with ownership or secure rights over agricultural land, by sex; and (b) share of women among owners or rights-bearers of agricultural land, by type of tenure.

5.a.2 Proportion of countries where the legal framework (including customary law) guarantees women's equal rights to land ownership and/or control.

5. b Enhance the use of enabling technology, in particular information and communications technology, to promote the empowerment of women.

5. b.1 Proportion of individuals who own a mobile telephone, by sex.

5.c Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels.

5.c.1 Proportion of countries with systems to track and make public allocations for gender equality and women's empowerment.

2. OPAAW: OIC Action Plan for the Advancement of Women

The OPAAW is an innovative approach that articulates the OIC Member States' commitment to addressing a range of challenges faced by women. Therefore, through OPAAW, OIC is taking steps towards eliminating all forms of discrimination against women in order to reduce inequalities between women and men pursuant to Islamic values of social justice and gender equality.⁷⁴

The Plan of Action was adopted at the Ministerial Conference on Women in Cairo in 2008, and several meetings of government experts were held to review the plan between 2008 and 2016 to clarify and approve the indicators. An expert meeting was held in Jeddah in December 2017 to discuss the best ways to implement them.

The Plan of Action outlines key objectives, sub-targets, indicators and instruments responsible for the implementation as well as the timeframe (two years).

These are: participation in decision-making processes, education, health, economic empowerment, social protection, protection of women from violence, women in crisis situations, women in disasters, women in armed conflict.

The OPAAW reflects specific situations in the countries of the region such as man-made crises and disasters (crises and political conflicts) and natural / environmental disasters. In fact, the Millennium Development Goals in the women's section did not highlight these points, although they focused on violence against women and under-age marriages, while the themes on natural or environmental disasters fall under other categories.

3. The World Economic Forum Global Gender Gap Report 75

The report seeks to clarify that bridging the gender gap is not only a moral obligation, but also an economic priority. Ignoring it leads to hindering the country's economic potential and opportunities that could bring significant economic gains.

The WEF's Gender gap assessment is based on four main sectors:

1. Economic participation and opportunity;
2. Educational attainment;
3. Health and survival;
4. Political empowerment.

74 - OPAAW Action Plan, page 4 :

https://www.oic-oci.org/subweb/woman/6/en/docs/final/6wom_opaaw_en.pdf

75 - The Global Gender Gap Report 2017, The World Economic Forum, see attached paper.

Four components are selected:

The first component is assessed by three indicators: participation in the labour force, wages and income, and presence at the highest level of employment.

The second component is assessed by comparing the rate between females and males at different stages of education, as well as the illiteracy rate.

The third component is assessed by comparing the rate of births and identifying males and females to highlight whether male new-borns are favoured or not in some areas. It is also assessed through the index of life rates and the enjoyment of good health conditions by each of the two sexes.

The fourth component is assessed by identifying the percentage of women among senior political positions (ministers) and parliamentary councils and the number of years during which these positions are held in the country.

The report divides the world into eight geographic groups: East Asia and the Pacific, Eastern Europe and Central Asia, Latin America and the Caribbean, the Middle East and North Africa, North America, South Asia, Sub-Saharan Africa and Western Europe. It ranks countries (144 countries studied and subject to comparison) according to their ability to bridge the gender gap.

In terms of economic participation and opportunities, the report shows that 18 countries, including 13 from the Middle East and North Africa (MENA region), were able to bridge the gender gap by less than 50%. Syria, for obvious reasons, ranks last among the group. The Nordic countries, particularly Norway and Sweden, bridged the gap by more than 80%.

As for political empowerment, Lebanon, Qatar and Yemen, the latter also for obvious reasons, achieved the lowest scores among countries, bridging the gender gap by less than 2%⁷⁶.

The report highlighted that the MENA region continued to make progress for the second year in a row by bridging the gap overall by more than 60%.

4. The 2030 Agenda for the Advancement of Women in the Arab Region

The 2030 Agenda for the Advancement of Women in the Arab Region is one of the best tools for measuring the progress achieved so far in Arab women's situations. It is based on a clear vision approved by the Arab states and is announced in the official document entitled "Cairo Declaration on Arab Women"⁷⁷, which contains a set of objectives

⁷⁶ - See attached paper.

⁷⁷ - Adopted as a result of the high-level meeting held at the Arab League's headquarters in Cairo in February 2014.

and mechanisms for implementation. The first of these objectives is “*consensus and solidarity on an independent goal concerning equality and empowerment for women within the objectives of the post-2015 development plan as proposed by the United Nations*”. This objective also aims at introducing a gender perspective in all aspects and in the framework of the objectives of the new development system.

The document takes into account the efforts made by the Arab countries to advance women’s issues, to address the obstacles and the challenges that women face in the Arab region. The document also took into consideration the results of the Regional Review on the progress made in the implementation of the Beijing Declaration and Platform for Action after 20 years, at the level of Arab States.

The 2030 Agenda for the Advancement of Women is based on five themes: political participation; economic participation of women; social changes; elimination of violence against women and girls; protection of women and girls from conflict and terrorism.

For instance, the desired outcome of the item on political participation of women⁷⁸ is in the advancement of women and their participation in decision-making positions at a minimum rate of 30%, whether during times of peace or conflict, nationally and locally, in Arab, regional and international institutions.

The tables present information on implementation and evaluation include outputs, strategic interventions: activities, indicators, assumptions and risks, target groups and responsible authorities.

When the focus is on outputs, information will be on electoral laws, regulations and affirmative action policies that promote women’s participation in legislative power, elected structures, electoral processes and various marginalized groups at a minimum rate of 30%.

Required activities include:

- Development of electoral laws (local legislations) that approve the quota system for women and the representation of marginalized groups (women with disabilities, the poor, minorities, etc.);
- Introducing incentives / penalties with regard to the application of the quota system, ensuring women’s access to the legislative and local authorities;
- Taking action to ensure gender equality on the electoral lists (according to the nature of the electoral systems followed) and monitoring the impact of electoral systems on the political representation of women in elected bodies; taking action to amend or to reform these systems where necessary;

⁷⁸ - The 2030 Agenda for the advancement of Women in the Arab Region

- Taking appropriate measures to prevent all forms of violence against women candidates and to ensure strict measures to punish perpetrators and to prevent such crimes.
- Taking measures to ensure women's access to the electoral roll.
- Indicators:
 - Adoption of quotas for women in electoral laws;
 - Measures and procedures to ensure the participation of women in electoral processes in each country;
 - Measures to prevent all forms of violence against women candidates;
 - Measures to ensure women's right to vote and to participate as candidates.

Target groups are all women and girls, women candidates and voters in political parties, local NGOs, and marginalized groups (women with disabilities, impoverished women and minorities).

The desired objective of the indicator on economic participation of women consists in increasing women's participation in the economy and in the labour force by at least 50%, as well as in ensuring their full enjoyment of economic rights, services and benefits.

Regarding the outputs, there are legal frameworks and measures ensuring equality between women and men with regard to labour, guaranteeing all economic rights and mechanisms that could eliminate discriminatory practices against women. Outputs also include economic and labour policies that ensure the convergence of women and men in the labour market and provide an equal and equitable access to assets and resources, in order to reduce poverty and unemployment.

As regards the required activities, they include:

- Developing legislation;
- Establishing administrative requirements and measures to monitor discriminatory practices;
- Creating a women-friendly work structure;
- Developing measures to ensure access to finance and credit for women;
- Developing policies to reduce unemployment;
- Creating jobs for women.

As regards indicators, these include poverty reduction, improved development indicators for women, the proportion of unemployed women and unemployed men of the same age group and the same level of education, women's equity indicators

and the number of loans obtained by women compared to men for private projects during a given year, the number of small and medium-sized enterprises launched by women, associations and women's groups in Arab countries.

Assumptions and risks include the private sector's involvement in reforms, the impact of hard-line or extremist intellectual movements, political will and the availability of qualified human resources. Target groups include all women at the national level.

The study and the evaluation of the human rights' situation of women in the Arab world, in addition to the analysis and recommendations of the concerned treaty body (CEDAW), need to be based on specific indicators that help making objective measurements and comparisons if necessary.

This study reviewed some of the models and indicators that can be used in this regard (4 index/measurement models).

It is worth mentioning that all countries worldwide will be screened through the indicators that concern the implementation of Goal 5 of the 2030 Development Agenda on gender equality and women empowerment. There is also a need for a measuring tool related to the social and cultural reality of the Arab States. Thus, the strategy developed by the League of Arab States and its indicators are considered to be the most appropriate, without prejudice to the usefulness of other methods, especially the OPAAW indicators, which can play a guiding role for studies and analysis.

CONCLUSION

Attempt to study, analyse and evaluate the situation of women in the Arab world must be based on an objective approach, avoiding any oversimplified or superficial representations.

This study is based on well-documented references, among which the reports and recommendations of the CEDAW, which illustrated the negative aspects and equally highlighted the progress made in this regard. Examples of periodic reports and concluding comments were also used. The study is also based on working papers of regional organizations, particularly the League of Arab States, and on the work of specialized researchers to complement the rich information that is available. It attempts to provide a concise comparison concerning the situation of some countries in different geographical regions. It has also proven that the situation of Arab women, whilst requiring extensive improvements from various standpoints, including socio-political and economic participation, has greatly progressed over recent years. The pending issues of gender equality remain pervasive worldwide, regardless of culture and religion.

However, as mentioned in the corpus of this report, the fact that the Sudan, a country where women exercise key leadership roles, showcasing laudable achievements with regard to gender equality, is one of the two Arab States that have not acceded to the CEDAW Convention to this date is considered an anomaly and cannot be objectively justified. An appeal has been addressed by the Geneva Centre to the Sudanese Permanent Representative in Geneva, putting forward the salient need to rectify this grave oversight and to demonstrate the commitment to women's rights and gender equality of the Sudan's by finally signing and ratifying the Convention.

This report also describes a roadmap to help design solutions to achieve the desired progress over time.

Unfortunately, political interests and strategies are too often prioritized much to the detriment of women's rights, or the latter are manipulated and utilized to make a point or to obtain certain political gains. Whilst, for instance, the decision to grant asylum is a must in order to protect women's rights, particularly from abuse and any forms of constraint or violence due to discriminatory practices, the politicization of such cases is ultimately detrimental for the entire women's rights and empowerment movement.

All countries that are keen on their credibility in the field of human rights will accelerate the pace of their efforts to implement the Development Agenda and particularly SDG 5 on gender equality and women empowerment, which will be evaluated by resorting to the relevant indicators. There is no doubt that Arab countries will join the rest of

the international community in this effort.

Arab countries should equally accelerate the implementation of the agreed Arab Development Agenda. Any progress in improving and promoting women's rights is an effective tool in order to achieve economic and social progress. No social peace can prevail without upholding human rights for Arab women and no economic progress and sustainable development can be achieved without the full realization of these rights.

ANNEX

The WEF Global Gender Gap Report, published for the first time in 2006, studies the situation of women in the world by assessing the ability of countries to bridge the gender gap and their efforts made to eliminate discrimination and segregation between women and men at various levels.

The report's Gender Gap Index ranks countries according to the calculated gender gap between women and men in four key areas: health, education, economy and politics to gauge the state of gender equality in a country. The report measures women's disadvantage compared to men, and is not strictly a measure of equality. The highest possible score is 1 (which is equivalent to equality for women) and the lowest possible score is 0, thus binding the scores between inequality and equality benchmarks.⁷⁹

The 2017 Report outlines four key sectors that measure/evaluate the performance of States on the gender gap regardless of the levels of advancement or empowerment of women. The gender gap has currently been bridged to an extent of 68% in the world, women's participation and economic opportunities have increased by 58%, and health and life expectancy have increased by 96%. Political empowerment remains the biggest challenge to the gender gap.

