



GLOBAL **Women's**  
**LEADERSHIP** Initiative

**Final  
Report**

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WOMEN IN  
DEMOCRATIC  
TRANSITIONS  
IN THE MENA  
REGION



## **About the Global Women's Leadership Initiative:**

The Global Women's Leadership Initiative (GWLI) is a unique platform for change- connecting current and emerging leaders, raising the profile of critical issues, advancing inclusive policies, and bringing new research to the forefront. The flagship program of the GWLI is the Women in Public Service Project (WPSP) which moved to the Wilson Center in June of 2012. The WPSP strives to inspire a new generation of women leaders to realize the goal of at least 50 percent women in positions of political, public, and civic leadership by 2050.

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## **Introduction**

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The Rabat Conference on Advancing Women's Political Participation in Transitions was hosted by the Ministry of the Interior of Morocco in partnership with the Global Women's Leadership Initiative at the Wilson Center and the Wellesley Centers for Women at Wellesley College in November 2012. The conference brought together Morocco's leading women parliamentarians, ministers, public servants, and a network of well-known women civic leaders heading transitional justice efforts in the Arab region. These leaders came together to honor and sustain the spirit of the Arab Awakening through women's active engagement at every level of decision making at this pivotal turning point for the region. This conference was a follow-up to the Rabat Roundtable on Women Leading Change in the Arab and Muslim Communities of May 2011, which was convened in the aftermath of the Egyptian Revolution by the Wellesley Centers for Women at Wellesley College and the Ministry of the Interior of the Kingdom of Morocco.

While celebrating the transformation to more democratic processes of government, leading women's rights advocates expressed deep concern that the promise of the Arab Spring was being eroded by the paucity of women in transitional processes. The women were also concerned with the violence against women during the political transitions, including the attacks on Egyptian women on International Women's Day in Tahrir Square. Efforts to roll back some prior gains, including the anti-female genital mutilation and child marriage law provisions, were just as troubling. The follow-up conference convened by the Wilson Center created a critical space two years after the Arab Spring to reflect on the role of women in political transformation and to discuss challenges to women's participation in public and political life.

This compilation of papers, written by the regional experts of the Rabat Conference, documents the status of women in decision making in the Middle East post-Arab Spring. Highlighting the struggles and successes of women in public service in the MENA region, these papers outline a path forward for women in the Middle East, recognizing that the real revolution for women has yet to occur.

### **Women's Roles in the Arab Spring and Backlash Against Women's Rights**

An analysis of the various Arab revolutions shows that women played a critical role. The Arab Spring made one thing clear: women cannot be seen as passive victims. They must be seen in their multiple roles as secularists and political Islamic activists, veiled and unveiled, conservatives and liberals, and professionals and mothers. This changing view of women has exploded the myth of a single, stereotypical notion of an Arab woman. It has also brought about the need for recognition of the diversity and plurality in women's concerns and objectives across the Arab region.

Despite the fact that women marched shoulder to shoulder with their brothers on Tahrir Square, women were soon after excluded and marginalized from key decision-making positions during the political transition. The absence of women on the Egyptian constitutional committee, with only one woman in the interim cabinet in Egypt, has led to the fear that women are being sidestepped. Howaida Nagy, who was not a participant of the conference but a member of the Women in Public Service Project, illustrates the exclusion of women from ministry leadership positions by pointing out that the ministry of Dr. Essam Sharaf included only one woman. This is just one example of the marginalization women face. Similarly, the Ministry of National Salvation headed by Dr. Kamal El-Ganzoury included only three women.

This exclusion was accompanied by a hate campaign to change the Personal Status Code, a code that provided equality for Egyptian women. This campaign signifies the rise of Egyptian fundamentalists and the mobilization of men who demand that women return home. Their efforts — as well as those of many others — consist of attempts to abolish the khula law (a Muslim woman's right to seek a divorce) and to cancel recent legal amendments extending the child custody age to fifteen. Additionally, there are signs that the state wishes to side line the international treaties and conventions on women's rights to which Egypt is a signatory to.

Prominent political activist and feminist Nawal El-Saadawi reminds us that “underrepresentation of women in the parliament reinforces the fact that the revolution process is far from over. The liberation of women goes hand in hand with the liberation of the society.”

### **Violence Against Women**

Violence against women was another way in which women's agency and voice was controlled in the aftermath of the revolutions. When women showed up at Tahrir Square on March 8, 2011 to commemorate International Women's Day, they found themselves attacked by militant religious men who shouted that they should go home to do the laundry and feed their babies. Even worse, women were beaten back and subjected to electric shocks and virginity testing in order to denounce their credibility. Countless women across the region have also been detained or have disappeared. On December 21, 2011, in another instance, women marched from Tahrir Square through the city, outraged by the image of a young woman kicked by troops and dragged along the ground.

In Tahrir Square, the same square that had nurtured a historic emancipation project, women were told to bide their time. “We were told, now is not your time,” says a prominent women's rights advocate in Egypt. “Why is it not our time? Was it their [women's] time when the revolution was there and you needed them [women] there? And now, when it's time for them [women] to enjoy democracy, it's not their time?” Why is it not the time for women?

In response to the treatment of women, Samira Ibrahim, herself a victim of virginity testing, filed two suits against this horrific practice: “one demanding it be banned and another accusing an officer of sexual assault. An Egyptian court in December ordered the country's military rulers to stop the use of “virginity tests” on female detainees, which represents a rare condemnation by a civilian tribunal of a military practice. The ruling that the virginity tests are “a violation of women's rights and an aggression against their dignity” is a triumph of sorts for women.

In Tunisia and Egypt, women post-Arab Spring have been sexually harassed with a degree of impunity by law enforcement on the grounds of indecent exposure. The horrific acts of rape and sexual abuse of women in these two countries must be addressed through Security Council Resolutions 1325 and 1820.

### **Mining the Opportunities for Reform**

Despite the challenges to women's equality under law, several countries have taken steps to respond positively to the revolutions due to women's own mobilization.

#### **Jordan**

In May 2011, King Abdullah of Jordan established a Commission to review the constitution and recommend amendments, initiating a process of reform in political, economic, and constitutional areas. This process gave women's activists an opportunity to present their demands which included: increased

protections from violence, guaranteed economic and political participation, and other social justice and democracy provisions. More specifically, the women petitioned for social security, separation of powers, and environmental conservation. The women's movement also advocated adding "gender" to Article 6 of the Constitution which currently states: "There shall be no discrimination between Jordanians as regards to their rights and duties on grounds of race, language or religion." Adding gender as a form of discrimination would ensure application of the principle of gender equality under law for women. Unfortunately, the commission sent its final wording of proposed changes to Parliament without amending Article 6, despite the women's demands and the need to fulfill international commitments.

In July 2011, Jordan passed a Municipalities Law that raised the quota for women's seats in municipal councils from 20 percent to 25 percent. At the parliamentary level, the May 2010 elections law raised the number of parliamentary seats reserved for women from 5 percent (6 of 110) to 10 percent (12 of 120). Following the passage of the recent law, women's activists have begun working to prepare women for participation in upcoming elections.

Jordan also made a significant reform in 2009 when the country removed its reservation to Article 15 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which grants women the right to travel freely and choose their place of residence. Despite this triumph for women, Jordan's reservations related to women's equal nationality rights remain critical barriers to the realization of comprehensive women's rights in Jordan.

### **Morocco**

In his address to the nation on March 9, 2011, King Mohammed offered the following forward-looking initiative in response to the Arab Revolutions: "Promote the participation of women in the management of regional affairs in particular, and the exercise of political rights in general; in this respect, the law should favor equal access by women and men to elected office."

King Mohammed also set up a Consultative Commission to review the constitution and deliver recommendations for democratic reform. Unlike in Egypt, women were 5 of the 18 commission members. Moroccans voted July 1, 2011 to accept the proposed constitutional reforms. The constitutional changes on behalf of women included: calling for women and men's equal status as citizens; a ban on discrimination and a commitment to fight it; a commitment to government action to advance the "freedom and equality of all citizens and their participation in the political, economic, cultural and social spheres."

Furthermore, the Constitution created an Authority for Equality and the Fight Against all Forms of Discrimination for the purpose of achieving equality between men and women. The Authority will also focus on highlighting the need for a legal provision promoting equal access for women and men to elected positions, as well as the need to improve the participation of women in local authorities. Most importantly, the Authority will address the need to bring national law into agreement with the country's international commitments. After years of advocacy by women's rights organizations, Morocco formally withdrew its reservations to CEDAW on April 18, 2011.

### **Lebanon**

On August 4, 2011, the Lebanese parliament voted to revoke Article 562 from the Penal Code. Article 567 was an article which allowed for the mitigation of a crime of honor. While acknowledging honor crimes as femicide is a critical step forward in the region, Lebanon still has a long way to go with women still remaining under the guardianship of male members of the family, a practice consistent with patriarchal norms.

### **Advancing Women in Political Participation**

There are several UN conventions and resolutions that call for women in public participation. These international norms must be seen as effective norm creating instruments during these times of political transition. Three Articles of the CEDAW deal with women's participation in political and public life. Article 7 commits state parties to ensure equality between women and men in political and public life. Article 8 requires state parties to ensure that women have equal opportunities with men to represent their governments at the international level and to participate in the work of international organizations. Article 4 of the CEDAW calls for temporary special measures for women as a way to level the playing field and address a legacy of discrimination against women.

Moreover, the U.N Security Council Resolution 1325 (2000) calls on Member States to increase the representation of women in all institutions and mechanisms dealing with the prevention, management, and resolution of conflict. This includes representation of women as special representatives and envoys of the Secretary-General and within field operations as military observers, civilian police, and human rights and humanitarian personnel.

The importance of women's political participation has been recognized within the framework of the Millennium Development Goals. One of the indicators for monitoring Millennium Development Goal 3 on gender equality is the proportion of seats held by women in national parliaments. The 2005 World Summit Outcome reaffirmed commitments to increase representation of women in government decision-making bodies, including opportunities for women to participate fully in the political process.

### **Compliance with International Norms**

An overarching theme of the papers presented at the Conference was to align all national legislation with constitutional principles and international conventions. In the context of the global human rights movement, Dr. Khattab argues that there is a shift from a standard setting movement to a movement monitoring the effectiveness of the implementation of human rights. In her paper, she recommends the application of the *Human Rights Indicators: A Guide to Measurement and Implementation* launched by the High Commissioner for Human Rights on November 7th.

On this same note, it is important to highlight that in December 2012, the UN General Assembly adopted a Resolution banning female genital mutilation worldwide. The historic step consolidates and demonstrates the political will at the highest level to bring an end to this human rights violation, and it is the result of years of advocacy at the national and international level to bring attention to the matter. The international community should utilize this resolution as a real tool in its fight against female genital mutilation. Dr. Moushira Khattab— the former Minister for Family and Population in Egypt, former Vice Chair of the U.N. Committee on the Convention on the Rights of the Child, and former ambassador to Italy and South Africa— was the architect of a new law banning female genital mutilation in Egypt and pioneered the call for strict compliance with the law and criminalized punishments.

The discussion also centered on other mechanisms to align legislation with international conventions, including the inclusion of affirmative action measures in the law to ensure progress towards parity and to advance all women's rights. Increases in women's representation in parliament have been accompanied by wide ranging legal reform that has advanced women's rights.

Despite equal protection guarantees in the Constitution, women in Lebanon continue to face many barriers to public service. Myriam Aucar, a leading lawyer in Lebanon, traces some of the impediments to

women's participation in public life, all of which make it difficult to find a sufficient number of women willing to stand for elections. More specifically, while the Lebanese Nationality law stipulates that a Lebanese husband may give nationality to his spouse, Lebanese women may not transfer citizenship to their foreign husband or to their children. Therefore, Lebanon's reservations under the CEDAW on Article 9 still remain.

In Lebanon, Aucar is working with the Beirut Bar Association to implement the CEDAW in Lebanon and to review Lebanon's laws in compliance with the CEDAW. As a result of this review, law no. 180/2011 on equalizing tax benefits for both men and women was promulgated to allow Lebanese working women to benefit from a tax reduction for their husband and children similar to what was enjoyed by working men. This reform of the tax law, which recognizes the equal rights of both men and women, must inspire other changes in the law.

Yemen's strategy to increase women in public service is consistent with the Beijing Platform of Action (BPFA) and CEDAW. Dr. Nafisa, the Secretary-General of the Yemeni Higher Council for Motherhood and Childhood, presents the NSWDCG 2006 – 2015, a strategic vision that calls for effective instruments to implement MDGs on the national level in order to improve women's status in Yemen.

Wafa Bugaighis, Director of the International Collaboration Bureau at the Ministry of Education for East Libya, draws upon her current post-war experience to emphasize the importance of compliance with international conventions dealing with Human Rights and Women's Rights. She calls upon Libyan women to adhere to Islam and to comply with modern universal humanitarian notions.

### **National Action Plans**

In their discussion, the regional experts also emphasized the criticality of the National Action Plans as blue prints for reform and as a means to uphold and safeguard women's rights in the aftermath of the Arab Spring. The Actions Plans are drawn up by each country and based on international conventions, and governments undertake them to implement the Plans in their entirety. If the increase in women's participation in parliaments remains at the current pace, the United Nations Development Program (UNDP) estimates that it will take 50 years for gender balance to be achieved. Meanwhile, economic progress will be limited without equal opportunities for women to impact political and economic decision making. National Action Plans are critical to fast-tracking women into politics and public service, and they should be the clarion call going forward.