Full parity is indicated by the degree (1) and total inequality is determined by the degree (0), and the decimal is used to determine the hierarchy:

79 - More information on the WEF Gender Gap Index methodology: The Index is constructed to rank countries on their gender gaps not on their development level. For example, rich countries, generally speaking, are able to offer more education and health opportunities to all members of society, although this is quite independent of the gender-related gaps that may exist within those higher levels of health or education.

The Global Gender Gap Index rewards countries for smaller gaps in access to these resources, regardless of the overall level of resources. Thus, in the case of education, the Index penalizes or rewards countries based on the size of the gap between male and female enrolment rates, but not for the overall levels of education in the country.

All data is converted to female-to-male ratios. For example, a country with 20% of women in ministerial positions is assigned a ratio of 20 women to 80 men, thus a value of 0.25. This is to ensure that the Index is capturing gaps between women and men's attainment levels, rather than the levels themselves.

As a second step, these ratios are truncated at the "equality benchmark". For all indicators, this equality benchmark is considered to be 1. For further explanations: <http://reports.weforum.org/global-gender-gap-report-2017/measuring-the-global-gender-gap/>

Table (1)	
Sub-indicators	Changes
Economic participation and opportunities	<p>Women's participation in the labour force compared to men;</p> <p>Equal remuneration for women and men in the same work;</p> <p>The proportion of women's income compared to men's income;</p> <p>The proportion of women in the field of legislation, senior positions and senior management compared to men;</p> <p>The proportion of women in vocational and technical work compared to men.</p>
Access to education	<p>The percentage of females in primary schools compared to males;</p> <p>The proportion of females in secondary schools compared to males;</p> <p>The proportion of females in higher education compared to males.</p>
Health and life expectancy	<p>Female to male ratio (population size);</p> <p>Female to male ratio regarding life expectancy.</p>
Political empowerment	<p>Female to male ratio in Parliament;</p> <p>Female to male ratio in ministerial posts;</p> <p>Comparison between the number of years in which women assumed the presidency of the state compared and the number of years in which men assumed the same position.</p>

Table (2) Access to education	
State	Degree
Qatar	1
Kuwait	0,996
UAE	0,994
Japan	0,991

Table (3) Health and life expectancy	
State	Degree
Tunisia	0,975
Egypt	0,971
Algeria	0,970
Kuwait	0,969
Italy	0,967

Table (4) Political empowerment	
State	Degree
Rwanda	0,539
France	0,453
Germany	0,447
Tunisia	0,216
Algeria	0,145
Greece	0,136

Table (5) Global index	
State	Degree
Bangladesh	0,719
USA	0,718
Austria	0,709
Luxembourg	0,706
Russian Confederation	0,695

It can be noted from the foregoing tables that Arab countries have made important progress that sometimes surpasses developed countries, particularly in the fields of education and health. More broadly, developing countries' achievements in the fields of political empowerment are notable. In addition, an Islamic country such as Bangladesh has surpassed the United States, Luxembourg and the Russian Federation according to the Global Index. Regarding the issue of political empowerment, Rwanda has overtaken Western countries known to support women's issues such as France and Germany, and has been maintaining its leadership from this standpoint for years.

Attempts to pin the problem of non-respect of women's rights on a particular cultural system, especially particular monotheistic religions, including Islam, are not objective and stem from a hasty analysis, with no scientific basis.

The conclusion is that women's rights are not limited to specific communities or linked to a cultural system. They need to be protected and promoted worldwide, irrespective of religion, culture and other such factors. Gender equality is a common goal that unfortunately remains unattained around the globe. In the absence of cooperation and concerted action, true equality will not be reached and the immense resource that women worldwide represent, from an economic, social and political point of view, will remain untapped. The time to take action for gender equality is now.

ANNEX
STATEMENTS AND WRITTEN CONTRIBUTIONS
BY PANEL MEMBERS

Opening remarks by H. E. Dr Hanif Al Qassim
Chairman of the Geneva Centre's Board of Management

*Excellencies,
Distinguished Panellists,
Honourable Guests,*

As the Chairman of the Geneva Centre for Human Rights Advancement and Global Dialogue, it is my pleasure to open today's debate on Women's Rights in the Arab Region. We are most grateful to our esteemed panellists who bring unique perspectives on the topic and we extend to all of you our sincere appreciation for your participation today and for your ongoing interest in this significant topic.

Of the many panel debates organized by the Geneva Centre at the United Nations Office in Geneva, this topic is most closely aligned to our core mission, namely to enhance human rights in the Arab region, while demystifying prevailing misunderstandings and misconceptions that undermine our ongoing dialogues.

As then UN Secretary-General Ban Ki-Moon noted: "Where men and women have equal rights, societies prosper. Equality for women is progress for all." As such, women's rights and gender inequality are indicative of a society's progress for all people. Thus, the critical importance of today's debate.

The topic of women's rights is a worldwide concern with real-time examples of gender inequality in every region of the globe. The grassroots explosion of the Women's March in January of this year is testimony to the concern many women and men feel about the lack of progress or backward steps being taken that remove women's rights in their communities. There is much work to be done around the globe and in the Arab region, in particular there is a need for intense focus on gender equality.

By all published measures, Arab countries score among the lowest performing countries in gender equality, measured by such dimensions as reproductive health, empowerment and the labour market. We can be hopeful with the recent progress made to extend human rights equally to women in Arab countries. It is our hope that these initiatives along with others that are planned will have a positive impact in their communities and will reflect well in measures taken in the near future.

Today the number of parliamentary seats held by women in North Africa ranged between 25% and 31%, higher than most other countries. These numbers are likely to increase in the years to come owing to initiatives taken by Arab governments to promote the political status of women.

In August 2017, Jordan and Lebanon repealed a law enabling male rapists to escape

justice if they opt for marrying their rape victims. In July 2017, Tunisia criminalized sexual harassment and discrimination against women.

In 2015, Algeria adopted a law criminalizing domestic violence against women. It also decided to create a National Commission to ensure the execution of the country's national strategy to combat all forms of violence targeting women.

In 2010, the United Arab Emirates launched its national programme UAE Vision 2021 in which the country aspires to become one of the world's top 25 countries for gender equality by 2021.

Egypt is in the process of implementing its national strategy to eliminate violence against women.

Many Arab countries are in the process of implementing recommendations made by Ms Alda Facio during the 35th session of the Human Rights Council to integrate international human rights standards to eliminate all forms of discrimination against women.

We must capitalize on this momentum by promoting equal participation of women in decision-making processes and eradicating discriminatory policies and practices targeting women through legislation. We must promote economic self-reliance for women and equal access to the labour market. Economic emancipation of women is a precondition for sustainable development, economic growth, and a well-functioning society.

We must promote favourable social norms and attitudes to prevent discrimination and violence against women through legislative environments and services that promote education, economic prosperity and physical health.

Globally we must define a common agenda – between decision-makers of the developed and of the developing worlds – in promoting gender equality worldwide and to jointly overcome barriers hindering women's development.

The recommendation put forward by Ms Dubravka Šimonović, the UN Special Rapporteur on Violence against Women and one of our distinguished panellists today, to address matters related to femicide is important to consider. I commend the efforts made by Ms Šimonović to raise awareness on this issue. I also appeal to member States of the UN to strengthen their efforts to advance gender equality and address obstacles hindering its realization as stipulated in the recently adopted UNHRC Resolutions 35/10, 35/18 and 35/22 calling upon states to take concerted measures to foster the elimination of all forms of violence and discrimination against women and to ensure equal access to education for girls.

At the Geneva Centre, we are fully committed to calling for more change to advance

the status of women in the Arab region. We intend to be a leading voice in charting a more inclusive agenda for Arab women in line with the goals and the targets stipulated in Sustainable Development Goal 5.

I thank you all for your attention and I look forward to hearing your deliberations.

Opening remarks by Ambassador Idriss Jazairy

Executive Director of the Geneva Centre for Human Rights Advancement and Global Dialogue

*Excellencies,
Distinguished Panellists,
Honourable Participants,*

It is my pleasure to welcome you today to this panel discussion on the timely topic of “Women’s rights in the Arab region: between myth and reality”. I would like to take this opportunity to express our sincere gratitude to the Permanent Mission of the Arab Republic of Egypt to the United Nations Office, World Trade Organization and other international organizations in Geneva for co-sponsoring our side-event today, and to H. E. Mr Amr Ramadan, who honours us with his presence on the panel and will deliver opening remarks. I would also like to thank H. E. Ms Tahani Ali, State Minister - Ministry of Justice of Sudan for her presence and for her opening statement.

Our discussion today benefits from the presence of renowned experts on women’s rights and gender-related issues, with various backgrounds. I have the honour of welcoming today:

H. E. Ms Hoda Al-Helaissi, member of Saudi Arabia’s Shura Council and former Vice-Chairperson at King Saud University;

H. E. Ms Naela Mohamed Gabr, Member of the UN Committee on the Elimination of Discrimination against Women and former Permanent Representative of Egypt in Geneva;

H. E. Ms Dubravka Šimonovic, UN Special Rapporteur on violence against women, its causes and consequences and, among others, former Ambassador to the OSCE and United Nations in Vienna;

Dr Susan Carland, Researcher and specialist on gender and Islam in the modern world, Director of Monash University’s Bachelor of Global Studies in Australia;

Ms Sarah Zouak, Co-founder of the association Lallab, organizer of the Women Sense Tour, writer and producer of the documentary Women Sense Tour;

H. E. Ms Emna Aouij, Member of the UN Working Group on Discrimination against Women in Law and in Practice, was not able to join us today, but her statement is available in the room.

The topic of the debate is part of a long-term interest of the Geneva Centre to contribute to the advancement of the status of women in the Arab region and beyond. It also responds to a larger need for more perceptive awareness of the situation of

women and their rights worldwide.

Today's panel comes as a follow-up to a previous debate organized by the Geneva Centre in March 2016, in cooperation with the UNESCO Geneva Liaison Bureau. As a result of the debate, the Geneva Centre published a study entitled "Women's Rights in the Arab Region: Myths and Realities" that includes the proceedings of the discussion, reflections on the progress achieved and key recommendations. The study has been widely distributed and you can find copies of it in the room should you be interested in reading it.

We do not claim to have found a panacea to this vast and complex social conundrum, we simply wish to contribute to an open and balanced debate based on a forthright acknowledgment of weaknesses, as well as of successes, and aimed at setting new objectives. We wish to make this topic a subject for cooperation and exchange of best practice, in light of the fact that no region can claim to have achieved gender balance so far. Significant achievements have been reached in terms of equity, but equality is still some way off in all regions of the world.

The objectives that we pursue are constantly evolving: therefore it is important that debates like this one be renewed regularly. We intend to pursue this exercise once a year, by engaging in dialogue with experts from all over the world. These meetings are not to be seen as a series of professorial conferences on the subject. We have asked for papers to be submitted by our distinguished panellists that we will publish at a later stage in a follow-up publication. During the debate today, we are looking for the key features of these papers to be highlighted, and we seek to engage with the participants in a depoliticized, open discussion, without any taboos.

I appeal therefore to the distinguished panellists to stick to a maximum of 7 minutes for their oral presentation. We want to have a full hour for an interactive discussion and a Q&A session with the audience. I invite our panel members to indicate to me their interest in addressing the questions that will come from the floor.

Finally, the debate with the audience will be duly reflected in the proceedings to be published by the Geneva Centre in the aftermath of the event in a comprehensive report. It is important therefore that each speaker first give his name and his position. The proceedings will include the papers submitted by the panellists and the traditional lessons learned section, which is an original piece of research.

I am looking forward to a constructive and interactive discussion.