Haleh Esfandiari— Director of the Middle East Program at the Wilson Center — traces both the important process that led to the drafting of pre-revolutionary Iran's plan of action as an example of how process informs substance. Analyzing the steps taken to create an inclusionary and participatory model, she argues for similar process- focused models. In 1978, the Iranian government ratified the National Plan of Action drafted by the office of the Minister of State for Women's Affairs. The drafters of the Iranian plan engaged grassroots activists, NGOs, government officials, and both men and women. Although the Iranian Action Plan never had a chance to be realized, it provides a powerful enduring lesson in process-based negotiation and engagement in drafting an inclusive platform of action.

Moving forward, capacity development policies and programs must be mainstreamed in National Action Plans. These must involve equal opportunity initiatives for women hoping to enter politics and public service, candidate training, mentoring programs, recruitment initiatives, awareness- raising campaigns to counter gender stereotyping of candidates, and the implementation of work-family balance programs in public service, including child care facilities.



## **Election Law Reform**

In many countries, constitutional or legislative quota systems have been instrumental in ensuring compliance with international norms and in advancing women's representation in political life. Research now demonstrates that women's presence and participation can change politics: with women in politics, there is a greater likelihood that policies sensitive to women's needs will be implemented.

In 1995, women accounted for 11.6 percent, on average, of members of national parliaments. This percentage increased to only 17.3 percent by May 2007 and to 20 percent in 2012, despite the target of a minimum 30 percent that was set by the Beijing Platform of Action in 1995.

Tunisia held one of the world's first 'gender parity' elections, thereby guaranteeing a stronger showing for women. On April 11, 2011, the Tunisian transitional government passed a revolutionary law that mandated parties have equal numbers of men and women on the electoral lists to prepare for the election of a Constituent Assembly that will help to draft the new constitution. The law also called for compulsory alternative positioning of male and female candidates on all major party lists for the October 23rd election, known as the Tunisian Zebra system. Unfortunately, however, men were listed first in 94 percent of the electoral lists, which did not help to reach the desired goal of 50 percent women. In fact, the new assembly is roughly 27 percent female—on par with many European countries but far from parity. In lieu of the Zebra system, Judge Mnasri recommended the horizontal system, where every other list would be headed by a woman, as a way to help achieve the target of 50 percent women in political participation. Despite the drawbacks of the policies, women's groups in the MENA region continue to push for gender quotas in electoral laws.

Of the 49 women on the Tunisian Constituent Assembly, 42 of them represent the Islamist Ennahda Party, which represents a new generation of Islamic women politicians. As a result, the headscarf — a perennial fixture of this debate — has re-entered Tunisian politics. In their lobbying efforts with Constituent Assembly parties, secular women seek official guarantees that the headscarf will not be imposed. Ennahda women and a majority of Tunisians meanwhile want assurances that it will not again be banned in official settings, as was the case under Ben Ali.

Libya conducted their first free national elections in July 2012, electing members of the General National Congress (GNC). Libya's experience in terms of special measures for women's representation has elements of both Tunisia's and Egypt's experience. Learning from Tunisia's mistakes, the law established both "vertical" and "horizontal" parity for the proportional representation (PR) election. Consistent with Egypt's elections, the quota for women's seats in Tunisia was dropped, and there were no special measures for women's representation in the majoritarian race.

Wafa Bugaighis states, "Although women's participation in the GNC elections was a bright step forward, [...] The true extent of their empowerment means participation in policy making and legislation, not only to secure their rights, but also to share in shaping the politics of the nation." Taking another step forward, representatives of civil society have drafted a National Action Plan urging women's representation by no less than 30 percent in the General National Congress.

## **Constitutionalizing Women's Rights**

The rule of law, a cornerstone of good governance and democracy, requires that laws are put in place and enforced for all citizens, including women. In the past fifty years, constitutions in more than half of the countries in the world have been redrafted, and women have seized these opportunities to write an equal

protection provision that includes gender as a prohibited category of discrimination. Currently, 139 states have enshrined equal protection provisions in their constitutions.

The focus of attention internationally has been brought to bear on the process of drafting a constitution. The process of writing a constitution can highlight the importance of dialogue, negotiation, and contestation. Women's participation in drafting the constitution is as important as the constitutional guarantees of women's rights. Women must engage fully and equally in constitution-making in terms of both substance and process. Process-oriented constitution making emphasizes the importance of broad participation and deliberation for the creation of a legitimate governance system. Women's participation in constitution-making ensures that the process is truly democratic and a plurality of voices shape an instrument that is the fountainhead of good governance and citizenship.

Transitions provide a window of opportunity to transform institutions and to rewrite the rules as the State is rebuilt, ushering in progressive new constitutions and legal reforms. As the supreme source of law, the new constitutions in the Arab world will provide the legal foundation for the governments, and the constitutional provisions enshrining women's rights will be vital in defining and determining the status of women in the region. Women's participation in drafting the constitution is as important as the constitutional guarantees of women's rights. Women must engage fully and equally in constitution-making in terms of both substance and process so that women's voices are heard in constitutional mandates and implementation.

Rim Hajji, from Women's Campaign International in Morocco, contends that women coming together to demand rights is the only way forward. In the aftermath of the Arab Spring, 30 leading women's rights associations created a coalition to lobby the government using one voice and one banner, "The Feminist Spring for Equality and Democracy." It was due to this feminist mobilizing that the new constitution of Morocco, adopted in July 2011, included a number of important provisions that protect the political, social, and economic rights of women. Not only does the constitution establish the supremacy of international conventions and ensure the compliance of Morocco's national laws with its international commitments, but it also includes an anti-discrimination clause where the state commits to "ban and combat discrimination against anyone based on sex." Further, the Constitution provides for women in local government and in the Superior Council of the Judiciary.

Dr. Khattab argues that the exclusion of women in the Egyptian parliament, with women holding less than two percent of seats, is evidence of the exclusion of women. While the Tunisian Constitution includes a non-discrimination clause, the new Egyptian Constitution does not guarantee the equal rights of men and women through equal protection, nor does it recognize constitutional rights. Further, the reconciliation of work and family obligation is imposed on women with no reference to men's need to compromise. The Constitution is also silent on any reference to international treaties.

Constitutionalizing women's rights ensure that women are a critical part of a process-oriented constitution. Specifically in Tunisia, Judge Mnasri, the judge of the Administrative court of Tunisia, recommends the criminalization of all forms of political violence against women, including criminalizing defamation of women.

### **Conclusion**

This compilation of papers offers a critical analysis of the important role of women in constitution making and the rule of law in the MENA region. Women's equality must be the bedrock of all transitional justice and good governance processes. The promise of the Arab Spring will be squandered unless women are

equal shareholders of their country's democratic processes. In 2011, the Nobel Prize was awarded to three women peace advocates, one of whom was Tawakkol Karman who stood in the frontlines of the revolution in Yemen. As the Nobel Prize Committee urged that year, "we cannot achieve democracy and lasting peace unless women obtain the same opportunities as men to influence development at all levels of society."

## **Women's Leadership: The Achievements, Opportunities, and Challenges for Moroccan Women**

*Latifa Aljabbadi*

*Former Member of Parliament and the Union for Women's Action in Morocco*

### **I. General Context**

- The strong royal and political will to promote women's rights since the first speech of His Majesty the King in 1999, until the speech of March 9, 2011
- Morocco's involvement in democratic transition since the government alternation in 1998
- A strong women's movement that fought continuously for the advancement of women's rights
- Completion of major reforms to promote human rights and fundamental freedoms, including the rights of women
- A new reform dynamic in the context of the 'Arab Spring' and the Moroccan youth movement
- Constitution of 2011: strengthening the democratic structure, the rule of law, and human rights

### **II. Constitution of 2011: A Charter for Gender Equality**

- Adopts the principle of supremacy of international conventions over national laws
- Includes a commitment to the rights enshrined in international conventions in their universality and the necessity to appropriate national laws with them
- Establishes equality between the sexes in rights and freedoms: civil, political, economic, social, environmental etc.
- Prohibits discrimination on the basis of gender or other considerations
- Obliges the state to seek the achievement of parity
- Creates a body for “parity and combating all forms of discrimination”
- Laws must stipulate measures to promote equal opportunities for women and men to access elected institutions
- It is the responsibility of public authorities to develop policies to protect vulnerable groups of women, including mothers
- Ensures the representation of women judges in the Supreme Council of the Judiciary in proportion with their presence in the judiciary
- Regulatory law for territorial communes needs to have provisions ensuring better participation of women

### **III. Constitutional Mechanisms to Activate Equality and Parity**

- **Institutional mechanism to activate the provisions of article 19:**
  - “Body for parity and combating all forms of discrimination”
- **Legislative mechanisms for affirmative action:**
  - Laws should include measures to promote equal opportunities for women and men to access elected institutions
  - Ensure the representation of women judges in the Supreme Council of the Judiciary in proportion with their presence in the judiciary
  - Regulatory law for territorial communes needs to have provisions ensuring better participation of women

### **IV. Mechanisms for Participatory Democracy**

- Constitutionalizing the role of civil society organizations:
  - Civil society organizations must contribute in the preparation, activation and evaluation of public policies
- Creation of new mechanisms for participative citizenship:

- Present motions in legislation
- Present petitions
- Public authorities must create bodies for consultation

## **V. Legislative Reforms**

- Family Code 2004
- Nationality law 2007
- Labor Code 2003
- Criminal Law and Criminal Procedure Code 2004
- Statute of Civil Service 2012
- Lifting the reservations and ratification of the Optional Protocol of the CEDAW 2012
- Projects: law to combat violence against women, domestic workers law, comprehensive reform of the criminal system
- Communal Charter 2008
  - Commission for Equality and Equal Opportunities
  - Mandatory gender approach in the collectivity plan
- Election code 2009
  - Support fund to promote the representation of women
  - Create additional electoral areas as a mechanism for positive discrimination; increase the representation of women in local communes from 0.5% to 12%
- Regulatory law on the election of territorial commune councils 2011
  - Election of regional councils
    - Article 76: Two electoral areas should be created at every prefecture or province, one of them should be allocated to women.
    - Article 77: The number of seats allocated to women's electoral areas should constitute a third of the seats in the regional Council.
  - Election of communal councils
    - Article 144: Additional lists will keep the requirements of the 2009 electoral code.
- Regulatory law on the election of territorial commune boards 2011
  - Election of regional councils
    - Article 76: Two electoral areas should be created at every prefecture or province, one of them should be allocated for women.
    - Article 77: The number of seats allocated to women's electoral areas should constitute a third of the seats in the regional Council.
  - Election of communal councils
    - Article 144: Additional lists shall keep the requirements of the 2009 electoral code.
- Regulatory law for the House of Representatives 2011
  - A national electoral area of 90 members, 60 of whom are women
- Regulatory law for political parties 2011
  - Each Party shall endeavor to achieve the ratio of one-third of women within its national and regional bodies with the objective of achieving parity.

## **VI. Public Policies and Gender**

- National Strategy for equity and equality
  - Prime Minister circular on March 8, 2007 to encourage all sectors to activate the strategy
  - Goals: Reducing gender disparities and institutionalizing gender mainstreaming in all fields.

- Involvement of all sectors under the coordination of the Ministry of Social Development, Family and Solidarity
- Strategic program for the institutionalization of equality between men and women in civil service (2006), in the medium term
- “The government agenda for Equality” 2011 - 2015 became “the government's plan for equality in the prospect of parity” 2012 - 2016
  - 9 priority areas
  - 30 strategic goals
  - 100 measures
  - Mainly aiming at institutionalizing equality, equal access to rights, services and decision-making, and promoting a culture of equality.
- Gender responsive budget planning
  - Started in 2002
  - Presentation of the first report on gender in 2006
  - Gender report for the 2012 fiscal year: 25 government sectors
  - Identification of gender differences in all fields
  - Planning based on the needs of women and men
  - Evaluation of policies according to their impact on women and men
- National Strategy for Combating Violence
  - Action Plan
  - One of the major achievements is the creation of the “Green Hotline”
  - Creation of units against violence
  - Partnership with “listening centers”
- Empowerment Program (2011-2008)
  - The program aims to protect women and girls from all forms of violence
  - Partners: 12 governmental sectors, 8 agencies, civil society, universities, media
  - 7 results: gender responsive budgeting at the local level; combating violence in partnership with civil society organization; access to health services for victims of violence; economic and social empowerment; sensitization against violence

## **VII. Women’s Political Participation**

### **House of Representatives:**

- 2002: Adoption of the first national list for women, “national list-10%”. Women's representation went from 0.6% to 10.8% (35 seats)
- 2011: Adoption of a national list that allocated 60 seats for women – representation increased to 17% (67 seats)

### **Government:**

- Women entered government for the first time in 1997
- Government of 2007: 7 ministers in strategic sectors
- Government of 2011: 1 minister in charge of family, women issues, solidarity and social development

### **Representation of women in local communes:**

- Communal elections in 2003: yielded 167 elected women to local councils - only 0.5%
- Communal elections in 2009: yielded 3428 elected women– 12%
- 12 women were elected presidents of communal councils
- Generally, poor representation of women in positions of responsibility within communes, councils of prefectures, provinces, and regions

## VIII. Women's Representation in Decision-making Positions

### Judiciary:

- 2011: the number of female judges is 896 out of 4050 judges - 20.12%

### Diplomatic representation:

- 2011: 11 female Ambassadors - 13% of the total number of Ambassadors (even though women account for 32% of the diplomatic corps at the Ministry of Foreign Affairs)

### Public administration

- 2002: 34 % of women in public administration
- 2010: increase to 37%
- 56.32% of the total female employees are at the executive level
- 49.92% of the female employees in central departments are at the senior executive level
- 60.71 % of the female employees at the regional level are senior executives
- However, only 15.3% of the decision-making positions are occupied by women (10% in 2001)

## IX. Prospects to Strengthen Women's Leadership

### Opportunities:

- Political will at the highest level
- Constitution: Recognized equality and the fight against discrimination - adopted the principle of parity – constitutionalized affirmative action measures
- Government strategies and plans prior to the institutionalization of equality and promotion of women's representation
- Dynamics of the women's movement and its continuing efforts that turned it into an effective pressure force
- The general political climate in the context of the Arab Spring.