Opening remarks by H. E. Mr Amr Ramadan

Ambassador and Permanent Representative of the Arab Republic of Egypt to the United Nations Office at Geneva

Ladies and gentlemen,

Allow me at the outset to express my appreciation for being among you today in this panel discussion, which deals with one of the most important topics that are subject to a lot of confusion and misconceptions on the world stage in general. These themes include women's rights, empowerment of women, and the practical reality of the Arab world regarding the status of women.

I would like to thank Ambassador Idriss Jazairy, Executive Director of the Geneva Centre for Human Rights Advancement and Global Dialogue, for his kind invitation to the delegation of the Arab Republic of Egypt to the United Nations in Geneva to sponsor and organize this event, given the particular importance that the Egyptian society attaches to women's issues and empowerment, while ensuring her effective participation in all aspects of political, economic, social and cultural life.

I would also like to welcome the lecturers, and I look forward to benefiting from their expertise and practical experience in ensuring women's rights and empowerment.

Ladies and gentlemen,

Let me first quote from President Abdel Fattah al-Sisi's speech, President of the Arab Republic of Egypt, delivered during the celebration of Egyptian women after declaring 2017 Year of Women for Egypt. In this speech, he stressed: *"Our national duty and our responsibility before history oblige us to take faster steps towards the empowerment of women, by preserving their rights and rightful place, their capacities and their sacrifices throughout history."* End of quote.

Egypt faces today a redoubtable battle in the process of reconstruction on new bases, after two revolutions that have created legitimate aspirations for a better life for all Egyptians. This noble endeavour calls for the determination of all Egyptians, men and women, mobilizing their full potential to achieve comprehensive development at social, economic and political levels. Therefore, this objective is indispensable so that Egypt can achieve a worthy position among the developed countries.

In this context, the real empowerment of women provides them with an opportunity to realize self-fulfilment, thus freeing their energies and supporting their participation. Without women, no development effort can ever be complete and no objective will be realized. The empowerment of women, therefore, is not a matter or a requirement for women alone; it is a general necessity for all societies to build a strong, cohesive

and self-confident nation.

The National Council for Women in Egypt has announced a national strategy for the empowerment of women for 2030. Serious efforts have been made to create a broad-based community dialogue to develop this national strategy for the empowerment of Egyptian women. It is a matter of broad consensus among national forces and relevant State's agencies, in the light of a firm political will to support women, and a strong determination aiming at activating all provisions that would enable women to play their part properly in the development and promotion of the homeland.

The National Council for Women organized a side event on the margin of the 35th session of the Human Rights Council, on the 19th of June 2017, to present the 2030 National Strategy for the Empowerment of Women and the vision related to the participation of Egyptian women in the development process.

The strategy is fully consistent with the spirit of "*The 2030 Vision of Egypt*" and its strategy for sustainable development. It is also complementary with its lines of action, which seek to build a fair society characterized by equal rights and opportunities. It achieves the highest degree of cohesion, coherence, collaboration and integration among its citizens. It is also consistent with the 2030 Sustainable Development Goals adopted by all countries of the world as an integrated development platform.

The strategy includes four integrated action lines: political empowerment, promotion of women's leadership roles, economic empowerment, social empowerment and protection, not to mention the work aimed at changing the society's culture towards women and at enhancing access to their legal rights. The strategy sets out a series of articulated interventions that, when combining efforts for its success, will bring about the qualitative shift required to achieve the take-off that every Egyptian man and woman aspires to achieve.

In recent years, Egypt has recorded important achievements in the area of women's empowerment and gender equality. The most important is the promulgation of the new Egyptian Constitution of 2014, which includes several provisions guaranteeing equal opportunities for women, preventing discrimination, and guaranteeing their protection. These texts represent a victory for the enlightening role that Egypt has played throughout the ages. The 1956 Constitution proclaimed equal political and civil rights between women and men, to correct unfairness or privileges in the workplace. The Egyptian law grants women privileges that are not available to men, for example, women can have a paid maternity leave and childcare leave, as well as a leave to accompany their husband, even if this is an unpaid activity, allowing them to keep their job.

As a result of the activation of the new Egyptian Constitution, Egyptian women have

the highest quota that they have ever had in the Chamber of Deputies (87 seats), since the establishment of the Egyptian parliament. They also have a quarter of the seats in local councils. At the social level, the gender gap in school enrolment has declined, maternal mortality levels have decreased, a number of amendments have been made to Personal Status Laws and to the legal penalties related to female circumcision and harassment. However, despite these achievements, the Egyptian society still faces a great challenge to empower the broad base of Egyptian women, which requires an integrated and ambitious strategy shared by all sectors of the society and its institutions.

Ladies and gentlemen,

I do not think that Arab women's situation differs greatly from the situation of Egyptian women. The rates of participation, the degree of empowerment and their presence in political and public life may vary according to the customs of peoples and tribal characteristics. However, challenges and opportunities remain largely shared, stemming from cultural, societal and religious convergence. The League of Arab States, through its Arab Women's Organization, is developing programs and events, based on the recognition that women are the key to sustainable development. Women's issues are interrelated in all areas and must be addressed within an integrated approach if sustainable development is to be achieved in the long term.

In conclusion, I cannot but welcome all of you. I invite you to participate actively in the constructive dialogue that will be held in this seminar to highlight the real situation of women away from any misconceptions or images that are not related to today's reality.

Thank you.

Opening remarks by H. E. Ms Tahani Ali Toor Eldba

State Minister - Ministry of Justice of Sudan

I would like to thank The Arab Group at the United Nations and the Geneva Centre for having organized this panel discussion tackling an important issue regarding women's rights in the Arabic region. This panel discussion is also focusing on reflecting the distinctiveness and the reality of these rights in the Arab World to the whole world, in full transparency. I would also like to thank Mr Idriss Jazairy for inviting me to attend this important event.

In the Sudan, women have been empowered by the country's leadership for a long time, dating back to the 1960s, after the independence of the Sudan in 1956. Women have been explicitly and clearly empowered in accordance with Sudan's transitional Constitution of 2005 and the unambiguous provisions of the 1997 Constitution, as well as in various national laws and state strategies.

In the Constitution in general, in the Bill of Rights, in Article 32 we find that women and men have the equal right to enjoy political, social, economic and cultural rights and equal pay for equal work. This document also stipulates the imperative to combat harmful customs that would be offensive to the dignity of women or to their status in society. It is clear that harmful customs, such as female genital mutilation, underage marriage, etc. have to be fought using several mechanisms. National laws and the Labour Code clearly state that women are allowed to maternity leave, which is a full paid month. They are also allowed to take an hour a day as time off for breastfeeding, to a full-paid maternity leave in order to take care of their children and to a non-paid-five-year leave to accompany their husbands. Women are also empowered in the political, legislative, executive and judicial sectors. Political participation shows that women lead parties in the Sudan. For example, Amena Darar leads a party in eastern Sudan. Fatima Abdel-Mahmoud has also run in the presidential election of 2015.

Concerning the empowerment of women in the legislative system, women have a reserved quota of 30%. Therefore, women are well represented in the Parliament. In addition to that, women are competing with men in geographical constituencies, which means that women's participation rate was more than 30% in the Parliament of 2015. That being said, women have won in some constituencies and they are now Members of Parliament.

Regarding the executive authority, women held 10 ministerial portfolios, including 4 federal ministries and 6 ministries of State. In a preceding cabinet formation, women ran the ministries dealing with sovereign issues (for example the ministry of Finance and the ministry of International cooperation). Before that, women were also represented in sectoral ministries (for example, in the ministry of Education and

the ministry of Health).

In the last Cabinet, women had greatly contributed to the sovereignty sector. I, myself, work as a minister of State at the Ministry of Justice.

At the level of the States of Sudan, there are 3 women at least in leading positions in the executive sector and in the leadership of the legislative sector in each State.

In the judicial system, women occupy senior positions. In 1965, Ihsan Fakhri was the first woman to occupy a judicial position at the level of the Arab countries. We now have 67 Supreme Court judges, which represent the highest judicial level in the Sudan.

The under-secretary in the ministry of Finance, the under-secretary in the ministry of Agriculture and the previous under-secretary in the ministry of Social Welfare are women. In the executive branch, women have the rank of lieutenant general in the police, like Nur al-Huda and the rank of general in the army.

I would like to thank you all very much for giving us this opportunity to speak today.

Written contribution by H. E. Hoda Al-Helaissi

Member of the Saudi Arabia's Shura Council, former Vice-Chairperson at King Saud University

“Women empowerment” and “closing the gender gap” : two issues that go hand-in-hand, topics that are “old” but “new” at the same time, subjects that are discussed all over the world, issues that are universal concerns. National parliaments talk about them, international organisations emphasize them and, of course, more women than men fight for them. Women have voices and have the right to have their voices heard.

From a desert of arid sand to an infrastructure that is truly grand, from isolation to globalisation, from desert to oil to the foundations of a civil society. Saudi Arabia has seen changes and transformations that few countries have seen in the space of 85 years. It is a country that is growing fast and which has achieved immeasurable goals in its short “modern” existence. It has immensely changed, not at the demand of external forces which view these changes as being slow and insufficient, but as part of the natural internal process of evolution. Our population is young, up to 65% is under the age of 30. It is a youth that is very well connected to the outside world through social media. It is a youth that knows what it wants, a youth that understands and respects its identity, an identity which is embodied in its country's traditions and religion. It is a youth that does not want to live the way its parents or grandparents lived and one that also realizes that even if it did desire to do so, economically, it would not be feasible, because the modern household will no longer be able to survive on only one salary.

We are, undoubtedly, at an important crossroad in our development and it is dictated by three factors: youth, women and the economy, with religion as a backdrop to Saudi society. The most crucial element in the equation and in fact the common denominator is education, which is fuelling this development at a significant pace. If change is to remain and evolve, it can never be imposed on a country. It must come from within at the speed of its population. And we are certainly no exception. Saudi Arabia understood, and still understands, that the foundation stone of any modern, industrialised society is education – for both boys and girls. In 1926, the General Directorate of Education was established. Education for girls started in 1962, amid much opposition, and although it started as an optional choice for families, it soon became compulsory. Public education is free at all levels and over several decades the government provided scholarships to both men and women as part of the process of educating young people overseas and giving them the necessary knowledge and skills that was not yet, at the time, readily available in the Kingdom. In 2005, the King Abdullah's Scholarship Program was created to further diversify specialisations and to give all students a chance to study abroad and an opportunity to be exposed to

intercultural interactions. It was a conscious and positive response by King Abdullah to indirectly fight extremist trends and incorporate the younger generation into the globalised world of the 21st century. Current numbers show that there are presently over 207,000 Saudi students abroad to obtain a degree and experience different cultures, all of whom will bring back to Saudi Arabia a new way of thinking that will impact on the country in the years to come.

Today, the government has allocated the largest part of its budget to education, that is 23%, roughly \$53.3 billion (SR200 billion) which is higher even than the 21% budgetary allotment of \$50.9 billion (SR191 billion) for defence and security. Efforts have been exerted not only to eradicate illiteracy from the country but also to transform the people and, by extension the nation, into a country that hopefully can compete globally on different levels. By investing in education, as a human right, you improve human development and human resources which consequently will boost the country forward by utilizing them effectively in the national economy.

It goes without saying that with education of this kind, the make-up of Saudi society has and will continue to change in spite of the internal challenges, and this includes the effect it has on the role of women in our society. Seen through the eyes of the West, women in Saudi Arabia are seen to be amongst the most repressed in the world; seen through the lenses of human rights, however, we cannot deny that with regards to education women are getting their rights, and although obstacles may hinder them on a daily basis, educated women are becoming more and more empowered. When schools for girls opened in the Kingdom in 1962, literacy rates for women stood barely at 2%. Five decades later, only 50 years, literacy rates for women stand at 97%, and that is only because some older women are illiterate, whereas illiteracy among the younger generation has almost been completely eradicated.