### Challenges:

- The glass ceiling
- The predominance of patriarchal stereotypes within society and elites
- Gender relations continue to be based on bias in society
- Inequalities between women and men in access to basic rights
- Resistance by conservative forces within the political field.
- The rise to power of conservative forces nationally and regionally.

### Stakes: activation of the provisions and the spirit of the Constitution

- Progress in the realization of the principle of parity in all political and administrative decision-making positions
- Acceleration in the creation of the body for parity and the fight against all forms of discrimination
- Align all legislation with the Constitution and international conventions
- Inclusion of affirmative action measures in the law to ensure progress towards parity
- Strengthen the capacity of women in all relevant areas
- Combat stereotypes and promote a culture of equality
- Advance all women's rights since all rights are interdependent

## **Discrimination in the Laws on Equal Participation in the Public Sphere in Lebanon**

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The Lebanese constitution does not differentiate between men and women. As a matter of fact, Article 7 states that all Lebanese citizens are equal under the law and have equal civil and political rights, and equal duties and obligations, with no discrimination. Article 12 of the Constitution states that every Lebanese citizen is entitled to Public Office, without discrimination, except in what concerns merit and capabilities as determined by applicable laws.

However, Lebanese women face many challenges to their involvement in public service and leadership positions in Lebanon. Such challenges are due to discriminatory laws; to the prevailing mentality; and to the political, economic, and social situations in Lebanon in general. The first step is to amend all discriminating laws (such as Personal Status Laws, Penal Laws, and Labor Laws) and to enact laws protecting women.

Women activists and various organizations are actively following up on gradually reducing such impediments. In addition, the Beirut Bar Association signed a protocol of cooperation with the NCLW (a commission constituted for the implementation of the Beijing convention), in order to follow up on discriminating laws and on the implementation of the CEDAW Convention.

### **I. Recently Amended Discriminatory Laws**

Due to the sustained efforts of various activists and civil society, some tax provisions discriminating towards women were recently amended:

- Law n° 179, dated August 29<sup>th</sup>, 2011, amended article 9 of the Decree Law n°146/1959 (relating to the inheritance duties on all rights and movable or immovable properties). Law n° 179/2011 aims to establish equality between women and men heirs to benefit from additional reductions when calculating the inheritance duties owed by them.
- Law n° 180, dated August 29<sup>th</sup>, 2011, amended article 31 of the Decree Law n°144/1959 (relating to the law on the Income Tax). Law n° 180/2011 aims to establish equality between women and men by allowing Lebanese working women to benefit from a tax reduction on their husband and children under the same conditions as Lebanese working men.

The amendments were published in the Lebanese Official Gazette n° 31, dated September 3rd, 2011, page 3389.

As a result of these amendments, women now benefit from the same tax deductions as men in the same situation.

### **II. Discriminatory Laws**

Although many projects of law are still waiting to be approved in Parliament and many discriminating provisions are still waiting to be amended, the two above mentioned amendments are a first step to putting women's issues on the Parliamentary agenda. However many other discriminatory provisions should be addressed, such as the Nationality law, the Personal Status Laws, the Penal Laws, and the Labor and Social Security Laws.



## 1 Nationality Law

- Lebanese mothers cannot grant nationality to their children,
- Naturalized foreign mothers may give the nationality to their children after the death of their father; however, Lebanese women by origin may not.
- A Lebanese husband may give the nationality to his spouse, but Lebanese women may not give it to their foreign husbands.
- A woman of Lebanese origins may reacquire the Lebanese Nationality only with her husband's approval.

These discriminating provisions towards women in the Lebanese Nationality laws required government's reservations on Article 9 Paragraph 2 of CEDAW.

## 2 The Personal Status Law

In Lebanon there are 18 confessions. Article 9 of the Constitution provides that Personal Status and family matters are governed by the various religious laws on Personal Status, and religious courts are competent to look into such matters.

A project of an optional unified civil law for personal status was submitted to the government in the mid 90's. The cabinet has ratified it, but it was not submitted to the parliament. Some religious leaders vehemently opposed the attempts to pass such an optional unified civil law. Consequently, for the time being, Lebanese women are treated differently based on the Personal Status of their different confessions.

Our Personal Status Laws are in general discriminatory towards women in many aspects, particularly in the following:

- No equal rights as to the personal rights of the husband and wife, or as to the rights and obligations in the marriage, or in case of termination of the marriage.
- No equal rights concerning the children's guardianship, custody, tutelage, and adoption.
- The woman is exposed to divorce, homelessness, and polygamy.

These discriminating provisions towards women in the Personal status laws required government's reservations on Article 16 of CEDAW.

## 3 The Penal Law

- Article 562 of the penal code refers to "Crimes of Honor." This article was amended by considering such acts as "crimes" with "attenuated sentences," while previously they were not considered as criminal acts, and the aggressor was released. Nevertheless, such crimes are still tolerated under the new text.
- Regarding adultery, men are only incriminated if caught in the act in the marital home or if they openly take a mistress. However, Articles 487, 488, 489 of the Lebanese Penal Code incur a heavier sentence for married females and their married partners.
- There are no specific protections against domestic violence.
- Marital Rape is not considered a crime (excluded by Article 503 and 504 of the Lebanese Penal code).
- The sentences for kidnapping and rape are suspended if the aggressor agrees to marry the victim (Article 522 of the Lebanese Penal Code).

These discriminating provisions are not in compliance with Article 2 Paragraph (g) of the convention, which provides that state parties must repeal all penal provisions discriminating against women.

#### **4 The Labor and Social Security Laws**

- There are no provisions in the Labor Law or in the Penal Code regarding sexual harassment in the work place.
- Domestic workers and employees in agricultural institutions are excluded from the protections of the Labor Law (Art. 7 of the Labor Law). It is noteworthy that the majority of such Lebanese workers are women.
- Maternity leaves differ for employees in the private sector (seven weeks as per Art. 28 of the Labor Law) and for employees in the public sector (sixty days as per the Article 38 of DL n°112 amended by Law n°48). In both cases, maternity leaves are not in compliance with ILO laws and CEDAW.

Although insured working women pay the same contribution as insured men to the Social Security Fund, some provisions of the Social Security Law are still discriminatory towards women:

- In accordance with the provisions of Art 14.2 (c) , the husband of an insured woman may be considered as a relative beneficiary of the insured women only if he is more than 60 or unable to provide for himself due to physical or mental incapacity. Consequently, an insured woman will bear the burden if her husband is unemployed because she will not be able to include him as a beneficiary of her insurance.
- Article 16 of the law on Social Security differentiates between men and women subscribers relating to the maternity indemnifications. A male Subscriber is entitled to maternity indemnification for his relatives provided he was a subscriber for at least 3 months during the 6 months preceding the evidencing of the pregnancy of his relative. However, in accordance with clause 16.2 of the law on Social Security, a female subscriber, and her relative, will be entitled to maternity indemnification only if she was a subscriber for a period of 10 months at least prior to the assumed date of birth.
- Article 46.2 of the law on Social Security provides the right for an insured man to benefit from family and education allocations for his wife if she is not holding a paid job. However, such right is not provided for the insured woman.

Although judicial authorities apply the ILO covenants to the advantage of women in this field, the legal provisions which are contradictory to or not compatible with the international conventions and the CEDAW should be amended.

### **III. Current Available Opportunities for Changes**

Some gender related projects of laws are currently on the agenda:

#### **1 A Project of Law on Domestic Violence**

Civil Society had submitted to the Lebanese parliamentary subcommittee a project of law protecting women from domestic violence.

The project is to be discussed in the subcommittee, prior to submitting it to Parliament. However, the amendments made in the subcommittee are stripping the text from fundamental protections.

One of the main points of conflict is whether to outlaw marital rape. A faction considers that there can be no such thing as rape within a marriage. This has been strongly opposed by activists, and hundreds gathered in Beirut protesting the removal of the clause outlawing marital rape.

Another point of contention is the provision stating that the personal status laws governing family relations and specific to each religious community would override the law on domestic violence. This provision leads to a key question: what is the purpose of enacting a law protecting women from domestic violence, including marital rape, when such acts are allowed under the personal status laws of some communities?

The amendment also provided that religious courts rather than civil or criminal courts would have jurisdiction to look into complaints regarding domestic violence. Said amendment decreases the protections of the aggressed person.

The project is still under discussion. We hope that the protests will lead to a more comprehensive approach by the Parliament.

The main challenges and impediments this project faces are the patriarchal society and archaic mentality, as well as religious opposition.

## **2 A Project for the Incorporation of a Gender Quota in the New Electoral Law**

Many Lebanese women have attained high levels of education. Lebanese women also actively participate in the political process: female voters reached 50% of the total number of voters in the last parliamentary and municipality elections, and in the last municipality elections women reached the highest rate of women in access to municipality seats. However, the rate of parliamentary seats acquired by women in the last parliamentary elections was reduced from 6 to 4 out of 128 seats.

In order to address this extremely low number of elected women, the introduction of a Gender Quota, although controversial, seems necessary in patriarchal societies such as Lebanon because Gender Quotas are the fastest and most effective way to increase women's access to decision-making positions.

A project for a new electoral law to be enacted prior to the parliamentary elections of the coming summer is under discussion. Since this is a great opportunity for the incorporation of provisions on gender electoral quota, women activists are voicing requests to that effect.

International conventions provide for a quota of 30% as a minimum. Women activists are requesting compliance with international conventions. However, they are faced with a counteroffer (not yet guaranteed) for a 10% quota. Other counteroffers provide for a 20% quota on electoral lists only.

Gender Quotas should be enacted in all decision making positions and in all sectors. For gender quota provisions to be effective there must be a mandatory quota of Reserved Seats and they should include implementation procedures, penalties for non-compliance, and even enticement for compliance.

The main challenges and Impediments to the project on the incorporation of Gender Quota in the new electoral law are:

- The incumbent legislators are not agreeing on the provisions of the new electoral law. Consequently, adopting gender quota provision is not among their priority which is to succeed in adopting a text that would guarantee their own seats in parliament for another term.
- The Lebanese electoral system already provides for an electoral quota for religious communities (religious proportionality), and consequently, the legislators are finding it difficult to incorporate another type of quota.

The participation of women should cease to be perceived as a right for women or as a gift to be awarded to them. It is, in fact, a duty for women to be included in bearing the responsibilities and obligations of citizenship, and a right for the Nation to benefit from all its active components.

# Women Leading Political Participation, Public Service, and Transitional Justice in Libya

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## 1. Introduction

Gender equality in political participation is a fundamental aspect of modern democratic governance. Most international treaties, social studies, and even modern universal insights all agree that both men and women should have equal rights and opportunities to participate fully in all aspects and at all levels of political processes. In practice, however, it is often more challenging for women to access and exercise these rights. In Libya, a country in which society is deeply rooted in overly conservative views based on outdated traditions and religious misconceptions, the country's history delays, if it doesn't completely prevent many social reforms that are needed for the advancement of our country.

The purpose of this work is to present the current post-war experience of Libyan women in terms of women's political participation, and to identify mechanisms to overcome these challenges in the coming Constitution and legislations. This work will recall the fundamental gender equality proclaimed by Islam, modern universal humanitarian notions, and international conventions dealing on Human Rights and Women's Rights.

### July 2012 Elections

July 2012 witnessed the first national free elections in new Libya to elect the members of the General National Congress (GNC). The electoral commission stated that 80% of eligible voters registered, totaling 2.58 million people. Of these, 45% were females. The number of registered voters was a great achievement for the High National Election Commission (HNEC) and for the people of Libya. The number of women voters and candidates showed the determination of women to participate in the elections, however humble these numbers may be considered.

In total, there were 625 female candidates and 545 female candidates out of a total of 1,206 candidates representing different parties, while only 85 female candidates took the risk to compete independently out of a total of 2,501 independent candidates. These numbers underscored the commitment and perseverance of Libyans throughout the country. Many women across Libya challenged barriers that had held and deprived women of their political and socio-economic contribution.

Libya's experience in terms of special measure for women's representation has elements of both Tunisia's and Egypt's experience. During the initial discussions to establish the legal framework for the July 2012 election of the General National Congress (GNC), a purely majoritarian system was proposed with 10% of seats reserved for women. Following many debates and counter-proposals, Libya's electoral law finally adopted a mixed parallel system (such as Egypt's). As a result, 80 seats out of a total 200 were to be elected by list PR (proportional representation), whereas 120 were to be elected by a majoritarian system.

For the PR election, the law established "vertical" parity (such as was the case in Tunisia) as well as a "horizontal" parity – meaning that political entities putting forward more than one list in different constituencies needed to ensure that there was alternation between men and women candidates at the top of the list. As in Egypt, the quota for women's seats was dropped and there were no special measures for women's representation in the majoritarian race.

The electoral results in terms of women representation were mixed: for the PR race, the vertical and horizontal “parity” worked well: out of 80 elected candidates, 32 were women (or 40% of PR seats). But because PR elected members of parliament represented only 40% of all elected candidates, and given that only one woman was elected out of 120 majoritarian seats, the overall result is mitigated, and the total number of women elected 33, represents only 16.5% of all elected members. While less than Tunisia’s Constituent Assembly, Libya’s GNC obtained a much larger percentage of women representation than Egypt’s and, at the end, a higher percentage than the initial “women quota” had proposed.

Although women’s participation in the GNC elections was a bright step forward, it would take ‘actual’ representation for women to actually gain their rightful place in society. Procedural events, such as campaigning, voting, etc. only skim the surface of the political and decision-making role women should play in a society. The true extent of their empowerment means participation in policy making and legislation, not only to secure their rights but also to share in shaping the politics of the nation. The problem is that social and religious challenges seem to combine forces to form a greater political challenge for women.

### **Mechanisms to Enhance Women's Participation by the Libyan Government**

It is clear that the post revolution governments did not adopt any serious programs to encourage and ensure women’s participation, as proven by the lack of real female representation in recent governmental bodies. The NTC (National Transitional Council) at the beginning of the revolution, had issued a Constitutional Declaration which stated that all Libyans are equal in terms of ‘civil and political rights’ and that there will be no ‘distinction based on religion, sect, language, wealth, gender, lineage, political opinions, social status...’ (Article 6) and has also stated that the Libyan state will protect Human Rights and seek to join international covenants and treaties that promote and protect Human Rights (Article 7). These idealistic stands sadly seem to be a reflection of the early sentiments of the Libyan revolution, and perhaps an attempt to confirm new Libya’s commitment to Human Rights.

No one can deny that the newly elected GNC has many messes to clean up before they can address core socioeconomic and policy issues. Reconciliation and transitional justice are among priorities for peace and security to prevail. The disarming campaigns must succeed in ridding the streets of guns and other weapons; establishing the rule of law and trying to bring peace and order to the community; forming unified and qualified armed and security forces; fighting corruption; and adopting a transparent governmental process. All these problems, and many more, have disrupted Libya’s progress in rebuilding the nation.

The GNC have a heavy burden on their shoulders, and social reform seems to be a luxury at such a time. However, it could be said that matters such as fair and equal representation on any scale, including gender equality, are a basic principle of any democratic government. Participation in politics and decision making should not be viewed as just another problem, but it should be viewed as a part of the solution; in other words, a necessary component of the collaboration to solve the problems that Libya is facing today.

### **Role of Civil Society and Women Activists**

Women activists and civil society are once more taking the lead to ensure women's rightful participation in decision making at all levels.

Libyan society is severely lacking awareness in regard to two major deficiencies, including in the areas of (1) creating a knowledge-based society and (2) women’s empowerment. Women lack leadership skills, which is critical if women are to take their rightful place in the transitional period.

It was therefore recommended in a National drafted action Plan by representatives of civil society, representatives of different political parties, members of the newly elected National Congress to take the following measures:

- Develop a sustainable and integrated strategy capable of achieving cultural and social advancement on issues affecting women and empowering women to develop their awareness of their rights and capabilities.
- As a body, the GNC (General National Congress) reaffirms its commitment to the civil liberties and rights of women to participate in public life without fear of harassment or discrimination. It also confirm its commitment through the constitution, legislation, and policy that explicitly respects civil liberties and human rights, and it establishes systems that hold these laws to account, irrespective of gender.
- Security for women is vital to their progress. The new government must take all measures to reach peace and security for all Libyans. Reconciliation, transitional justice, and disarming militants outside the national army is a prerequisite for the progress aspired.
- Set a quota system that would ensure women's representation by no less than 30% in the General National Congress, and that would take further steps to ensure women's participation in politics.
- Reaffirm the right to equality between women and men by highlighting the important roles both play in society.
- Prepare women leaders and work towards increasing their presence in all sectors, including political and cultural, public and private, economic and educational, and local and international.
- Strive towards changing current perceptions and norms through promoting women's empowerment and presence in the media.
- Reform legislation and enact it. Taking the necessary measures to guarantee and protect women's rights, most notably through securing them and guaranteeing their protection through the constitution, and through legislating international treaties on women's rights.
- Develop women's economic roles, through supporting women's participation in the economy, helping build women business leaders, and offering fair competition in the market.
- Build women's awareness of their rights through the available media channels and communication networks to spread awareness of women's rights and demands and encourage them to maintain their gains.
- Work to establish a lobbying strength to affect decision makers in supporting women's rights and participation through forming networks and coalitions to provide the support needed for women's empowerment.

The solution here should not only be in 'general' terms, but the awareness should also be 'personal.' Women need to know their rights and the empowerment offered to them by Islam, and they need to arm themselves with the modern thought and teachings of the progressive school of thought. These steps would eventually lead to women breaking the monopoly men have on religion in our society, and they would present religious female leaders and teachers with the opportunity to represent the women's movement and to fight for it on the religious front.

The role of women in this transitional period is crucial, and it is paramount that the new legislature and its appointed government begin to take concrete, substantive measures to ensure that women's participation continues to grow following this promising start.

### **The Constitution**

Finally, Libyans are waiting for the National Congress to appoint or elect the Committee to draft a Constitution that reflects the values of the revolution and the principles of democracy, dignity, justice, and

equality between men and women. The outcome of workshops conducted recommends that the Committee should take the following issues into consideration when drafting the Constitution:

- Establishment of a higher Women's Affairs Council that follows the Legislative authorities with full executive authority as well.
- Rejection of all forms of discrimination, including discrimination against women.
- Refer directly to women and men in all the chapters where the Constitution recognizes the rights and fundamental freedoms.
- It should be enshrined in the Constitution that it is the State's duty to take all necessary measures to remove legal obstacles as well as social and economic obstacles in particular to reach equality between women and specifically for providing opportunities for women into public life.
- Women's rights and their gains should not be limited to family law or personal status, but her civil and political rights as well as social, economic and cultural rights.
- Adoption of international treaties as one of the main references to ensure human rights in general and women's rights in particular.



## Why the Arab Spring Countries Need a Plan of Action for Women

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The post-Arab Spring developments in Egypt and Tunisia have been a setback for women—and in Egypt more so than in Tunisia. Since the fall of President Zine el Abidine Ben Ali in Tunisia and Hosni Mubarak in Egypt, women's rights have been ignored and eroded. In Egypt, the quota system, which reserved a certain percentage of parliamentary seats for women, was abolished by the military officers who replaced Mubarak. As a result, only eight women were elected to the 508-seat parliament, compared to 64 in the outgoing legislature. The first post-Arab Spring parliament was dissolved, but the members of the dissolved parliament managed to choose the delegates to the constitutional assembly.

In the constitutional assembly, out of 100 members, only six were women, and five of them belonged to the Islamists parties. During its brief life, the dissolved parliament found time to consider lowering the age of marriage to 9 for girls, decriminalizing female genital mutilation, and limiting the right of the mother to custody of her children. The Egyptian draft constitution was passed in a referendum in December 2012, thus putting an end to the disputes between the liberals and the Islamists over articles of the constitution.

In Tunisia, women had to fight for parity, meaning that candidates were alternating between men and women in the elections of the constitutional assembly. As a result, 49 of 217 members elected to the assembly were women. But not a single woman headed any lists, neither the Islamist lists nor the secularist lists. Thanks to these women, Tunisia's constitutional assembly kept the current progressive personal status law in its original form. But in the government formed by the Nahda party, there were fewer women ministers than under Ben Ali. In the current government, women hold the portfolios for women's affairs and for the environment. Peer pressure for observing the *hijab* is gaining ground in Tunisia, and unveiled women have been harassed by Salafis and Islamists on the streets and especially on university campuses.

In Yemen's traditional and tribal society, President Abdu Rabu Mansour, who replaced Ali Saleh, has talked about allocating 28 percent of senior government posts to women; yet there is only one woman in the 301-member parliament, and the rate of illiteracy for women remains at over 60 percent. Despite the Noble Peace Prize that was awarded to Tawakkol Karman, a Yemeni female journalist and political activist, the condition of Yemeni women has deteriorated since the recent revolution.

In Libya, the Chairman of the National Transitional Council, Mustafa Abdul Jalil, suggested reintroducing polygamy, though he was forced to retreat in the face of a public outcry. In Libya's first post-Qaddafi parliamentary elections in July 2012, 32 of the 200 new deputies were women. The parliament is an interim one and will sit until the new constitution is drafted and approved.

In all these four countries, the government is run by Islamist majorities who talk extensively about compliance with Islamic law. All eyes are on the governing constitutions emerging from deliberations and subject to popular referendums. The Egyptian constitution was approved by a 64 percent majority in a referendum held in December 2012. Egyptian women noted that the constitution is not gender-friendly and contains no article regarding gender equality.

All four countries are signatories to a number of international conventions, including those on human rights, the Convention on the Rights of the Child (CRC), the Convention on the Elimination of Discrimination Against Women (CEDAW), the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and UNSCR 1325. While ratification of these conventions was regarded as a sign of progress and commitment by the signatories to international

human rights norms, in practice, it turned out, signature did not mean adherence to the rights inherent in these conventions. For example, Saudi Arabia is a signatory to CEDAW but remains one of the most repressive regimes in the world when it comes to women's rights.

In the past, Egypt, Libya, Tunisia, and Yemen and other MENA (Middle East and North Africa) countries participated in the United Nations-sponsored international women's conferences in Mexico in 1975, in Kenya in 1980, and in Beijing in 1985. It was in Beijing that Hillary Clinton, then First Lady of the United States, said, "human rights are women's rights and women's rights are human rights." After Beijing, most of the countries of the MENA region paid lip service to these international conventions and women's rights but without making good on their commitments. Some governments in the region did develop a policy of gradual inclusiveness and social, economic, and political empowerment of women during the 1990s. Political and economic empowerment proved easier than legal improvement in the status of women. Changes in the legal status of women required changing the personal status law, which is based on the *shari'a*. Most governments were hesitant to alienate the religious community and the conservative elements in their societies, for whom the *shari'a* was the foundation of all women's rights in these societies.

Yet women were pushing for new, expanded roles, and they continued to do so during the mass demonstrations of the Arab Spring. They regarded the past as a closed chapter to which there could be no return. On the eve of the Arab Spring, women across the board were better educated than previous generations. In some countries in the MENA region, more women than men were gaining entrance to universities. Women held decision-making positions in the government, served in parliaments, and ran businesses. The window of opportunity seemed to be opening up to them.

The millions of women who participated in the demonstrations that led to the overthrow of the old regimes during the Arab Spring, like their male counterparts, aspired for democracy, respect for the rule of law, transparency in government, equality, and justice. Never did they imagine that women and women's rights would be the first victims of the Arab Spring. Yet the looming marginalization of women became the sword of Damocles hanging over their heads. Today, the question facing these women is how to stanch the hemorrhaging of women's rights across the region—how to prevent post-revolution Arab states from going down the path the Iranian revolution followed where women are concerned. If the Islamists succeed in reversing already hard-won women's rights in countries like Egypt and Tunisia, the ripple effects will be felt across the region.

It is ironic that the Arab Spring bore fruit because of the participation of women. But women are once again being pushed aside. It is ironic that some of "the revolutionary" Arab regimes, rather than dealing with the fundamental problems of their societies—unemployment, poverty, disorder, lawlessness, and declining tourism and investment—remain obsessed with issues of women's dress or women's presence in the public space and continue eating away at the hard-gained rights of women and the roles they are playing in their societies.

### **What Should Women Do?**

In the countries of the Arab Spring, women have to make sure that their rights are not compromised and diminished. Therefore, they must insist on the expansion of women's rights and roles in society. This requires:

1. total equality between men and women in the newly-drafted constitutions. So far, the Egyptian constitution has not lived up to earlier promises in this regard;
2. full adherence to existing international conventions dealing with human rights, women's rights, and children's rights;

3. and a plan of action drawn up by each country based on existing rights and in conformity with international conventions, which governments undertake to implement in its entirety.

If constitutions do not guarantee the rights of women as equal citizens, and if the constitutions of the Arab Spring countries deprive women of their equal rights as citizens and undermine international conventions, then it will be the duty of the governments and women NGOs in these countries to draft and implement a national plan of action that will correct the shortcomings of the constitution.

Among the existing national plans of action, the Rwandan and the South African plans can serve as a model. But for Middle Eastern countries, it might be more appropriate to adopt a plan of action from the region. Pre-revolutionary Iran's plan of action, and the manner in which it came into being, provides a useful model. The Iranian government ratified the National Plan of Action drafted by the office of the Minister of State for Women's Affairs in 1978.

The 1975 Mexico World Conference of the International Women's Year was organized by the United Nations. 1975-1985 was announced as "The Decade of Women." The conference adopted the World Plan of Action to improve the status of women around the world. The three main goals of this plan of action were:

"full gender equality and the elimination of gender discrimination;  
the integration and full participation of women in development;  
and an increased contribution by women in strengthening world peace."