A country's true development, economic growth and international success can only come about when it uses its human resources to its fullest – male and female. And here comes the eternal question: who is the Saudi female? Engulfed in her black abaya and veil, she depicts the epitome of the unapproachable. Does she have a voice, or indeed a face? What kind of life does she lead, or, more appropriately, is she capable of leading, with all the restrictions that seem to hinder her? Does she contribute to society or is her role confined to child-bearing and the household? We say “don't judge us by what is on our head but what is IN our head.” This stereotype of the Saudi woman is far from the truth, and has come about as a result of uninformed sensationalist writings that prefer to focus on the so-called out-of-the ordinary, because her way of life, on the surface, is so at odds with that of the rest of the world. And so, she is depicted as oppressed, subservient to and suffocated by men, uneducated, not allowed to work and inferior to her partner! It always surprises me that this is still the opinion of some journalists in the 21st century, even though the truth is accessible

with a little bit of research. The problem with stereotyping is that it only gives us one side of the story or just one story as acclaimed Nigerian writer Adichie has very well said. The truth is that the Saudi woman has many stories to tell. She is an educated, strong and ambitious individual influencing and, today, participating more in society. In many ways stubborn, she understands that education is her key to success and will unlock the doors to her goals. Islam encourages education for all, regardless of sex, making education both a right and a responsibility. There exists a fine line between religion and tradition, and generally speaking, much of what is seen by the West as being “backwards” and oppressive to women is based on traditions. This too is changing and there is no longer a stigma on women being educated to all levels, pursuing a career and realising their ambitions. Recently, there has been a series of governmental decisions that respond to some of the cultural challenges faced by women in the country.

Progressively more women are entering the job market, in both the public and private sectors. Women in Saudi Arabia have, in the past, worked in what was considered traditionally appropriate professions for women: mainly health and education sectors. The government is making major efforts to improve the status of women by helping them incorporate fully in the labour market – which obviously cannot happen overnight. It has implemented reforms and created new jobs to ensure that women have better opportunities to participate in the country’s economy. The Tenth Five-year plan (2015-2020) as well as Vision 2030 stress the importance of greater female participation in the national economy by providing women with more job opportunities in various sectors to meet the growing areas of specializations that women are achieving. As a result, the number of women working in the private sector increased from 215,000 in 2012 to 496,000 in 2016, an average of 8,500 jobs per month and according to a report in the Saudi daily newspaper, Al Eqtisadiya (March 2017) based on figures provided by the Ministry of Labor and Social Development, the number of Saudi women working in the private sector has increased by 130% in the last four years and now represent 30% of the total Saudi work force in the private sector, up from 12% in 2011. Under the National Transformation Program 2020, the ministry has launched several projects, including allowing women to work from home amid expectations that it would generate 141,000 jobs. Vision 2030 has set a numerical target of 42% to achieve women’s participation in the civil service. The Vision 2030 objectives states: *“Empower women and materialize their potentials; enhance interaction between public authorities and citizens; improving performance, productivity and flexibility of public authorities.”* Empowering women in Saudi Arabia to fully participate in all economic sectors is crucial if we are to build a stronger economy, accomplish the goals of Vision 2030, achieve internationally agreed-upon standards of development and sustainability as well as improve the general quality of

life for all members of society. Advancing gender equality and empowering women can only be realised through the coordinated efforts of the private and government sectors.

So, women empowerment benefits the country in many ways, but the main advantage is the development of society through their earnings, as well as support for themselves and their families. An additional, maybe little-talked about, yet important aspect is the fact that it could lead to a decrease in domestic violence because uneducated women are more prone to violence than educated women. Suffice it to say that the more educated a woman is, the more aware of her rights she is and of the available legal recourse systems.

To what extent can the government change directions to actively incorporate women in the workplace and the fibre of its economy? In the last few years, we have seen reforms take place and the creation of additional jobs, but perhaps the most strategically significant act regarding women took place in 2013, when King Abdullah took two major decisions. The first stipulated that a minimum of 20% of the Shura Council shall be made up of women, which is a percentage that competes with many countries. This means 30 women members out of a total of 150. The second decision stipulated that women will participate in the municipal elections, which resulted in 22 women being elected, more than expected. This year, King Salman has approved the appointment of a number of women in leadership positions in various institutions that were previously predominantly all-male. To name but a few: the Capital Market Authority – Tadawul, the Centre for Strategic Development, the General Commission for Entertainment, Bank CEOs and Advisors, the National Population Committee, the Aim High Foundation etc. Financially, Saudi women have more than SR45 billion in Saudi banks, SR130 billion in real estate and are involved in charitable organisations and humanitarian causes. Women today have become role models and society must recognize this reality and its potential for the younger generation. Women should not be limited to the way they are represented in advertising, especially in the Arab world, because it only confirms, emphasizes and deepens cultural biases and subconsciously teaches society that women are confined to do only certain tasks, usually in the home.

Yes, we are moving, and in the right direction. This doesn't mean that the picture is all rosy or that challenges and obstacles don't exist. They do and we are aware of them. One such obstacle is the "*welaya*", the guardianship issue, which is still being used by some men to repress women in their families. King Salman has given instructions that women should have access to all services without the consent of a male guardian unless there is a legal requirement for it, in accordance to Islamic law. Consequently, the Supreme Court ordered that all ministries, governmental institutions and related bodies review, within a period of three months, the procedures dealing with applications submitted by women or their access to services in order

to ascertain if there is in fact a statutory/legal basis that would require the approval of a Guardian; otherwise, this requirement must be cancelled from the ongoing procedures. Another much-talked about obstacle is the driving issue, which I believe will happen sooner than later more out of economic reasons than individual right of movement. My question is: when Saudi women drive, will that change the image the West and human rights groups have of them? Would that be sufficient?

Our true resources lie in the younger generations, and even though they will have to deal with bigger employment challenges than the ones with which my generation was faced, they will lead the country towards a new modern state where the economy has pushed, out of necessity, more women into the work force and into leadership positions. I believe a new status quo is emerging and that there is more social acceptance of what primarily is a woman's right.

Everyone sees things from their perspective, applying their value system or that of their countries on others judging, condemning and sentencing them for being different because they do not understand the culture, religion, traditions or history of the others. Respecting others for who they are is a basic human right and so is understanding that who they will become will take place at their pace because people and societies are in constant change. What is required is recognizing the change that takes place and supporting that change rather than merely repeating the static stereotyped image of the women in my country. We tend to see how different others are and judge them negatively because they are not from the same mould and because we are ignorant. We never see how much others have actually changed because, in their eyes, it is always too little and too slow. It is time to identify and promote shared values, dialogue in favour of cultural diversity and endorse understanding. It is time to go beyond superficialities and accept the fact that there are various ways of living our lives and not just one, dictated by some far away entity which doesn't take into consideration the rich diversity that exists in different layers of society – including all it entails to reach its own “modernity” – such as the tribal, the traditional and the religious in the case of Saudi Arabia.

Written contribution by H. E. Ms Naela Gabr

Member of the UN Committee on the Elimination of Discrimination against Women (CEDAW)

Studies concerning human rights for women in the Arab region bring out important facts; some positive and others negative. Nonetheless, the image stuck in some minds, especially in Western societies, is a dark one based on some information or exaggeration of certain customs or negative traditions.

In order to achieve an objective and scientific assessment of the status of women's rights, one must first build on reality in all its dimensions. Several laws have been adopted in Arab countries and amendments have been made to other laws that call for respect and promotion of women's rights.

Arab countries are participating in international meetings and conferences on women's rights, leading to ambitious programmes and action plans to improve the reality in which women live in all countries of the world. The political declarations and programmes of action of the League of Arab States, with the unanimous support of Member States, reflect a shared political will and consensus in this respect.

All Arab countries (except two) have acceded to the United Nations Convention on the Elimination of Discrimination against Women (CEDAW), which is the parent convention on the protection and promotion of women's rights. There are States that have acceded without reservations and others have declared reservations, particularly about article 16 related to personal status and conditions within the family and its compatibility with the provisions of Islamic law. However, States have recently withdrawn all or some of their reservations. At the same time, three States announced their accession to the Optional Protocol to the Convention, which allows individual and collective complaints to be submitted to the Committee of Experts of the Convention and to monitor the implementation by States of the articles (considered after verifying their seriousness and exhausting all national remedies).

If one looks at the periodic reports submitted by Arab States to the CEDAW Committee, the Committee's concluding observations and the follow-up procedures, one will find several statements that reflect a positive development overall. This development concerns the status of women's rights whether political or social (in a comprehensive sense), including cultural rights, education, health, housing, and the situation of marginalized or discriminated groups.

It goes without saying that the role of Arab women illustrated through their political participation during and after the so-called revolutions of the Arab Spring and beyond has been pivotal in expressing the popular will, aspiring to change and rejecting

extreme trends and restrictions on rights and freedoms.

Arab women have always proved strength equal to none when facing adversity. The Palestinian women's model, whether in the Gaza Strip or in the occupied Arab territories, for example, is a role model. The Syrian woman also resisted the scourge of the military conflict that wiped out the country in this respect. She was forced to migrate and seek refuge. She worked hard to provide a decent living for her family. This is a replicable model that is worthy of respect. She works in her home engaging herself in small-scale or micro-scale projects (a model of this is known in Cairo in the sixth of October district, in Sheikh Zayed and El-Rihab).

Arab women resist terrorism in all its forms, whether in Syria, Iraq, Yemen, or Libya. The model of the Egyptian woman is an epic illustration of courage and sacrifice. She is the grieving mother, the widowed wife, the daughter and the sister who lost a martyr. She did not bow and she was not scared. She declared proudly that she was capable of facing up to challenges so to save her homeland and freedom and that the Egyptian woman would not bow to the calls of groups that seek to bring her back to the age of the harem.

It is noted that the role of non-government organisations (NGOs) in combating negative customs, especially female genital mutilation, child marriage and child labour, is considered essential in the fields of education and development, through the creation of job opportunities and the promotion of small-scale and micro enterprise.

The activities of NGOs in the fight against the crime of trafficking in human beings have become fundamental in supporting the efforts of Governments, using in particular the term of 'all forms of exploitation of women' (specifically those suffering from poverty and ignorance and those in need: rural women, refugee women, women with special needs and migrant women and women suffering from coercive marriage or forced labour (domestic workers)).

NGOs also play a constructive role in demanding the implementation by States of their obligations under the CEDAW Agreement. They hold meetings and discussions to prepare shadow reports and seek to attend CEDAW sessions when discussing the reports of their countries, in addition to their continued demand to lift reservations to the articles of the Convention.

The data and activities mentioned above reflect a serious movement that illustrates, in one way or another, Arab women's awareness of their rights that they claim to the outside world, while showing their continuous interaction with their country's political, economic and social realities. It also reflects the government's belief in the importance of women as a political engine, as an electoral bloc, as a productive force and as an influential factor in decision-making. Their status provides an image of the

State illustrating its credibility and its respect for internationally recognized human rights principles and standards.

The models that spring to mind are those of Tunisia in the quest for full equality between men and women and of Egypt, declaring that 2017 is the “Year of Women” in an attempt to adopt legislation to combat violence and exploitation. Inspiring models in Jordan and Lebanon result from the abolition of legislation that would allow the remission of a sentence against a rapist when he marries his victim. There are other illuminating examples as well.

The prevailing image in some societies, particularly western ones, concerning the situation of Arab women is sometimes trivialized. Some existing negative images and stereotypes are circulated to show a certain image of housewives, without scrutinizing the reality in all its dimensions. Arab women, according to this vision, suffer from oppression, injustice and subordination of men and families. They are said to be compelled to wear a veil, muffler, or niqab hiding their features, thus hiding their presence within the family and the society.