The plan of action adopted in Mexico provided general guidelines, and it was left to each government to draft its own plan. With these guidelines in hand, the Women's Organization of Iran (WOI) and the Iranian Ministry for Women's Affairs went into action to draft its own national plan of action.

One of the major decisions of the drafters of the Iranian plan was that it should not be a top-down one but should result from discussion among women from all classes, especially grassroots activists, NGOs, and government officials, men and women. The WOI drew up a rough draft of the plan as a basis for this wide-ranging three-step discussion. The rough draft was based on the earlier work of the WOI around the country on women's issues.

First, 700 panels were organized by the WOI branches in the provinces and in both rural and urban areas to discuss the draft of the national plan of action (NPA), and they met over a period of one year (1976-1977). Based on these exchanges, a more complete draft was written and sent back to the provinces for further discussion.

Second, the WOI organized 12 seminars at the national level, one every month in the provinces. I recall attending a number of these seminars. Participants debated the articles of the NPA, and their suggestions were often incorporated into the final document. As part of step two, the NPA was also discussed in town and local councils. At that time, the local councils were dominated by conservative men not sensitive to gender issues; the number of women on the councils did not exceed 10 percent of the membership. To convince the conservative members of the local councils to approve the NPA required a lot of work by the WOI. The WOI believed that the NPA should reflect the views of women and men around the country, even if this meant weakening the draft. The WOI organized a number of informal gatherings to answer and explain questions regarding the NPA.

Third, 10,000 women and men from across the country were invited to Tehran to ratify the plan of action. Ratifying the plan was one thing; finding the right mechanism to implement and monitor the plan was another thing. The Minister for Women's Affairs had to persuade the cabinet to adopt the plan to secure a commitment from each ministry to help with implementation of the NPA and its inclusion in the sixth

development plan. Lengthy negotiations took place between the drafter of the NPA and the various ministries.

The NPA was finally approved in the cabinet in 1978. Without a serious commitment to the plan by the government, the NPA would not have succeeded. A committee was formed consisting of eight deputy ministers and one representative each from National Radio and Television and the Iranian National Committee for World Literacy Programs. It was important to invite a representative from National Radio and Television in order to disseminate the message, and due to the high rate of illiteracy among women, it was necessary to include a representative from the Committee for World Literacy Programs. The committee was asked to meet once a month to report on the implementation of the plan in their ministries to the WOI. In the provinces, the WOI was in charge of implementing the NPA with necessary resources from the local government.

Once committees were formed in each ministry and the process was put in place, the 1979 revolution started and the WOI never got a chance to witness the implementation of this all-encompassing plan. Looking back, had the government of the Islamic Republic accepted the concept of gender equality—rather than dismantling most of the gains women had made in the previous decades—and implemented the NPA, Iranian women may not have suffered one setback after another. The Iranian National Plan of Action would have become a living piece of legislation to be picked up by other countries, especially in the MENA region.

A national plan of action for women will only work if it is based on the UN World Plan of Action and based on international conventions. The process to draft such a plan must be bottom up, and it must have the full participation of women and men across the country and the total support of the governments regardless of cultural and religious impediments to women's rights in each society.

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### Resources

- Hanin, Ghaddar. *Voting as a Powerful Tool for Women*. Viewpoints. Middle East Program, Woodrow Wilson International Center for Scholars, October 2012. <http://www.wilsoncenter.org/publication/voting-powerful-tool-for-women>.
- “Declaration of Mexico on the Equality of Women and Their Contribution to Development and Peace.” Mexico City, Mexico: United Nations NGO Committee on Education, 1975. <http://www.un-documents.net/mex-dec.htm>.
- Is the Arab Awakening Marginalizing Women?* . Occasional Paper Series. Middle East Program, Woodrow Wilson International Center for Scholars, Summer 2012. [http://www.wilsoncenter.org/sites/default/files/Arab%20Awakening%20Marginalizing%20Women\\_0.pdf](http://www.wilsoncenter.org/sites/default/files/Arab%20Awakening%20Marginalizing%20Women_0.pdf)
- Reflections on Women in the Arab Spring: Women's Voices from Around the World*. Middle East Program, Woodrow Wilson International Center for Scholars , March 8, 2012. <http://www.wilsoncenter.org/publication-series/reflections-women-the-arab-spring-women%E2%80%99s-voices-around-the-world>.
- Women After the Arab Awakening*. Occasional Paper Series. Middle East Program, Woodrow Wilson International Center for Scholars, Winter 2012. <http://www.wilsoncenter.org/publication/women-after-the-arab-awakening-winter-2012>.

## **Morocco: Women After the Democratic Spring**

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Even though women were able to vote in Morocco since independence in 1956, their participation in the public and political spheres was very limited due to the lack of adequate legislation and the prevalence of patriarchal mentalities. For the last 20 years, the women's rights movement in Morocco campaigned continuously and has become the catalyst for positive change with regards to laws and attitudes affecting women's access to equal rights.

Since the early 90's, women rights' activists understood that their individual actions, as commendable as they were, would not lead to the drastic change they were looking for. This is how the first nation-wide, unified women movement was created. In 1992, the Union of Women's Action launched a petition asking for the reformation of the family code and the adherence of Morocco to the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Over a million signatures were collected. To increase pressure on the government, the women took their demands to the street by organizing one the biggest rallies in Morocco's history. The first concrete victory came a year after when Morocco ratified the CEDAW. Strengthened by this positive outcome, the women movement continued the struggle until succeeding in 2004 to pass the *Moudawana*, one of the most progressive family laws in the region.

### **The Arab Spring and the New Moroccan Constitution**

The wave of popular uprising that shook the MENA region reached Morocco in February 2011, when youth movements and protest groups gathered around a series of demands revolving mainly around increased personal freedom and democratic transformation. A few weeks later, King Mohammed VI announced a series of reforms including the drafting of a new constitution and early parliamentary elections.

In the backdrop of increased political will at the highest levels and benefitting from the momentum created by the Arab spring, civil society organizations saw the perfect occasion to push for the strengthening of women's rights and for increased representation of women in elected offices. The activists chose, one more time, to create a coalition and to lobby the government using one voice and one banner. 30 leading women's rights associations created a new alliance that was named "The Feminist Spring for Equality and Democracy"<sup>1</sup> in order to lobby the constitutional drafting committee and to present them with one consensual document outlining their detailed recommendations. To the satisfaction of many, the new constitution adopted in July 2011 included the majority of the proposed recommendations and contained a number of important provisions that protected the political, social and economic rights of women.

The Constitution established the supremacy of international conventions and stressed the necessity to adapt national laws to be in line with Morocco's international commitments. The entrenchment of the equality between men and women started from the preamble of the constitution where the state commits to "ban and combat discrimination against anyone based on sex".

As we could see from the articles below, the new Constitution resulted in significant progress in the legal protection of women's political rights by enshrining the rights of men and women to vote and to stand as

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<sup>1</sup> <http://pfdemaroc.wordpress.com/>

candidates in elections. The new Constitution also provided that laws will establish measures to promote equal access to elective office.

The Constitution contained also a number of other provisions establishing equality between men and women, namely<sup>1</sup>:

- ❖ **Article 6:** "...the government needs to work to create the conditions allowing for the generalization and effectiveness of freedom and equality of citizens and their participation in the political, economic, cultural and social spheres"
- ❖ **Article 19:** "men and women enjoy equal human rights and freedoms in civil, political, economic, social, cultural and environmental outlined in this article and other provisions of the Constitution... the Moroccan government is working to achieve parity between men and women. It has created for this purpose, an Authority for Equality and the fight against all forms of discrimination"
- ❖ **Article 22:** "the physical or moral integrity of anyone cannot be undermined under any circumstances whatsoever by any person whomsoever, public or private..."
- ❖ **Article 30:** "...The law provides provisions to promote equal access of women and men to elective offices..."
- ❖ **Article 115:** The Superior Council of the Judiciary "...representation of women judges shall be secured among the ten elected members, in proportion with their presence in the body of the judiciary..."
- ❖ **Article 146:** "...the electoral system and provisions should ensure greater participation of women in these [regional and local] councils"

### **Moroccan Women's Participation in Political Life**

Although Moroccan women are present in a number of important administrative, judicial and business positions, they are rarely represented in decision-making jobs, and they are still under-represented in political offices.

After the constitutional reform, 3 regulatory laws were issued to encourage women participation and representation in elective offices: (1) regulatory law for the House of Representatives (2) regulatory law for the election of the boards of territorial communes and (3) regulatory law for political parties.

A quota was established in the House of Representatives where 60 seats out 395 were reserved for women (which represent 15 percent). The law requires 90 members of parliament to be designated at the national level, and the lists of the candidates presented by parties at this level must be composed of 60 women and 30 men aged 40 years or under. However, there is no quota applying to lists presented at the local level. In parliamentary elections held in November of last year, there were no more than 4 percent of women candidates. At the local level, out of 1521 lists, only 57 had a woman as head of the list. Political parties also work to achieve a proportion of one-third of women in their governing bodies, but the law does not make such representation obligatory<sup>2</sup>.

In 2010, women represented 20% of all judicial posts (21% judges and 11.8% prosecutors), but women judges have announced their will to seize the Supreme Court in order to increase women's access to the highest levels of the judiciary.

<sup>1</sup> <http://www.bladi.net/IMG/pdf/Constitution-maroc-2011.pdf>

<sup>2</sup> <http://arabwomenspring.fidh.net/index.php?title=Maroc>

In January 2012, for the first time in Morocco's history, the Justice and Development Party (PJD) (a party with Islamic ideology) won a majority in Morocco's legislative body. Only one woman was given a ministerial position in the current government. Bassima al-Hakkaoui, former MP and member of the PJD, has been appointed as the Minister of Solidarity, Women, Family and Social Development. This was a surprising negative development if we consider that there were 7 women ministers in strategic ministries during the previous government.

It is worth mentioning that the government issued a new "plan for equality in the prospect of parity" 2012-2016 with the objective of institutional anchoring of gender equality, equal access for girls to education and health, the fight against violence and all forms of discrimination against women, women's equal access to positions of responsibility and decision-making in government, as well as the fight against the vulnerabilities faced by rural women and girls etc.<sup>1</sup>

### **Challenges and Obstacles Still Facing Women's Advancement**

Regardless of all the positive advancement made in the legislation, it is important to note that the situation of women in Morocco is still far from being satisfactory.

In the 2012 Global Gender Gap Report<sup>2</sup> of the World Economic Forum (WEF), Morocco is among the ten countries with the worst inequality between men and women in the four areas that the WEF used as a basis for giving its assessment: participation and economic opportunities, education, politics, and health.

In the recent statistics issued by the High Commission for Planning, it is demonstrated that one of most important obstacles for women's advancement is education: 41.3% of Moroccan women are illiterate, and in rural areas, this percentage reaches as high as 58%

Also, violence against women is still prevalent in Moroccan society and the legal recourses for women are still very limited in the absence of a criminalizing law. Women's rights associations that run shelters for battered women are saying that the numbers of victims of violence are increasing each year.

All in all, women's rights in Moroccan have experienced significant and progressive advancement in the last few decades, but the road ahead is still long and difficult. All stakeholders, government, legislators, women's rights advocates etc. have to come together to make concrete contributions to a real inclusion of women in all sectors.

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<sup>1</sup> <http://www.lavieeco.com/news/societe/la-parite-les-femmes-veulent-plus-que-cela-elles-parlent-d-egalite-22879.html>

<sup>2</sup> <http://www.weforum.org/reports/global-gender-gap-report-2012>

## Heroines of the Arab Spring Unrewarded: Egypt's Case

*Moushira Khattab*

*Former Minister for Family and Population, former Vice Chair of the U.N. Committee on the Convention on the Rights of the Child, and former ambassador to Italy and South Africa*

There is nothing like watching Egyptians rally and unite behind their football team in international matches. The euphoria, adrenaline, and unity is inspirational. Watching the Africa Cup of Nations in 2008, I wished to see Egyptians this united in other walks of life. Fast forward three years, and I got my wish, as I along with the whole world watched Egyptians unite behind the common cause of democracy in the January 25th revolution. Fast forward another two years, and the picture looks far from inspirational: today, Egypt's first democratically elected president wields more unilateral powers than all previous three presidents combined. Once again, Egyptians are taking to Tahrir Square.

The current situation in Egypt and the Arab region is particularly critical for women as it is likely to be binary in the sense that women stand to either lose or gain everything. I doubt there will be partial rights or grey areas when it comes to women's rights going forward in the post Arab Spring Middle East. Our region is going through a process of drastic change and critical self-examination, a process which has unfortunately also been accompanied with the rise of political Islam in Egypt, putting the value system of the enlightened Egyptian society through a tough test. Egyptian women who acquired their political rights in the mid-1950s need to put their foot down and capitalize on the important role they played in the Arab Spring. Will they use this role to negotiate and force through a proper set of rights, or will they succumb to becoming the marginalized sex objects that political Islamists want them to be? There will be no middle ground.

I have often read that women found their voice in Tahrir Square. I beg to differ. Egyptian women found their voice a long time ago, but it was convenient for the rest of society to hear this voice in Tahrir because every voice counted. You can't have a popular revolution without half the population. In some respects, women in Egypt continue redefining the most crucial human rights issues that impact their lives, whereas in other respects, women have sat by and watched themselves get stripped of the most basic of rights. Women have made countless strides to have their voices heard, including establishing NGOs to defend their rights; lobbying to break down many taboos such as sexual harassment and virginity tests; launching a campaign for dignity against sexism and partial violence; gaining greater access to education; and working to alleviate poverty. Despite their effort, these women have also found themselves receiving less than 2% of parliamentary seats.