In this context, there is no denying the existence of serious, negative patriarchal impacts on the status of rights of Arab women. Unfortunately, there are ideologies that deny development and deny even the historical facts that confirm that women in Islam were partners to men in trade, conquests and in the propagation of the new religion. It also denies that the Abrahamic religions, especially Islam, had given women a respectful place, while upholding their rights and their physical and psychological privacy.

In addition, there are practices that still exist due to ignorance of religion and of the best interest of women’s psychological health (for example: excision, which is an African tradition). There should also be added practices related to the increasing reliance on religion (such as polygamy and inheritance) in disregard of the intellectual and social development of the teachings of a religion, which was the first to establish modern principles in the era of ignorance.

There is no doubt that negative stereotypes within Arab societies affect women’s enjoyment of their rights when they are affected by the administration of justice and inevitably prevent the effective enforcement of laws (for example, the implementation of custodial provisions for mothers, child support). This deprecating view affects the role of women in the family and in society, encouraging violence against women in all its forms, and leading to harassment in the workplace and sexual abuse in word and deed.

In addition to the above, the political situation in the region and the subsequent deteriorating security and economic conditions have produced extremely negative

outcomes for women. Among these one can deplore a decline in interest in empowering women and an enhancement of their rights, not to mention the patriarchal ideas of the salafi movement.

A report entitled “*Arab Revolutions: what Spring for Women?*” prepared by an international non-governmental organization, mentioned:

*“Women participated alongside men in the protest movements that rocked the Arab world in 2011, demanding freedom, equality, justice and democracy. Women have paid a heavy price with men during the struggle, and today women must be able to play a full role in building their country. Public and political life based on equality with men is an essential condition to establish democracy and social justice: the winds of change have blown in the region, transforming the entire political scene. This presents opportunities for women to exert pressure in favour of their rights. There is also the risk of repression. While the rebels pursue their efforts to overthrow regimes and dismantle their institutions, the demands for equality are secondary. Despite the fact that the status of women in the region varies, the risks threatening their human rights are similar. Women face attempts to remove them from public life. They face acts of discrimination and violence as well, perpetrated by extremist groups with impunity or committed by the security forces. In this context, in which the growing power of conservative trends appears, it is necessary to take steps towards achieving equal rights between men and women as the basis for democratic societies.”*⁸⁰

One can rapidly summarize the situation by saying that in the Arab world there is a good basis, whether in legislative terms (positive laws / international agreements), or in institutional terms (mechanisms related to women’s rights including: ministries, departments, specialized councils for women’s affairs). Moreover, a value system exists and is considered as fair to women, including customs and traditions that respect women and their role, based on the teachings of religion.

It is necessary to draw on these elements with a view to reducing and eliminating negative trends. Only hard work can change the negative mind-sets about the status of women in the Arab world.

The exchange of expertise and of best practice are some of the means that have proved helpful. We can also benefit from the accumulated experience of the departments concerned at the League of Arab States and from the presence of many experts having an objective knowledge of this *problématique*. They can be called to participate in seminars or to conduct research dealing with problems that need to be solved rapidly (for example, resisting extremist ideas that insult religion and misinterpret

80 - See “*Arab Revolutions: What Spring for Women?*” International Federation for Human Rights, p. 80, March 2012.

its rulings and teachings). Relevant in this regard is the initiative of the Organization of Islamic Cooperation (OIC) to establish a Women's Development Organization to train officials concerned and to exchange experiences and ideas among OIC Member States on the advancement of women. I call on Arab countries that have not yet ratified the new organization's statute to expedite this process until it enters into force. Thus, the organization will be able to begin fulfilling the responsibilities entrusted to it in favour of women.

Finally, it is necessary to draw on the declared political commitment of some Arab States to gender equality and to support women's rights. This will enable Arab women to exercise leadership and to lead a process that will, through awareness and development, make their aspirations and dreams become a reality.

Written contribution by H. E. Ms Dubravka Simonovic*UN Special Rapporteur on Violence against Women, its Causes and Consequences*

I would like to thank the Geneva Centre for Human Rights Advancement and Global Dialogue for convening, in cooperation with the Permanent Mission of the Arab Republic of Egypt to the United Nations Office, World Trade Organization and other international organizations in Geneva, a panel discussion on “Women’s rights in the Arab region”.

As the Special Rapporteur on violence against women, its causes and consequences, I am delighted to take part in this event which will undoubtedly contribute to take a fresh look at the situation of women’s rights in the region, identify good practices and discuss ways to overcome challenges.

In the past decade, legal rights for women worldwide, including the Arab region, have slowly improved which gives reasons for hope.

Last July, Tunisia adopted a new law on the elimination against women and set a new standard for the region. I warmly welcome that the law broadly defines violence against women as any physical, psychological, sexual or economic aggression. It also provides for new protection mechanisms that will enable survivors to access the necessary services and legal and psychological assistance, such as emergency shelters and restraining orders against abusers – which I highly recommended creating in my latest report to the Human Rights Council on the human rights based approach on integrated services and protection measures on violence against women.⁸¹ Furthermore, the law eliminates impunity for perpetrators of violence by amending article 227 of the Penal Code, which allowed pardoning the perpetrator of a sexual act with a minor if he married his victim. This is an admirable step forward, which was replicated in some other countries of the region in recent weeks. I commend Jordan and Lebanon for repealing similar provisions on 1 August and 16 August 2017, respectively and would like to call those that have not yet done so to follow these examples and put their laws in line with international standards⁸²

Women’s participation in political and public life is another area where progress has been made in some countries of the region in the past years. In Algeria for example, the proportion of women holding seats in the Parliament has risen from 8 % in 2011 to 31.6% in 2017⁸³, well over the world average of women in parliament, which

81 - See A/HRC/35/30

82 - Article 308 of the Jordanian penal code, which allowed the perpetrator of sexual assault to avoid punishment if he marries his victim, was repealed on 1 August 2017; while Article 522 of the Lebanese penal code was abrogated on 16 August 2017.

83 - <http://www.arab-hdr.org/>

is 23.3%⁸⁴. However, progress remains slow as the regional average of women in parliament in the Arab region only precedes that of the Pacific region, according to the figures of the Inter-Parliamentary Union.

Many women in parliaments and politics experience forms of violence as documented by the IPU study “Sexism, harassment and violence against women parliamentarians” from October 2016. The study included 55 women Members of Parliament in 39 countries and revealed ‘widespread and under-reported problem’, with more than 20% subjected to acts of sexual violence. In other words, this report demonstrates that harassment, intimidation and violence against women parliamentarians are all very real and widespread, and are present in every country, albeit to a different degree. It is in this context crucial to recognize that women active in political affairs are being targeted because they are women, and that violence against them can discourage women from engaging in public and political life and constitute a major barrier to women’s political participation, thereby denying women their civil and political rights. My future report to the General Assembly will cover the issue of violence against women in politics and will look into these issues in more details.

In December 2017, I participated, together with women Speakers of Parliament from more than 30 countries, in the Global Summit of Women Speakers of Parliament in Abu Dhabi, organized by the Inter-Parliamentary Union (IPU) and the UAE Federal National Council. The summit resulted in the adoption of the Abu Dhabi Declaration “United for Shaping the Future, for a better world”⁸⁵. The Declaration commits signatories to work together and forge partnerships across government, the private sector and society at large in order to address the challenges that our world faces and to take effective measures to eliminate all forms of discrimination and violence against women and girls, with a view to achieving a more inclusive society. I therefore encouraged countries in the Arab region to be proactive in addressing discrimination and eliminating violence against women, including by implementing the imperative actions included in this important instrument. I also encouraged them to abrogate discriminatory laws which prevent women from taking part in political activities, address the issue of under-representation of women in Parliament, as well as to improve data collection on gender based violence.

Each country, in the Arab region and beyond, has its own challenges with regard to violence against women. Last November, I issued a statement, together with other global and regional human rights mechanisms (including the Committee on the Elimination of Discrimination against Women (CEDAW), the Inter- American Special Rapporteur on violence against women, the Special Rapporteur on the Rights

84 - <http://www.ipu.org/pdf/publications/wmnmap17-en.pdf>

85 - <http://www.ipu.org/splz-e/abudhabi16/declaration.pdf>

of Women in Africa, the Working Group on the issue of discrimination against women in law and in practice, the Committee of Experts of the Follow-up Mechanism to the Belém do Pará Convention (MESECVI) and the Group of Experts on Action against Violence against Women and Domestic Violence of the Council of Europe (GREVIO)), in which we called for an intensification of international, regional and national efforts for the prevention of femicides and gender-based violence. In particular, we called on all States to step up their efforts, as a matter of urgency and in collaboration with civil society and other stakeholders, to fully incorporate and implement the CEDAW convention and regional instruments and to prevent and eradicate femicides, rapes and other forms of gender based violence against women and girls.

Women from the Arab region are certainly not less vulnerable to violence than women in other parts of the world. The 2017 Tunisian law on the elimination of violence against women follows an official national survey on violence faced by women in Tunisia, which revealed that nearly 50% of Tunisian women had experienced violence in their lifetime.⁸⁶ Lately, in May 2017, UN Women carried out the first-ever study on men's attitudes on gender equality and perceptions of masculinity in the Middle East and North Africa region, in which 10,000 men, aged 18 to 59 years, across Egypt, Morocco, Lebanon and Palestine, participated.⁸⁷ Interestingly, figures showed that, in every country except Lebanon, younger men's views on gender equality did not differ substantially from those of older men. Overall, the study showed that the majority of the men surveyed in the four countries support a wide array of inequitable, traditional attitudes that perpetuate discrimination and violence against women. At the same time, a sizeable minority – a quarter or more of men – supported at least some dimensions of women's equality and empowerment.⁸⁸

Since I took up my functions as Special Rapporteur on violence against women, its causes and consequences, in August 2015, I visited all regions of the World to attend conferences and to conduct official country visits. I carried official visits to Argentina, Georgia, Israel, Occupied Palestinian Territory/State of Palestine, South Africa; I also attended seminars in Algiers, Abu Dhabi, Guatemala, Lusaka, Mexico, Ottawa, Sarajevo, Tbilisi, Tokyo and Vienna, amongst many others.

Since August 2015, I have also sent about 80 communications to States – about 10% of those have been sent to States from the Arab region. While these figures seem to suggest that this region is not more prone to violence against women, I am mindful that several human rights mechanisms have in the past years raised alarm about the

86 - http://www.onfp.tn/liens/violence_29/brochure.pdf

87 - <http://imagesmena.org/en/>

88 - <http://arabstates.unwomen.org/en/news/stories/2017/5/news-one-quarter-of-men-in-mena-support-gender-equality>

increasing shrinking space for civil society in several countries of the region. This may have prevented some organisations and victims from reaching out to my mandate on one hand, and resulted in insufficient awareness on the other hand, which is also a contributing factor explaining this figure.⁸⁹ Since violence against women has a profound social dimension, rather than being merely an individual phenomenon, as rightly pointed out by the CEDAW in its recent General Recommendation No. 35 updating General Recommendation 19 on gender-based violence against women, States from this region – and beyond – have an interest in recognizing the importance of civil society and in actively cooperating with women's organisation promoting and protecting human rights including women's rights.

From the complaints I receive from women and men of the Arab region and from CEDAW Committee's concluding observations, I am concerned that Arab women are subject to patriarchal traditions and social norms, which is a recurrent problem for too many States. In many instances, these norms are supported by or enshrined in outdated sex- and gender-based discriminatory legal frameworks. Such discriminatory laws prevent women and girls from seeking protection from violence outside the family, cause impunity for femicide or gender related killings and other form of sexual violence, from sexual harassment to female genital mutilation, and too often result in the criminalization of sexual conduct such as adultery. This situation requires a response from all State authorities of the region. Laws that discriminate against women and girls should be urgently detected and changed. Political turmoil in several countries of the region also affects the implementation of these necessary reforms since women's rights and gender equality are, in such situations, not seen as priority.