Moreover, Egyptian women challenged dominant human rights frameworks which tend to define women's human rights in terms of individual political rights, and women's equality under the law, with social and economic rights deemed secondary concerns at best. Poverty is a central component of gender and human rights in Egypt as it is in many parts of the world. It is also deeply interconnected with domestic and global political and economic forces. Poverty was one of the main catalysts of the 2011 revolution. Protests led by labor unions — many of them led by women in the manufacturing cities of Egypt — were cogs in the wheel of the revolution. The struggle of Egyptian women cannot be explained through reducing women to passive victims of culture or religion. They are active participants in a grassroots people-based struggle against poverty and state corruption, rigged elections, repression, torture, and police brutality<sup>1</sup>.

Ending poverty is at the forefront of Egyptian women's demands for human rights and dignity. More specifically conceptualizing poverty not only as a domestic political or legal problem, but as a

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<sup>1</sup> Nadine Naber, <http://www.jadaliyya.com/pages/index/616/imperial-feminism-islamophobia-and-the-egyptian-revolution>



consequence of global processes such as the Mubarak regime's investment in neo-liberal economics (or the "conflation of politics and business under the guise of privatization"), and the role of the military in the political system.

Banking, business, politics, medicine, and journalism have produced prominent female leaders (both emerging and established) that have become well recognized nationally and internationally. Women's participation in public debate concerning all issues has expanded greatly, and the young women and men who planned and led the revolution are now a political force to be reckoned with.

A discussion of opportunities for women is incomplete without reference to the ongoing process of re-writing the constitution that is currently taking place amidst unprecedented polarization between ultra-conservative political Islam and more liberal-minded and less-organized civil forces. Voices defending the achievements of women are increasing in strength and rebutting attempts to reverse these gains. Male thinkers are raising the alarm that the private space of women is invaded by imposing a dress code and certain behavior resorting to very restrictive interpretations of religion. They warn that "the rights of women and children have become sensitive issues in a society where political male chauvinism continues to be the culture of the State and its organs, and one that threatens to revise women and children's rights as non-Islamic [while] representing the submissive acceptance of the former president of international pressures"<sup>1</sup>. Such a climate is detrimental to women's rights and threatens to send the status of women back to the dark ages.

Some intellectuals wondered if the time of enlightenment is gone.<sup>2</sup> Others see the current situation as a battle between modernism and conservatism, with the first receiving several fatal blows, the most recent being at the hands of the Constituent Committee CC<sup>3</sup> (the body mandated to rewrite Egypt post revolution constitution). Women were poorly represented in the Islamist-controlled body. Women's organizations were not represented. Reasons given by Manal el Taiby that led to her resignation from the CC are an irrefutably evident of this battle. The situation became even more worrying with almost all of the liberal political forces, representatives of the church and other critical segments of the society walking out of the CC in protest against a flawed process that resulted in the exclusion of most segments of Egyptian society.

At the hands of the Islamist-controlled CC, women lost their constitutional status of 1971. The only reference to women as a specific group, and the only role recognized for them, is that within a "family founded on religion, morality and patriotism." In this context, the constitution does not recognize any specific rights for women, let alone guarantee any. The "reconciliation between the duties of a woman toward her family and her work" is a task thrown on women's shoulders. It places "public morals above fundamental individual rights" subject to the law.

The State's responsibility to guarantee equality between men and women, a basic tenet of all Egyptian constitutions since 1923, was removed altogether from the new draft constitution. The provision falls short of internationally acceptable minimum standards observed by almost all democratic constitutions. It does not prohibit discrimination on the grounds of gender, sex, religion and origin, or any other grounds". The draft which places the subjective views of the clerics over the legislation doesn't prohibit or protect against human trafficking, servitude, or slavery. To add insult to injury, women have lost the guarantee and protection of the international human rights treaties, since reference to such treaties have vanished from the new draft constitution.

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<sup>1</sup> Dr. Nabil Abdel Fattah- Rights of women and children, a "threatened fragile reality in the transitional period" El Ahram newspaper – 22.9.2011

<sup>2</sup> Gaber Asfour in a series of articles published by El Ahram newspaper

<sup>3</sup> Dr. Mostafa Kamel el Sayed "Modernism receives a fatal blow at the hands of the constitutional assembly" El Ahram

Religion is manipulated in order to justify discrimination against women. A closer look at the legal framework governing women's rights in countries claiming to apply Islamic law will reveal wide variations. While the constitutions of Turkey and Tunisia have granted women equal rights within the family and stipulated clearly the right to non-discrimination, other countries like Egypt grant less and countries like Yemen and the Gulf gave even less. One cannot help but wonder why each state has a different interpretation of the same religion. Women are calling for justice and the rule of law. We need laws that treat women as equal human beings.

There is no democracy without equal rights for women, and women's rights cannot rest at the mercy of those in power. We must remind Arab leaders and decision makers that our countries have committed themselves to human rights conventions, and that the Arab nation has always been and will continue to be part of the global movement for human rights. This movement has now moved from standard-setting to monitoring effective implementation. On November 7<sup>th</sup> the High Commissioner for Human Rights launched the "Human Rights Indicators: A Guide to Measurement and Implementation." In her introduction, the high commissioner used the Arab Spring as a reference.<sup>1</sup> She mentioned "On the eve of the Arab Spring, there were still reports about the remarkable economic and social progress and general improvements in governance and the rule of law that some countries in the region were achieving." At the same time, United Nations human rights mechanisms and voices from civil society were painting a different picture, and reporting on exclusion, the marginalization of communities, discrimination, absence of participation, censorship, political repression or lack of an independent judiciary and denial of basic economic and social rights.

Popular uprisings and demonstrations in other parts of the world, including in relatively well-off countries, remind us of the necessity to place the human being at the center of our development policy and to adjust our analytical lens accordingly.

It was against this back drop that the High Commissioner highlighted the urgent need "to review existing analytical, methodological, and legal frameworks to ensure that they integrate real attention to freedom from fear and want." Regarding discrimination, they urged to "assess the extent of public participation in development and in the fair distribution of its benefits [and further to] strengthen accountability and embrace methods empowering people, especially the most vulnerable and the most marginalized."

Arab countries are in dire need of applying these indicators. Data collection scrutinized in order to identify pockets of compound deprivation, where more women than men are among the poor and those deprived of their right to education and good health. More women than men are also victims of domestic violence and sexual abuse. Using these indicators will make them visible in policies and legislations. I invite you all to use the HR indicators and to disseminate them widely.

### **The Way Forward for Arab and Egyptian Women:**

- 1- Women need an answer to a polemic question: Why is women's oppression, violence and discrimination defended as a corner stone of our Arab culture and our religion? Why is this fixation on women? Why not on the causes that triggered the revolutions such as fighting poverty or corruption?
- 2- The political participation and civic rights of women are important, yet they should not overshadow the priority of economic, social, and cultural rights.
- 3- While it is commonplace to blame poverty on what is termed 'corny capitalism,' I think it is critical for Egyptian men and women to make an objective assessment of the free market drive

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<sup>1</sup> <http://www.ohchr.org/EN/NewsEvents/Pages/IndicatorsestablishmentofHR.aspx>

that characterized the last decade or so of the Mubarak regime. It is critical that going forward, Egypt must build on the positive aspects of that economic system (and there are positive aspects) to overcome the negative consequences.

- 4- One very obvious area is the need to integrate all sectors of the economy in a way that allows them to reap the benefits of economic growth. In other words, there is a need for a social support system to go hand in hand with the free market economy so that no one gets left behind, and we begin to control the widening gap between rich and poor.
- 5- Women need not only literacy and mathematics but scientific and critical thinking and negotiating tactics. Egyptian Women have become a formidable voting bloc of 25 million voters. Egypt has over the years given rise to women bankers, financiers, businesswomen, and economists who must come out today and work on the integration process of fighting poverty. Women should use their voting power to consistently negotiate for their rights. At this historic juncture where rules are being rewritten, women need to be in every demonstration, in everyone's face calling for their rights *all the time*.
- 6- In conclusion, the heroic role of Egyptian women continues to capitalize on the polarized political landscape, not only to hold onto gains achieved, but to build on and further these gains. The train of writing a constitution is not one that stops for every generation. Women will be on that train when it leaves the station if not for our sake, then for the sake of our children and grandchildren.

## **Recommendations for Women in Transitional Justice in Tunisia**

*Judge Anware Mnasri*  
*Judge, Administrative Court of Tunisia*

Tunisian women were in need of more freedom and responsibility to express what their real sufferings were. Women have not had the ability to talk about their rejection and the discrimination existing between them and their male colleagues. They were also in need of protection from exploitation in the agricultural field.

A lot of women contributed to the January 14th Revolution, believing that they were actors in their community, and were present in all the demonstrations, which offered them the opportunity to lead. For instance, we can cite the death of the youngest victim during the revolution, which is a girl aged three months.

During the current transitional phase in Tunisia, the country aims to build a legal system that cuts tyranny; establishes the legitimate basis of democracy, freedom, equality, social justice, dignity, pluralism, and human rights; and one that establishes and the rotation of power, power that is conscious of all these principles.

Women, after the revolution, were invited to think more about issues regarding the country, security policy, and the country's various components. All in all, women have become more active in the political life of the country, leading to a kind of awakening and new awareness that makes them follow public affairs and policy issues of Tunisia.

Tunisian women were previously more interested in the home and children, while some devoted an ample share of time to public affairs. Revolution is changing women's mindsets, and women are forced to follow-up in their discussion of public affairs and are motivated to know the program and agenda of political parties.

From this standpoint, women must play an active role in the reconstruction and must assume its place in the decision-making institutions, since they constitute half of the society and due to their participation in the revolution. Women were also the victims of tyranny, and they suffered from the ugliest types of torture in prisons.

We cannot forget to mention wives of political prisoners who played the role of father and mother at the same time with a limited income and an absence of the husband's income. These women were hurt by being isolated from society.

Women are an integral part of the transition path and are part of those who should be involved in transitional justice. During the shaping of the second republic, women must devote their efforts to support their rights and gains.

This transition is in need of a legal framework. However, this legal framework is necessary but not sufficient as it must be escorted by practical measures to enshrine the rights of women.

### **I- The Need to Develop a Legal Framework Maintained for the Rights of Women**

The legal and legislative framework reflects the status of women. It can either be devoted mostly to culture, or on the other hand, it can be an engine and a key motive for reform. In this window, we want to

establish a climate favorable environment, where gender discrimination disappears and where men and women work together for human welfare.

It should be noted that Tunisia established during the revolution a huge need for the development of economic needs. However, these needs cannot be established without equality between the parties and especially without equality of rights and duties among citizens on the basis of full citizenship. This is necessary to ensure the participation of women actors in development democracy.

#### **A - Constitutionalizing Women's Rights:**

Women's rights must be within the principles of the Revolution's Constitution, and they must have a differential value to all other legal texts with the most important values of the Tunisian revolution expressed as:

- Freedom
- Human dignity
- Equality and non-discrimination between women and men
- Social justice and equitable development.
- Equality between the Regions.
- Women and men share the humanity.
- Article I: people are born free and equal in dignity and rights
- Article II: Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind.

The Constitution of Tunisia must recognize that women have all the civil, political, economic, social, cultural, and environmental rights on an equal footing with men with the following mentioned:

- The principle of the equality of all citizens and citizens (and it is what Word Press of the constitution said)
- Equality in rights and duties
- Equality in law
  - It is crucial that the Constitution guarantees that women enjoy their rights, and that it takes into account the privacy rights of women related to pregnancy and childbearing.
  - The Tunisian state must ensure the physical protection and moral integrity of women, and it must protect them from sexual abuse and violence in all its forms in all areas of public and private life.
  - Violence can affect women's involvement in economic life, and it reduces their interest in public affairs and prevents their influence in the political life.
  - Sanctity of women's rights and the inviolability of the Family Law.
  - The Constitution must be taken as a model and should be based on feminine and masculine language, not only go to the citizen but also to citizenship. The linguistic approach of adopting feminine in the drafting of the text of the Constitution is key to institutionalize women's rights.

#### **B - Adjustment of the Legal Mechanisms to Enshrine the Rights of Women:**

The application of the principle of equality requires uniformity in postures, while the status of women economically, socially, and politically is not similar with the status of the man. To devote justice between the parties, some action mechanism should be taken for the goal of activating the principle of non-discrimination between the sexes and to accelerate the equal rights of women and men.

- This positive discrimination was already adopted in Tunisian electoral law during the formal elections, and the adoption of the principle of parity was a push towards the principle of equality. This principle is one of the most important gains of the revolution, and it helped in the presence

of 28% of the women in the current Constituent Assembly. It is imperative to include the Parity in all areas of politics at the national, regional, and local levels, as well as in plans for parliamentary and representatives. In short, parity must be included in the Constitution.

- Establishing an independent constitutional court ensures the supremacy of the Constitution and monitors all the laws and respects the international conventions ratified by the Tunisian state.
- Interpretation of human rights provisions in the Constitution by reference to the Universal Declaration of Human Rights and international conventions ratified by the Tunisian state and especially the Convention on the Elimination of all Forms of Discrimination against Women.