In fact, much more could be done to protect the human rights of women in all regions of the world including in the Arab region. In my 2017 report to the General Assembly on the adequacy of the legal framework on violence against women, I identified a number of challenges to address violence against women worldwide. One of them is a certain fragmentation of and disconnection between the global and regional human rights instruments aimed to combat violence against women. While some regions, including the Americas, Africa and Europe, could rightfully claim that they have regional instruments on violence against women, Asia and Oceania however do not have the benefit of regional instrument. This situation underlines the necessity to give more importance to the incorporation and implementation of accepted global instruments like the CEDAW and General Recommendation 19/35 and the Beijing Platform for Action. When preparing this report, I actively consulted States, human rights mechanisms and civil society organizations.

In this report, I am stressing a clear need for stronger incorporation and implementation

89 - <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21039&LangID=E>

of the CEDAW and am reiterating my call to governments and civil society to start a discussion on the scope and focus of the 20/20 review of all commitments related to gender equality. This review could be submitted to the 5th World Conference on Women as a review conference which would focus on implementation and on violence against women as a priority. I am also calling for the elaboration of the global implementation plan on violence against women and very much hope to see this call translated into concrete action before the end of my tenure as Special Rapporteur.

As a result, I am currently leading various efforts aimed at strengthening cooperation between global and regional independent monitoring mechanisms on violence against women with the objective of accelerating the eradication of gender-based violence against women and of implementing the existing legal and policy framework.

It is my view that international and regional women's human rights mechanisms have developed strong frameworks and roadmaps for achieving gender equality which can contribute to deliver results and I can only encourage States and civil society to reach out to them. Similarly, the implementation of the 2030 global framework offers a new opportunity to accelerate progress in this field. Goal 5 of the 2030 Agenda for Sustainable Development, and in particular its targets 5.1 on the elimination of all forms of discrimination against all women and girls everywhere; 5.2 on the elimination of all forms of violence against women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation; and 5.3 on the elimination of all harmful practices, such as child, early and forced marriage and female genital mutilation; provide an adequate framework to monitor progress and guide States to ensuring that each and every woman and girl lives free from violence.

Even more so, I firmly believe that progress towards enhancing women's rights requires all including governments of the Arab region to invest more in data collection mechanisms. In my 2016 report to the General Assembly, I highlighted that insufficient data collection result in misidentification, concealment and underreporting of gender-motivated killings of women. For that reason, I call on all States to establish a 'Femicide Watch' or a 'Gender-Related Killing of Women Watch' and to publish on each 25 November – International Day on the Elimination of violence against Women – the number of femicides or gender related killing of women per year, disaggregated by age and sex of the perpetrators, as well as the relationship between the perpetrator and the victim or victims. The Femicide Watch should go beyond collection and publication of data, and focus on systematic gaps and shortcomings of national civil and criminal justice frameworks and systems. It should include information on conduct of police and public prosecutors, efficiency of protection orders, availability of shelters and other measures in individual cases.

As is the case in other regions of the world, there is a long way to go to achieve

women's human rights in the Arab region, including substantive equality between men and women. While it is important to highlight and to promote awareness about the progress made in several Arab countries, it is equally important to objectively face the challenges ahead of us. There is no harm in exposing challenges as in virtually every country, women face violence, be it physical, psychological, economic or otherwise. In the Arab region – as in many others – addressing the challenges identified require increased outreach, especially in rural areas, fostering the economic participation of women in the labour sector, promoting the participation of women's human rights organizations in public life, strengthening accountability for those violating women's rights, as well as engaging with men and youth in efforts to eliminate violence against women. Greater efforts to influence the media, religious, political and cultural discourse will also be necessary to achieve this important goal.

I stand ready to assist States of the region to overcome their challenges to end violence against women and to help them implement policies strengthening the human rights of women.

Written contribution by Dr Susan Carland

Researcher and specialist on gender and Islam in the modern world, Director of Monash University's Bachelor of Global Studies in Australia

Outside of the Arab world, the Arab woman is often portrayed as a mute victim, permanently cowering to the men in her life and her allegedly misogynistic religion. Within the Arab world, women can face legal, political, social, and cultural stumbling blocks to their full and equal participation and recognition in society. And while “Arab” and “Islam” are often frustratingly conflated in the public imagination, the reality is far more nuanced. Such a confluence not only eradicates the diversity of experiences and influences in the Arab world outside of Islam, it also wrongly collapses the Muslim world to a singular cultural identity. However, it must be acknowledged that the vast majority (93%; Desilver & Masci, 2017) of the Middle-East and North Africa is Muslim. Thus, there is much overlap between the two, and it is not unreasonable to discuss them as linked, particularly within the context of analysing women's rights, whilst still being cognisant of important distinctions.

Islam is often portrayed as uniquely sexist. Reports of the supposed “plight” of Muslim and Arab women horrify and titillate the Western imagination, and have for a long time (fictionalised accounts from “Inside the Harem” dating back to the 1800s and early 1900s illustrate just how long this attitude has existed, see Alloula, 1986). Despite this, my research (Carland, 2017) shows that there are many Muslim women who are both passionate about their faith and passionate about fighting sexism. Far from seeing Islam as the stumbling block to their emancipation, they see it as a crucial instrument in their fight against the sexism they face.

Sexism occurs in every society and country around the world, and religious communities are sadly not immune to its scourge. This is because “*religion, like all social institutions, is the product of society ... and consequently reflects and reinforces societal norms and standards. Because most societies are traditionally patriarchal, religious organisations are as well*” (Singleton, 2014: 188). Whilst a staggering focus is placed on issues of sexism within Muslim communities, it is important to keep in mind that Christian, Jewish and Buddhist women (and men) have grappled with the overt and covert sexism within their own religious traditions and interpretations, and have negotiated the area in numerous ways (Russell, 1985; Gross, 1996; Sharama & Young, 1999; Groenhout & Bower, 2003). Just as primary Islamic sources have been used either to empower or crush women, so too has the Bible, as Schussler Fiorenza notes, “*Throughout the centuries the Bible has been invoked both as a weapon against and as a defence for subjugated women in their struggles for access to citizenship, public speaking, theological education, or ordained ministry*”(1994: 5). Modern day Muslims are also facing this scenario, and many of them see the Qur'an and ahadith

as a defence for their arguments in the fight against sexism, not as a stumbling block to women's liberation as is so often depicted. For many of these Muslims, taking action is not just about stamping out misogyny; it springs from a strong personal commitment to honouring the egalitarian teachings of their faith. Thus, in the fight against sexism in Muslim communities, religion can and should be used as a tool to fight against women's inequality. My research has found that, far from being the singular cause of women's disempowerment as it is so often painted, Muslim women can find their faith to be a vital device in the fight against sexism and inequality, and using religion as the platform for the fight against sexism can often have a far greater cultural currency than any method beyond it.

In this vein, we must acknowledge the achievement and progress in the fight against sexism by Arab and Muslim women when using Islam as a tool in their fight. Moreover, this recognition must be properly contextualised within the overarching attitudes towards Arab and Muslim women by non-Arabs and non-Muslims throughout history, as their response impacts on the way Arab and Muslim women tackle sexism today (demonstrated below in my discussion on "the Double Bind"). My research shows that far from passively waiting around for an external force to liberate them or being complicit in their own oppression, Muslim women have been actively fighting for their rights, participating in religious knowledge production, and challenging the sexist status quo since the advent of Islam. Sometimes it was done from an explicitly religious framework, other times it was not. However, all are endeavours by Muslim women to fight sexism. Examples from earliest hadith literature, to medieval scholarship, to feminist activity in Egypt and Iran in the early twentieth century, to modern-day scholarship, activism, and political engagement by Arab women to tackle sexism – many operating from a religious framework – abound, demonstrating that Arab and Muslim women fighting sexism is neither new nor foreign. This long history of activity is often unknown both within the Arab and Muslim world, and outside it. Yet making people aware of the indigenous nature of a faith-positive approach to fighting sexism would be a useful addition to public discourse on this topic, reinforcing to those inside and outside the Arab world that Muslim women fighting sexism has a rich and authentic history. Making people aware of this history could then help facilitate commitment to crucial modern areas for engagement including: domestic violence, women's political and employment participation, girl's education, strictly enforcing already in-place legal protections for women, and bolstering laws that may be lagging behind to ensure women and girls have equal status in society. Changing attitudes towards women's autonomy and equal status encompasses all of these areas, and must be faced with urgency.

While there are many (nearly all negative) stereotypes about Muslim and Arab women, we often fail to consider how these negative stereotypes may be themselves

impacting on women's fight against sexism. My research found that this issue, known as "the Double Bind", can have a profound impact on the way, and even if, Muslim women fight sexism. The Double Bind refers to the way stereotyping about Arab and Muslim women by outsiders can hinder Arab and Muslim women from speaking openly about, and effectively tackle, sexism within their communities, as it reinforces assumptions of Muslim and Arab women as oppressed, and Muslim and Arab men as oppressors. When Muslim women are in the Double Bind, they are often forced to choose one side over the other. They must choose being open about sexism amongst Muslims and risk 'fanning the flames' of Islamophobia as well as angering Muslims, or remain silent, thus leaving sexism, discrimination and abuse within Muslim communities unaddressed and reinforcing the view that Muslim women are silent, passive victims. Women in such a position are often penalised no matter which choice they make, as others within their Arab or Muslim communities may criticise them for speaking publicly about such issues, and thus bringing 'shame' on their communities.

Fighting sexism never occurs within a vacuum, and for Arab and Muslim women grappling with the Double Bind, we see just how many external forces can be at play when trying to tackle this social ill. Arab and Muslim women can meet with resistance within their own communities and societies when trying to fight against sexism, sometimes being accused of being "anti-Islam", too "Western" or "feminist", "anti-family", and "anti-tradition", and then also have to grapple with offensive and reductionist stereotypes about Muslim and Arab women outside their communities and societies in that same fight. Both attitudes can make the work of tackling sexism even harder for Arab and Muslim women, and make the task a much slower and more challenging one than it already is.

Concluding remarks and recommendations

In the fight against sexism in the Arab world, we must use all effective tools at our disposal. Religion, including Islam, has been used by some to justify and cause the mistreatment of women and this should not be glossed over. However, research shows that it can also be used as a powerful weapon against sexism, and is often the tactic that has the greatest social currency in communities suspicious of women's rights initiatives that may be viewed as foreign or Western.

The Double Bind can greatly impact on the work of Muslim and Arab women fighting sexism. This must be recognised and tackled.

Tackling sexism in the Arab and Muslim world cannot be only a top-down or a bottom-up approach; change must come from enforced government policy and legislation, as well as via supporting grassroots organisations who work directly with women.

While it may be tidy to blame Islam for the sexism we see in the Arab world, there

are rarely ever neat answers to complex, entrenched social problems, and by trying to force “Islamic” solutions on to problems that are not religious in basis, we end up not only further demonising an already overly-disparaged community, we miss the opportunity to thoughtfully tackle problems that may be political, social, and structural in nature. Thus, whilst religious solutions can and should be used to tackle religious problems – and in the case of fighting sexism, this has been done repeatedly and successfully in various global contexts - we must be careful to not force all social ills into a religious framework when other forces are at play (see Bunting, 2011 for an example if this).