### **C - Activating the International Conventions Related to Women's Rights:**

International conventions have a legal value less than the Constitution, although the conventions are higher than the Constitution. These conventions are a source of legitimacy.

Tunisia ratified the CEDAW in July 12, 1985, but with a number of reservations. On October 24, 2011 the Tunisian government removed reservations attached to Law Number 68 of 1985.

- Convention on the Political Rights of Women of 1952
- The International Covenant on Civil and Political Rights

## **II - Community-based Mechanisms to Devote to Women's Rights:**

The experience of Tunisia shows that the best guarantor for the effective participation of women is the existence of a civil society based on human rights institutions.

### **- Proposed recommendations:**

#### *Preventive:*

- The criminalization of any political or moral violence against any Tunisian women (voter/candidate) by laying down legal rules that criminalize defamation and libel moral.
- Do not rely on women only in the struggle for women's rights; men must be involved and participate
- Mobilization and advocating for the rights of women in society with an effective participation of men.

#### *Mechanisms strategy:*

- Poverty is associated with the gender approach, since women represent the largest proportion in poverty, which is what affects their participation in private and public life. We must support women's entrepreneurship and support uneducated rural women. We must salvage women from economic marginalization and encourage them to create projects to support their position in society because financial independence leads to decision-making. We must find new mechanisms to integrate women into political and economic life and make them take new advantages and benefits.
- Parity and representativeness will motivate parties to attract women and encourage their presence in decision-making positions.
- Develop strategies to deal with women's issues and defend their gains and work on drafting a new curriculum that will support the women's contribution and its influence on the political, social and economic scene.
- Educate women about all international conventions and treaties such as CEDAW and the Convention on Maternity and Children's Rights before the next election campaign, since these conventions are a source of legitimacy.

- Open dialogue on the virtual level through websites' forums including talk shows in free space between virtual women in decision-site and civil society actors that encourage dialogue among women and activists in order to exchange ideas
- Creating pages on social networking sites in order to enhance dialogue on various developments related to women's issues.
- Workshops and panel discussions periodically between women active in civil society to intensify coordination among themselves.
- Support women's participation and capacity building by training courses on:
  - Techniques to communicate with officials and building the capacity of women to defend their rights through training on organizational and leadership skills.
  - Training for journalists (on TV, Radio...) to raise their awareness about the importance of the role of women candidates and deputies to the media pulpits, as well as imposing parity or quota in the media.
  - Finding partnership and exchange programs for women in various fields and exchange experience between them and representative females of the international communities.
  - Creating an Initiative for Women's solidarity and generating a kind of coalition and harmony among them about women's issues. Also, making them deal with these issues and struggles for women's rights rather than only serving their party's agenda.

## **Women's Movement in Egypt: Dealing with Religious Fundamentalism**

*Howaida Nagy*

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### **Introduction**

Women have played a significant role in Egyptian society. The earliest appearance of woman in public life in Egypt goes back to the Pharaonic era, where she enjoyed an equal status with man and engaged in politics and government. Queen Hatshepsut governed from 1479 to 1457 B.C. She played an effective historical role in enhancing State structure in the fields of religion, trade, and domestic and foreign policy. The same course was pursued by Nefertiti, Cleopatra, and Shajaret ad-Dorr in later eras.

With the rise of the modern State under Mohammed Ali's rule, a magnificent role for women emerged. However, this did not take place overnight but was rather stimulated by calls marked by enlightened scholars such as Rifa'a al-Tahtawi and Qassem Ameen, calling for emancipation of women and their right to education and employment.

In the early 1900s, a number of Egyptian women formed the first services NGO, i.e. Mohammed Ali's Charity - the Intellectual League of Egyptian Women. These nascent formations paved the way for wider participation by Egyptian women in public action.

The subsequent years witnessed efforts by women to establish and participate in charities, voluntary, and literary societies. Women showed an increasingly important role in national issues, with women taking to the streets in demonstrations protesting against British occupation and participating in the 1919 Revolution. However, the 1923 Constitution was issued without giving women their political rights; thus leading to increased calls for women's access to rights.

The first women's political party was established under the name of the Egyptian Feminist Party in 1942. The Egyptian Women's Associate called in 1947 for the need to amend the electoral law to grant women the right to vote on equal footing with men, in addition to a right of access to local and representative councils. During a women conference held on February 19, 1951, a women's demonstration chanted slogans calling for equal rights for women.

Following the July 1952 Revolution, the 1956 Constitution granted full political rights to women. At that time, there was a dominant recognition that the denial of women's rights was in conflict with the rules of democracy.

The access that women were granted to their political rights was the starting-point for the engagement of other rights, including access to public and top positions and recognition of woman as a productive force with equal footing with man. This led to the appointment of the first woman minister in Egypt in 1962.

Since then, the practice of assigning women to ministerial posts in the Egyptian cabinets has been pursued, and their representation in other legislative, judicial, and political institutions has been entrenched.

### **Women in the Pharaonic Age**

The historical importance of the ancient Egyptian civilization lies in its human message and values encompassing all aspects of life. Over seven millennia, the Egyptian civilization provided the roots from which mankind derived its human heritage. Most important was the recognition of women's role in society. This recognition was translated by forging out a lofty status for the Egyptian women. Women in



Egypt have always played an important role; they were men's only partners in life as well as in afterlife and were ensured total equality. They also enjoyed equal legal rights and responsibilities as their husbands when first bound in holy matrimony. The goddess of wisdom was symbolized by a woman, and the goddess Isis was the symbol of loyalty and fidelity. They believed that the tears she shed over her murdered husband caused the Nile flooding.

Egyptian women in the pharaonic history had access to various jobs. In practice, they were so highly appreciated that they were elevated to the throne throughout ancient history, including Queen Heutop Cheops' mother, Queen Khunt, Mykerinus' daughter, Queen AbahHoteb of Thebes, Queen Hatshepsut, Amon's daughter, Queen Ti, Akhnatun's wife (Nefertiti), and Cleopatra, whose famous love story with Marc Anthony has inspired many literary and dramatic writings all over the world.

Women also had access to public positions, including judges. For example, Nepet, mother-in-law of King Bibi I from the 6th Dynasty, served as judge. Women held similar positions under the 26th Dynasty. Moreover, they practiced medicine. Psechet was a woman who served as chief physician under the 4th Dynasty. These facts reflect their independence as well as their legal and social competence, which includes their rights of possession and signature of contracts and legal conventions. Moreover, for Roman women, there was not any kind of that trusteeship.

Ancient Egyptians were the first to introduce laws on marriage. They issued legislations and laws regulating marriage and holy matrimony and protecting women's rights. These legislations and laws stressed issues regarding rights and obligations based on mutual respect between the husband and his wife, taking into consideration that the wife was queen of her house and was entitled to her own inheritance and to a third of her husband's fortune after his death. Moreover, the ancient Egyptian was keen on burying his wife beside him in the grave, being his partner in life and after resurrection.

Concerning the right to education, an Egyptian woman has had the right since the age of four to good schooling at strictly disciplined educational institutions where she would be taught basics of mathematics, geometry, and the fundamentals of hieroglyphic and colloquial hieratic. Ultimately, she would obtain a diploma (title of ink-put holder) – on equal footing with boys – and would be licensed for full practice in any of the branches of knowledge she chose.

This obviously shows that the Egyptian woman in the pharaonic age enjoyed a special status as well as unique treatment and care. This is reflected through some sayings of Egyptian wise men on the importance of caring about woman, such as:

"If you seek wisdom, love your partner, care about her, and she will care about your home".

"Care about her as long as you live as she is the gift of God who answered your prayers. Enjoy this blessing as the sanctification of blessing is to satisfy the God." "Feel her pain before she feels it. She is your children's mother. If you make her happy, you make them happy. By caring about her, you care about them. She is a trust in your heart and hand, as you are responsible for her before the Greatest God you pledged before His shrine to be her brother, father and life partner".

### **Women's Rights in Islam**

Islam emerged in Egypt years ago, and through its tolerant law it regulated the status and independence of women. Islam has given Moslem Egyptian women rights that were unknown to their European counterparts until the 20th century when women in most countries of the world were suffering from prosecution and slavery.

The Qur'an and the Sunna of the Prophet Muhammad (Peace be upon him) are the sources from which every Muslim woman derives her rights and duties. Women are addressed in the Holy Qur'an as equally as men. Both sexes are equal before God, as Islam makes no distinction in judging a person's character on account of gender. This is illustrated in the Holy Qur'an, in the first verse of the chapter entitled "Women," reading "O mankind! Be careful of your duty to your Lord who created you from a single soul and from it its mate and from them both have spread abroad a multitude of men and women. Be careful of your duty toward Allah in whom you claim (your rights) of one another, and towards the wombs (that bore you). Lo! Allah has been a Watcher over you." (4:1)

Islam gives equal treatment to both men and women in civil criminal laws. Men's and women's lives, honor, and property are equally safe guarded. None of them may be deprived of their freedom without substantial indictment, and both have full freedom of expression.

Since men and women both came from the same essence, they are equal in their humanity. Women cannot be by nature evil (as some people believe) or then men would be evil also. Similarly, neither gender can be superior because it would be a contradiction of equality. In terms of their hold on faith and their good deeds, Islam makes no distinction between men and women with respect to reward and punishment. In addition, traditions harmful and unfair to women have also been totally and ultimately proscribed.

The Prophet (PBUH) said, "Seeking knowledge is an obligation for every Muslim" as reported by Ibn Maajah. Hence, Islam recognizes a woman's right to education. Women must acquire the appropriate education to perform this duty in accordance with their own natural talents and interests.

Women in Islam are allowed to work; a good example of this is Prophet Muhammad's first wife Khadija, who was engaged in trade, and Ayisha, who used to teach the Prophet's companions (Sahabbah) from behind the hijab (veil). After immigrating to Medina, Prophet Mohamed (PBUH) called upon men and women to work, asking for the alleviation of women's burden due to their physical nature. Women provided medication to the injured, prepared food for soldiers, and supplied drinking water.

They also took part in al-Yarmuke's battle led by the Arab commander Khaled Ibn al-Walid. Muslim women have also assumed the most crucial of all tasks: that of providing fatwa (official Islamic opinion) and sitting as a judge. This came after the Imam Abu Hanifa gave legal opinion that access to the position of judges is permissible for women.

Muslim men are ordered to be respectful, amicable, and fair to their wives. A dowry is a husband's gift to his wife, to do with as she pleases. Women have the right, under Islamic Shari'a, to choose their prospective husbands, and consent is a precondition to marriage. In the case of divorce, women are entitled to alimony and child support.

### **Women in Modern Egypt**

The progress of women in modern Egypt over half a century has been associated with a number of societal issues, such as the need to modernize Egypt.

As Mohammed Ali started to lay the foundations for a modern State, there emerged calls for modernizing the society to serve this end, including the need for women's education.

As early as 1832, a midwifery school was established. In 1872, social reformist Rifa'ah Tahtawi strongly advocated the cause of educating women. One year later, in 1873, the first government school "as-Siofiyya" for girls was established, with 286 students enrolled.

In response to rising advocacy for women's education, Princess Fatima, Khedive Ismail's daughter, donated 6 feddans of her property whereon to develop a private university (now Cairo University); in addition to her using her precious jewelry to spend on construction works and endowing 674 feddans to cover the project costs.

In 1928, a number of pioneer women enrolled in the Egyptian university. Hoda Sha'rawi led the first Arab woman delegation to an international conference in Rome, Italy, in 1923.

The Arab Women's Association was established in 1924.

The first woman magazine, based in Alexandria, serving as a mouthpiece for women's rights was established under the name of Al-Fatah in 1892.

The 1919 Revolution represents a landmark in Egypt's modern history. Egyptians from all walks of life, both men and women, Muslims and Christians, stood united in the struggle for national independence. For the first time in the history of modern Egypt, women staged their own demonstrations. Two were shot dead by British occupation forces. In 1920, Hoda Sha'rawi was elected head of Al-Wafd Central Women's Committee under the leadership of Saad Zaghloul.

In 1925, a feminist party, the Egyptian Woman's Party was formed.

1942 saw the birth of the Women's National Party, which fought to have women employed in all state positions.

In 1949, the Bint en-Nil (Daughter of the Nile) Party was formed with support from the British Embassy.

With the outbreak of the July 1952 Revolution, the concept of women's participation in all fields of activities was further embedded. In 1956, woman was given access to the rights of vote and candidature. Then, women became a member of parliament and the cabinet; engaged in partisan, trade-union, professional syndicate and NGOs' activities; assumed top management positions; and finally sat at the bench as a judge.

### **Egyptian Women in the January Revolution**

The January Revolution has uncovered a new face of Egypt's women, a face long-dormant since 1919. People in Western nations believed Egyptian women walked in the shadow of their men, but they were surprised to find them standing side by side in Tahrir Square, equally shouting slogans against corruption, oppression and injustice; equally being beaten; and even equally dying for their country. The scenes at Tahrir Square have falsified the idea that "a woman's place is behind a man." A woman is now a man's equal.