We must be careful about discussing “Arab culture” as being entirely uniform and thus ignoring the differences between, say, the experiences of women in Lebanon and Dubai, or Morocco and Saudi Arabia. While there are certainly unifying features to Arab countries, we must always be careful to identify unique situations and needs in different countries within the Arab world if we are to properly address areas of need around women’s equality.

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Written contribution by Ms Sarah Zouak

Co-founder of the association Lallab, writer and producer of the documentary Women Sense Tour

Les histoires sont importantes. Elles sont véritablement essentielles. Et écrire sa propre histoire est un moyen de se la réapproprier et de déconstruire les mythes qui y sont attachés.

Je suis une femme, arabe, musulmane, française et marocaine : je suis donc à l'intersection de plusieurs discriminations et violences – et j'ai ainsi plusieurs luttes à mener notamment contre le sexisme et le racisme.

Je ne vais pas faire un état des lieux des droits des femmes dans le monde arabe, ce n'est pas mon expertise et des personnes le feront bien mieux que moi. Je souhaite vous parler aujourd'hui de la vision stéréotypée aux relents coloniaux que conserve la France du monde arabe et des droits des femmes, et des conséquences concrètes de cette vision sur les femmes arabes et/ou musulmanes - souvent confondu - vivant en France.

I. FAIRE ENTENDRE NOS VOIX POUR SE RÉAPPROPRIER NOS NARRATIONS

Je suis née et j'ai grandi en France et aux yeux des gens, j'étais une exception ! Je ne correspondais pas du tout à l'image qu'ils se faisaient d'une femme arabe et musulmane. Il y avait un réel décalage entre la personne que j'étais et la personne qu'ils voulaient que je sois. On s'est ainsi beaucoup étonné de me voir épanouie et bien intégrée, comme si mes origines ou ma religion étaient un obstacle à mon émancipation et m'empêchait d'être libre de mes choix. Pour ces gens, si j'étais aussi ouverte et féministe c'est parce que j'étais française !

J'ai fini par intérioriser l'idée que ma culture et ma religion seraient forcément, un jour, un obstacle à mon émancipation. J'avais le sentiment que mes différentes identités étaient incompatibles entre elles, qu'elles étaient même contradictoires. J'étais donc douloureusement tiraillée. Pour avoir une place légitime au sein de ma société, je sentais que je devais nier une partie de moi-même.

Ce malaise n'a cessé de grandir, grâce aux médias qui nous répètent toujours cette même histoire, où les hommes musulmans seraient par essence violents et rétrogrades et où il faudrait de ce fait libérer les pauvres femmes musulmanes que nous sommes. Des femmes constamment représentées comme soumises, opprimées, victimes, faibles et sans aucun libre arbitre. Ces médias, dans lesquels les femmes comme moi sont tout bonnement invisibles, qui ne me représentent jamais et qui m'ont inculqué l'idée que je devais me justifier, voire m'excuser d'être une femme musulmane.

Les identités permettent à tout le monde de s'estimer, de s'apprécier, voire de se projeter. Or, si on nous renvoie sans cesse une image dépréciée de nous-même, non seulement notre identité est touchée, mais l'image de qui nous sommes et d'où nous allons également. Il est ainsi impératif de permettre aux personnes concernées de sortir de cette phase de dévalorisation. Il faut qu'elles puissent avoir une image positive d'elles-mêmes. Il faut donner les moyens à tous/toutes les citoyen.n.es d'arriver à un statut d'égalité.

Audrey Lorde, écrivaine et poétesse américaine, noire et militante féministe, écrit dans son ouvrage autobiographique *Zami : a New Spelling for my name* « *Si je ne m'étais pas définie par moi-même et pour moi-même, j'aurais été écrasée et dévorée par les fantasmes que les autres avaient de moi* ».

C'est exactement ce que j'ai décidé de faire. Ne plus laisser les autres définir qui j'étais et vivre pleinement mes différentes identités !

En ce qui me concerne, ce travail a pris la forme d'un long voyage, une quête personnelle devenue collective. Avec un sac à dos et une caméra, je suis partie à la rencontre de modèles de femmes musulmanes que l'on ne voit jamais. Des femmes bien loin des clichés habituels. Et mon voyage a débuté dans des pays musulmans, très différents les uns des autres, pourtant fantasmés comme un bloc homogène, surtout quand on aborde la question des droits des femmes. Pendant plusieurs mois, j'ai sillonné le Maroc, la Tunisie, la Turquie, l'Iran et l'Indonésie à la rencontre de femmes musulmanes plurielles qui allient sereinement leur foi et leur engagement pour l'égalité et l'émancipation des femmes.

J'ai réalisé une série documentaire pour lutter contre les préjugés sur les femmes musulmanes, mais surtout susciter l'inspiration pour que chaque femme devienne actrice de sa propre vie. Je n'ai pas fait ce documentaires pour les femmes arabes et ou musulmanes dans pays arabo-musulmans, mais pour nous les femmes en France.

Prendre la caméra était un moyen puissant de me réapproprier ma narration, d'être enfin actrice de mon récit, de ne plus laisser les autres me définir. C'était devenu une nécessité pour me battre contre cette histoire unique des femmes musulmanes.

II. LA VISION FANTASMÉE DES FEMMES DANS LES PAYS ARABES ET/OU MUSULMANS SERT À FAIRE TAIRE ET DISCRIMINER LES FEMMES ISSUES DE L'IMMIGRATION EN FRANCE

Les femmes musulmanes sont réduites à un silence paradoxal. On ne cesse de parler d'elles mais sans jamais leur donner la parole.

Une vision monolithique et stéréotypée des femmes musulmanes dans le monde entier est invoquée pour opprimer et supprimer des droits aux femmes musulmanes

françaises.

Le fait de nous renvoyer systématiquement à nos pays d'origines ou aux pays musulmans, lorsque nous parlons de la situation des femmes musulmanes en France, est une injonction raciste. Cela suggère, de façon insidieuse, que les musulman·e·s français sont d'une certaine façon condamné·e·s à être étranger·e·s dans leur propre pays, quand bien même nous sommes en France depuis plusieurs générations et quand bien même les problématiques que nous rencontrons ont lieu en France. Rappelons que les femmes sont victimes de violences partout dans le monde, et pas uniquement dans des pays à majorité musulmane, contrairement à ce que certains pensent.

Il est intéressant de noter que lorsqu'on veut parler des femmes arabes et/ou musulmanes sur les plateaux télé en France, notamment sur le port du foulard, les médias invitent majoritairement une femme étrangère venant notamment d'Iran par exemple et qui parlera de voile forcé. Or soutenir les femmes c'est autant soutenir le combat d'une femme qui souhaite enlever le foulard notamment dans un pays où celui est forcé, que soutenir celle qui fait le choix de le porter et de le garder ! Ces deux combats sont loin d'être incompatibles, la règle est simple : respecter et soutenir les femmes dans leurs choix et ne jamais céder à ce qui est contraire à leurs libertés.

Cette narration se retrouve également chez beaucoup de féministes en France.

Les associations féministes traditionnelles majoritairement blanche ont tendance à voir la foi comme un frein à l'émancipation des femmes : mon engagement est né de là d'ailleurs. Nous devons sans cesse faire face à leur condescendance car elles nient nos conditions spécifiques de femmes musulmanes et quand elles ne les taisent pas, elles luttent ouvertement contre nous notamment lorsqu'il s'agit des femmes voilées. Nous avons des luttes communes, mais les femmes racisées ont des luttes spécifiques à mener (exemple : salaire). Le féminisme c'est de permettre aux femmes de faire ce qu'elles veulent et non de leur dicter comment s'émanciper.

III. LALLAB ET POURQUOI IL EST ESSENTIEL DE SE FORMER ET DE CRÉER UN CADRE BIENVEILLANT, DE DÉCONSTRUIRE LES STÉRÉOTYPES ET DE FAIRE PORTER NOS VOIX ET NOS REVENDICATIONS DANS UN MÊME TEMPS

Lallab est une association féministe et antiraciste qui a pour but de faire entendre les voix plurielles des femmes musulmanes et de lutter contre les stéréotypes et oppressions sexistes, racistes et islamophobes. Notre mission est de produire un environnement, des ressources et des outils favorisant la liberté de chaque femme musulmane à définir ses identités et son parcours de vie.

Nous prenons position pour une société inclusive et respectueuse des choix et des identités de chacune et chacun. Nous créons des outils au service de la réappropriation

de la parole des concernées, pour déconstruire les préjugés et mettre en lumière la pluralité des femmes musulmanes.

Notre rêve : Une France dans laquelle chaque femme peut être elle-même sans peur d'être jugée, discriminée ou violentée du fait de son genre, physique, orientation sexuelle, son origine ou encore son appartenance religieuse ou non. Règle prioritaire : parole aux principales concernées et non jugement.

Nous pensons que les personnes les plus à même à parler d'oppressions et des discriminations sont les personnes directement concernées par ces dernières et qui les vivent au quotidien.

L'enjeu principal chez Lallab c'est simplement de faire entendre nos voix. Ainsi à titre d'exemple, nous nous sommes vues refuser l'ouverture d'un compte en banque. Après seulement un an d'existence, nous avons déjà vécu 3 campagnes de cyberharcèlement et de désinformation. Leur but est de nous faire taire de manière agressive ou par un harcèlement de fond sous couvert d'information.

Toni Morrison, lauréate du prix Pulitzer et du prix Nobel de littérature disait que la fonction du racisme c'est de nous empêcher de faire notre travail

Written contribution by H. E. Ms Emna Aouij*Member of the UN Working Group on Discrimination against Women in Law and in Practice**Cher(e)s collègues,
Cher(e)s participant(e)s,*

Permettez-moi avant toute chose de vous remercier de m'avoir invitée à cet événement en tant que membre du Groupe de Travail sur la question de la discrimination à l'égard des femmes dans la législation et dans la pratique. Comme vous le savez, notre groupe d'expertes a été créé par le Conseil des droits de l'homme en 2010 partant du triste constat que, partout dans le monde et ce, sans exception, les femmes sont victimes de discrimination. Notre groupe a décidé, pour ses six premières années de mandat, de traiter de cette question de manière large en étudiant, à travers nos rapports thématiques, la discrimination contre les femmes dans tous les domaines, c'est-à-dire la vie politique et publique, économique et sociale, dans la famille et la culture ainsi que dans la santé. En juin dernier, nous avons également présenté au Conseil des droits de l'homme notre rapport sur les bonnes pratiques dans l'élimination de la discrimination à l'égard des femmes.

Aujourd'hui, non seulement les femmes ont obtenu leur droit de vote dans les quatre coins du monde, mais elles deviennent aussi parlementaires, chefs d'État et de gouvernement (mais pas encore à ce jour dans un pays arabe). De plus en plus de femmes participent au marché du travail et deviennent entrepreneurs, chefs d'entreprises, et décideurs économiques. De plus en plus de femmes peuvent poursuivre des études supérieures et contribuent à la vie culturelle et scientifique de leurs communautés et de leurs pays.

Nos cinq rapports thématiques présentés au Conseil des droits de l'homme, bien que soulignant ces progrès réalisés dans la promotion et la protection des droits des femmes, dressent un tableau plutôt sombre sur l'inégalité persistante nourrie par un patriarcat oppressant. Ces dernières années, nous avons même documenté de nombreuses régressions en ce qui concerne l'égalité de genre. En effet, malgré les progrès accomplis au cours de longues années de lutte, aucun pays dans le monde n'a encore atteint l'égalité substantielle des femmes. La participation des femmes à la vie politique et publique reste encore trop faible (en moyenne 23,5 % de femmes parlementaires au plan mondial et 17.4% dans la région arabe). Les femmes continuent d'être moins rémunérées pour un travail de valeur égale et sont gravement sous-représentées dans le leadership des organes de décision dans le monde des affaires, des finances et du commerce, y compris dans les institutions internationales telles que

le FMI et l'OMC, ainsi que dans les coopératives et les syndicats.

Tel que l'a souligné la Rapporteuse Spéciale chargée de ce mandat, la violence à l'égard des femmes reste omniprésente, et est estimée affecter une femme sur trois à l'échelle mondiale. Au nom du soit disant honneur, de la pureté et de la tradition, les filles et les femmes sont victimes de crimes d'honneur, de mariages forcés et précoces et de mutilations génitales féminines. Trop de femmes sont privées de leurs droits et santé sexuels et reproductifs, droits humains fondamentaux des femmes. Chaque année, des milliers de femmes meurent à la suite d'avortements clandestins et pratiqués dans de mauvaises conditions. Le taux de mortalité maternelle est encore trop élevé dans de nombreux pays. Par ailleurs, le manque d'accès à l'information, à une éducation sexuelle appropriée et à la planification familiale ainsi que la pratique des mariages d'enfants entraînent des grossesses précoces avec de lourdes conséquences pour leur santé et pour leurs futures opportunités socio-économiques.

Nous avons pu observer, souvent au nom de la culture, de la religion et des traditions, des rétrogressions qui menacent les progrès dans la réalisation de l'égalité de genre. Nous observons encore aujourd'hui de nombreux efforts déployés afin de réduire la place des femmes à la sphère domestique. Nous partageons le point de vue selon lequel l'attention portée à la valeur familiale et à la protection de la famille sont importantes, mais ceci ne devrait en aucun cas substituer le concept de l'égalité des droits et de l'autonomie des femmes. La protection de la famille doit en effet inclure la protection des droits des membres individuels de la famille, en particulier le droit à l'égalité entre les femmes et les hommes ainsi qu'entre filles et garçons et permettrait de rompre avec le statu quo social et religieux prônant un modèle familial patriarcal. Les progrès relatifs aux droits des femmes et des filles dépendent tout d'abord de la reconnaissance dans la législation puis dans la pratique de leur droit à l'égalité en tant que membres de leurs communautés et de leurs familles. Par ailleurs, tel que l'a souligné notre dans ses rapports, la culture n'est pas un concept statique ou immuable, bien que certains États aient tendance à le présenter comme tel pour justifier la discrimination à l'égard des femmes et des filles. Plusieurs experts des Nations Unies en matière de droits de l'homme ont insisté sur le fait que ni la diversité culturelle ni la liberté de religion ne pouvaient justifier la discrimination à l'égard des femmes. Les pratiques discriminatoires et répressives contre les femmes doivent être impérativement éliminées, quelles que soient leurs origines, y compris celles fondées sur culture ou la religion.

Si l'on se veut honnête, il nous est impossible de parler de mythes lorsque nous parlons des droits des femmes car, à notre grand regret, la réalité démontre que leurs droits sont violés, partout, y compris dans le monde arabe, où les progrès restent maigres par rapport aux engagements pris au niveau international. Et ces progrès maigres se reflètent également dans les nombreuses réserves émises par la plupart

des pays de la région MENA à la Convention sur l'élimination de la discrimination à l'égard des femmes, notamment sur ses articles relatifs au droit à l'égalité dans la famille, à l'héritage et à la nationalité. Notre Groupe de Travail a eu l'opportunité de visiter trois pays faisant partie de la région d'Afrique du Nord et du Moyen Orient, à savoir le Maroc en 2012, la Tunisie en 2013 et le Kuwait en 2016.

Le Maroc a connu une décennie de progrès vers la démocratie et le respect des droits de l'homme qui ont permis de progresser vers l'égalité des femmes dans la législation, mais ces efforts doivent se poursuivre pour également assurer cette égalité dans la pratique. La nouvelle Constitution de 2011 offre une base juridique, politique et institutionnelle solide pour la consolidation des acquis, la poursuite des réformes cruciales visant à combler les lacunes qui subsistent, la prévention de nouvelles formes de discrimination à l'égard des femmes et le renforcement de la participation effective des femmes dans tous les domaines de la vie – y compris dans la sphère politique et la vie publique – en tant que citoyennes à part entière.

Nous notons toutefois que les réformes menées au Maroc visant l'égalité de genre, notamment au travers de sa nouvelle Mudawana (2004) qui a abrogé de nombreuses dispositions discriminatoires pourraient être mises en péril par des forces rétrogrades. Nous espérons très sincèrement que les avancées des dix dernières années en matière d'égalité et de droits des femmes ne seront jamais inversées et que la poursuite de progrès encore à réaliser, notamment en ce qui concerne l'élimination de la polygamie, le droit égal à l'héritage ainsi qu'une législation plus solide et complète en matière de lutte contre la violence à l'égard des femmes, ne soit pas entravée.

Comme vous le savez, la Tunisie est reconnue comme un des pays les plus progressistes en termes des droits de la femme dans le monde arabe depuis l'adoption de son Code du statut personnel et des modifications qui y ont été apportées par la suite. Ce Code a, entre autre, aboli la polygamie et la répudiation, institué le mariage civil avec le consentement explicite des deux époux et donné aux hommes et aux femmes un accès égal au divorce devant les tribunaux. Ces avancées en faveur des femmes étaient sans précédent dans le contexte arabo-musulman des années 50 et même aujourd'hui et ont encouragé les femmes à poursuivre leurs études et intégrer le marché du travail, le taux de natalité a diminué et une classe moyenne toujours plus nombreuse a vu le jour. Au cours des dernières décennies, plusieurs réformes législatives ont amélioré la protection des droits des femmes dans la famille. Ainsi, en 1993, l'obligation faite à la femme d'obéir à son mari a été remplacée par le principe des droits et devoirs réciproques des époux. En 2007, le Code du statut personnel a été modifié de façon à harmoniser l'âge minimum légal du mariage, qui est aujourd'hui de 18 ans pour les hommes comme pour les femmes. En 2010, le Code de la nationalité a été révisé afin de permettre aux femmes de transmettre leur nationalité à leurs enfants au même titre que les hommes. Récemment, comme vous le savez, la Tunisie a abrogé la loi

permettant à un violeur d'épouser sa victime. Toutefois, au sein de cette société postrévolutionnaire fortement divisée du point de vue idéologique, la lutte reste constante pour maintenir ces acquis.

Au cours des dernières décennies, le Koweït a fait des progrès significatifs au travers de l'introduction de lois promouvant les droits des femmes, en particulier dans les domaines politiques et économiques. Néanmoins, des lois discriminatoires demeurent, en particulier en ce qui concerne les lois sur le statut personnel et la nationalité ainsi que dans le Code pénal. Le Koweït pourrait aller au-delà de changements fragmentés de ses dispositions juridiques discriminatoires et prendre des mesures concrètes et immédiates pour un examen complet des lois, afin de progresser en termes d'égalité entre les hommes et les femmes, conformément à la Constitution et aux normes internationales relatives aux droits de l'homme. Par ailleurs, des stéréotypes négatifs sur le rôle des femmes et des hommes continuent de prédominer et entraver l'autonomisation des femmes. La société koweïtienne est composée de forces progressistes et conservatrices, et des femmes professionnelles performantes vivent et travaillent dans des espaces parallèles à ceux qui adoptent un mode de vie opposé, peu enclins à l'évolution. Notre Groupe a rappelé que l'obligation légale des États d'éliminer toutes les formes de discrimination à l'égard des femmes comprend la transformation des rôles des hommes et des femmes qui reposent sur des idées conservatrices, culturelles ou religieuses de la supériorité des hommes ou sur des notions stéréotypées de ce que les hommes et les femmes peuvent ou ne peuvent pas faire. Des initiatives seront nécessaires pour encourager le dialogue public, y compris dans les domaines culturels et religieux, afin de changer les attitudes et les comportements discriminatoires. Un débat ouvert et public sur les questions jugées controversées est crucial pour assurer des progrès.

Par ailleurs, la question des femmes défenseurs des droits de l'homme est une problématique qui nous tient particulièrement à cœur. Les gouvernements répressifs mais aussi les groupes religieux extrémistes et/ou fondamentalistes qui ont gagné du terrain dans la région MENA, par exemple, ont eu un impact sur la capacité des femmes de militer pour les droits des femmes. Des courants religieux extrémistes propagent des notions conservatrices de l'attitude appropriée que la femme devrait avoir et considèrent que les femmes transgressent des normes lorsqu'elles participent dans des manifestations ou prennent des décisions sans l'approbation d'un parent masculin. Ceci a contribué au harcèlement des femmes lors de manifestations ou lorsqu'elles apparaissent en public dans une tenue considérée non conforme aux exigences religieuses.

Le Groupe de Travail est conscient que des menaces conséquentes persistent pour les femmes défenseuses des droits de l'homme dans certains pays de la région MENA que ce soit en raison de lois discriminatoires, des menaces de l'Etat lui-même ou

groupes armés ou bien des menaces de la famille et des membres de la communauté. Ces femmes sont souvent confrontées à des actes d'intimidation et attaques en raison de leur sexe et des idées qu'elles défendent. Elles sont susceptibles d'être victimes de violences, y compris violences sexuelles et harcèlement. Comme dans d'autres situations de violation des droits des femmes, la responsabilité des auteurs n'est que trop rarement déterminée et l'impunité prédomine. Les femmes engagées dans la défense des droits humains sont souvent considérées comme des parias et marginalisées.

Au Maroc et en Tunisie par exemple, les groupements de femmes ont participé activement aux processus de réformes législatives et de révision constitutionnelle et y ont ainsi assuré l'inscription de l'égalité entre hommes et femmes, ce qui montre à quel point le militantisme est important pour faire pression en vue de la création d'un cadre constitutionnel qui soutienne le droit des femmes à la représentation. Afin que toutes les femmes puissent exercer leurs droits à une pleine participation à la vie politique et publique dans des conditions d'égalité, les États doivent assurer un cadre juridique complet visant à éliminer toutes les formes de discrimination à leur encontre, y compris toutes les formes de violence, violence familiale ainsi que la violence sexiste dirigée contre les femmes qui s'expriment et occupent des rôles de premier plan en situation de conflit ou de paix.

Nous reconnaissons que l'islamophobie fait des ravages et nous la combattons tel que nous combattons toute forme de discrimination. Mais nous rejetons l'amalgame et ainsi de taire les violations de droits de l'homme dont sont victimes les femmes dans le monde arabe, de crainte d'être targué d'islamophobe. Nous continuerons à dénoncer les violations des droits des femmes dans le monde entier, y compris dans le monde arabe. Et nous lutterons également contre la censure qui empêche une relecture progressiste et féministe de prédicats religieux. Nous soutenons dans ce sens un dialogue constant avec les leaders religieux et insistons pour que les femmes et des organisations clefs, telles que Musawah par exemple, soient incluses dans ce dialogue.

L'élimination effective de la discrimination à l'égard des femmes dans tous les domaines dépend tout d'abord de la capacité de mettre en œuvre des garanties juridiques d'égalité entre les hommes et les femmes. Le Groupe de Travail insiste notamment sur la nécessité d'inscrire l'égalité entre hommes et femmes dans les constitutions des pays puisque la Constitution forme la base de toutes les autres lois. Il est également indispensable de s'attaquer aux fondements structurels et sociaux de la discrimination fondée sur le genre dans tous les domaines de la vie des femmes et prendre des mesures pour adresser les facteurs culturels qui perpétuent la discrimination contre les femmes. L'éducation et les stratégies durables de sensibilisation sont essentielles afin de créer des environnements respectueux des droits des femmes. Il faut briser

les stéréotypes basés sur le genre ainsi que l'oppression patriarcale qui nient l'égalité entre hommes et femmes et justifient des violations des droits des femmes. Je vous remercie pour votre attention.

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