### **Status of Women in Post- Revolutionary Egypt**

Bread, Freedom, and Social Justice were the key words of the January 25, 2011 Revolution, which was started by the Egyptian youth and later joined by the men and women from all layers of society and walks of life. The Egyptian women in particular amazed the world. They used social media to spread the word and called people to join the revolution. They participated in protests, often assuming leadership positions despite often instable and dangerous situations. In the revolution's squares, women's attendance was overwhelming. There were cases of women leading with men following. The women participated in the security of the public committees and volunteered in the field hospitals, expressing their deep dedication

to restoring Egypt's freedom and dignity. During January and February, the number of female martyrs reached 15.

The Egyptian women participated in the various marches in the consecutive waves of the Egyptian revolution, aimed at preserving the spirit of the revolution. The women suffered a great amount of violence but never lost their dedication to the concerns of this nation and hope for better future of the Egyptian people.

The revolution has the potential to break the cultural barriers by creating opportunities for the Egyptian women to change the traditional understanding of the gender roles, gender roles that have seen them as passive observers rather than active participants. They also hoped to change the perception of the nation and the world.

The Egyptian revolution contributed to returning the civilized and humane image of the Muslim and Arab women in the world, and it aimed at breaking the stereotypical image of the crushed Muslim women who hid in black clothes (Abaya) behind a man with a white robe. The Egyptian women changed the image of herself by topping the list of the most successful women in the world, an honor that has been granted to only few women of the first world and only few women of the "developing world."

The Egyptian women were presented on the cover pages of the newspapers and on world magazines from the beginning of the year as revolutionaries. Ironically, the Egyptian women, once again at the end of the year, were marked with pictures of a young female protestor's body being dragged naked on the ground, a photo that summed the grim reality that the Egyptian women live in.

Among the cover pages of the newspapers and magazines in the beginning of the year and their cover pages at its end, the Egyptian women suffered from intentional exclusion as a systematic policy by the governments of the post-revolution. The same revolution carved the word "El-Tahrir Square" in all world languages by the Arab words as a synonym to "freedom, justice, and equality."

Did it come into the Egyptian women's mind that their situation after the revolution would be contrary to what came out of it? Will El-Tahrir Square remain a synonym to "the freedom, justice, and equality?" Or will the revolution eat and sacrifice its children and the women at its forefront?

In 2011, the Egyptian women were excluded intentionally not only in the political scene, but from the Egyptian scene in general. The exclusion of women from leadership positions was confined to the ministries of the revolution on a small number of women; the ministry of Dr. Essam Sharaf included one woman, while the Ministry of National Salvation headed by Dr. Kamal el Ganzory included three women.

The women were excluded from important positions like the governorship and the constitutional amendments committee. They were even excluded from the discussion on the amendments of the Law of Parliament and Shura Council. The Law of Parliament and the Shura Council canceled the 64 seats which were for women. Although the law stipulated that there had to be at least one woman on each list, the new law didn't specify the place of women on the lists, which led most of the political forces to put women in late positions on their lists. The successful women did not exceed the number of fingers on one hand. While the female activists received no small share of the violations of their human rights and their rights in freedom of participation and to express their opinion, Egypt witnessed for the first time the military's actions to test the virginity of the female activists. The military also went on to assault and torture the women, assigning them to military trials and to civil and military investigations.

This mistreatment was accompanied by a hatred campaign to change the Personal Status Code, which contains equity for the Egyptian women in some of its articles. Additionally, claims of the religious

fundamentalists rose rapidly after the revolution, demanding the return of women to the home and to reduce their participation in society.

### **Success Stories of Egyptian Women's Advocacy Efforts**

The following lines demonstrate some success stories of women's advocacy efforts in Egypt throughout the past few years and in the post-revolutionary Egypt.

#### **1- Enhance Women's Participation in Decision Making**

Sohag CDA for Children with Special Needs is a grantee from the NGO Service Center for the 36 month-activity grant of Citizen Action Partnership (CAP). The NGO grant started in March 2001 to implement an activity aiming to enhance women's participation in decision making at the levels of NGOs and Local Councils. Through this grant, the NGO created a network from eight NGOs who are working on the same field and sharing the same concerns.

At the beginning of their activity, the newly formed network conducted a survey to inspect the constraints impeding women to participate in the decision-making process and in the NGO sector. One of the major findings of the survey was the difficulties facing women in the issuance of official documents, starting from birth certificates and ending with election cards.

Through their advocacy activities, the network conveyed a recommendation to the People's Assembly - Health and Population Regional Committee in Sohag - to enroll this service in the agenda of the Ministry of Health and Population and the Ministry of Internal Affairs.

Within the period of twenty months, they also prepared and launched 48 awareness campaigns in different villages, bringing together community groups, community leaders, and decision makers at various levels of government—including the Governorate of Sohag, the localities of districts, and the representatives of Sohag in the People Assembly. The aim of those campaigns was to enhance the knowledge and recognition of women's rights and women's role in the society, and to discuss how to eradicate the constraints against benefiting from development and participating in the decision-making process. During these campaigns, they designed, published, and distributed 1,000 copies of a poster representing the network activities, in addition to a newsletter of which 3,000 copies were distributed.

Within their advocacy activities, Sohag CDA network organized a number of open discussions with NGO leaders about increasing women's representation in the General Assembly and the Board of Directors of NGOs.

They have also created a committee with a mandate to offer legal consultancies for women candidates for membership in local councils and to develop a strategy to create linkages between women candidates and the National Council for Women, where they can receive technical and logistical supports during their election campaigns.

Some statistics and figures that have been reported so far from this activity:

31 % women membership increase in the General assembly of the network members NGOs

2,105 women attended the awareness campaigns held by the network

494 women were issued ID cards, and 2,001 women were issued birth certificates as a result of the network advocacy campaign targeting the Ministry of Interior and the Ministry of Health & Population.

For the sustainability of this service, the network succeeded in issuing a “Governorate Decision” to provide regular on-site service for women and to use the network NGO members’ premises as locations during these regular visits. The approach was found so successful that at the end of the first on-site service tour, the network members were asked to be the official locations for this service for both women and men community citizens.

## **2- Coalition of Egyptian Feminist Organizations: Statement on the Proposed Constitutional Amendments**

In the context of the current debate concerning the proposed constitutional amendments, the Coalition of Egyptian Feminist Organizations declares its rejection of the amendments, which represent an attempt at reviving the Constitution of 1971, which fell with the fall of the Egyptian former regime. We consider that constitutional legitimacy is now replaced by Revolutionary Legitimacy. We also see in the proposed amendments an act of bypassing the demands of our revolution, which can lead the country into a phase of political instability. In this respect, we wish to state the following:

1. We are aware of the fact that the supporters of the proposed amendments seek a swift achievement of political stability and a quick transfer of power from the Military Council to a civilian authority. Yet we assert at the same time that the proposed constitutional amendments do not ensure a smooth transfer of power to a civilian authority as much as they reinforce the supreme authority of the future President. This is bound to lead to further political instability, in addition to the entailed legal and constitutional dilemma.
2. We consider the proposed constitutional amendments flawed both in form and content. They revive the Constitution of 1971, which has lost its legitimacy with the eruption of the Egyptian People’s Revolution 2011 and with the Military Council’s acknowledgement of the people’s demands and the Council’s vows to protect the people’s revolution. The amendments furthermore apply cosmetic changes to select items of the former constitution, leading the debate towards a discussion of its details rather than focusing on the fundamental principle that the Constitution of 1971 has fallen giving way to the Revolutionary Legitimacy. It is also noticeable that the proposed amendments are limited to items related to organizing presidential elections without addressing the issue of restricting the power and authority assigned to the President. The proposed amendments, thus, lay foundations for another despotic regime to come to power.
3. We believe that presenting the proposed amendments without offering enough time for further discussion and debate threatens the sense of national concord achieved by the revolution. We can easily perceive the divisions in public opinion about the amendments, which in turn threaten the unity of the Egyptian people in the process of building a new ruling system.

In this respect, we believe that the logical alternative that ensures the greatest degree of democracy, and thus stability, is an alternative that coincides with the vision that emerged upon the eruption of the Revolution – a vision that can be represented in the following:

1. Issuing a temporary Constitutional Declaration that lays the foundations for the system of ruling and governing the country during the transitional period and which reflects the spirit and demands of the Revolution. We acknowledge the draft of a temporary constitutional declaration proposed by Chancellor Hisham Bastawisy, which we consider fit for discussion and debate. It could also then be submitted to a general referendum instead of the proposed flawed constitutional amendments.
2. Forming a temporary Presidential Council (composed of 5 members) that includes the following: a military figure, chair of the Supreme Constitutional Court, a figure representing the Revolution’s political powers, a Coptic figure, and a woman (such as Chancellor Tahani al-

Gibali). The appointment of a Presidential Council can be achieved via national consensus similar to the appointment of the current Prime Minister.

3. The temporary Presidential Council responsibility would be running the country in the process leading up to the presidential elections. The Presidential Council would also be required to ensure the freedoms of political organizations and unionist activism, among others, so that the coming parliamentary elections would reflect the political and national powers that have emerged in the light of the Revolution, instead of being limited to the politically active powers during the former regime.
4. Electing a Committee to draft a new constitution. The Committee should include legal, political, and public figures representing all political powers and ideological backgrounds, as well as representatives of the civil society and all social groups. We wish to point out in this respect that the Constitution of 1923 was issued four years after the Revolution of 1919, and the Constitution of 1954 was issued two years following the Free Officers' Coup in 1952. We, therefore, do not see the need for haste in issuing a new constitution that will lead our country towards a future based on freedom, equality, and social justice.

Thus, we state our rejection of the proposed constitutional amendments, both in form and content, and we call upon holding a referendum on a temporary constitutional declaration. We demand the formation of a temporary presidential council that would take over power from the Military Council, reflect the spirit of the Revolution, and lead the country towards achieving the demands of the Egyptian People's Revolution.

It is by relying on Revolutionary Legitimacy that we can ensure a process leading to political and economic stability, and therefore, a process taking the first steps towards democratic political progress.

### **3- Leading Egyptian Women's Rights Groups—Nadim Center, Nazra for Feminist Studies, and the New Woman Foundation Advocacy Campaign Against Conducting Virginity Tests on Women**

On March 9, 2011, during its violent sweep of protestors from Tahrir Square, Egyptian army officials arrested and detained 18 women activists. While under custody, the women were beaten, electrocuted, and subjected to strip searches and "virginity tests" by male soldiers in front of crowds of onlookers. One army general justified the tests as a way to "protect" the army against possible rape allegations and "prove that they weren't virgins in the first place."

Upon being released, most women kept silent fearing alienation by Egypt's conservative society against women survivors of sexual violence. One woman, however, refused to be silenced. Samira Ibrahim filed a lawsuit against the army, and she won. "I've begun to secure my own rights and those of other women protestors, especially those who have been abused by the military," explained Samira.

The three leading Egyptian women's rights groups—Nadim Center, Nazra for Feminist Studies, and the New Woman Foundation—were very supportive to Samira and gathered testimonies from hundreds of female detainees and gave them desperately needed emotional and psychological support.

"My message to the women of Egypt is take to the streets and don't be afraid," says Samira. And they did just that. On December 20, approximately 10,000 women marched to condemn military violence against peaceful protestors and to demonstrate their power to keep fighting.

Despite a disappointing ruling, activists, journalists, and Ibrahim herself aren't planning to let the story end that way.

#### **4- The Coalition of the Egyptian Feminist Organizations Calling for an Initiative: “Let's Write our Constitution”**

In May 2011, the Women and Memory Forum has initiated the "Women & Constitution Working Group." The working group saw the light after the January 2011 Revolution and is part of the Coalition of Egyptian Feminist Organizations. The working group has been working in coordination with the "Let's Write Our Constitution" initiative and the "Popular Committee for Constitution Writing." The "Women & Constitution Working Group" has studied gender relevant articles in Egyptian constitutions and in other countries' constitutions. The working group has engaged with the current debate on writing a new Egyptian constitution.

The Women and Memory Forum has invited members of the Coalition of Egyptian Feminist Organizations to participate in the working group. The working group is composed of a number of feminist researchers and activists: Amani Khalil (Member of the Violence Against Women Program at El-Nadeem Center for Rehabilitation of Victims of Violence); Amina El-Bendary (Assistant Professor of Arab and Islamic Civilizations at the American University in Cairo and member of the Board of Trustees of the Women and Memory Forum); Hala Kamal (Lecturer at Cairo University, specialized in women's studies and a co-founder of the Women and Memory Forum); Marwa Sharaf El-Dein ( Human rights activist); Maissan Hassan (Research officer at the Women and Memory Forum); Salma El-Naqash (Researcher at Nazra for Feminist Studies); Sara Naguib ( Political activist); and Yara Sallam (Lawyer and manager of the Women Human Rights Defenders Program at Nazra for Feminist Studies). The "Women & Constitution Working Group" suggested new constitutional articles on issues of equality and non-discrimination, political participation, labor, childhood, education, personal freedoms, and health care.

#### **5- Women’s Movement Groups Advocacy Efforts Against Sexual Harassment**

##### **Quotas**

The women's movement , political parties, and anti-harassment women’s initiatives’ groups organized a protest in front of the presidential palace on Thursday, October 4, 2012 to submit a compound list of women’s demands. Their demands include content in the new constitution and calls for bill criminalization of the phenomenon of sexual harassment, which has recently worsened in light of the absence of security after the outbreak of the January 25th revolution. The demonstrators also organized human chains on both sides of El Merghany Street, carrying banners and badges against harassment that included women's images of the symbols and art led by artist Shadia.

They were bearing banners reading, “Egyptian women, men, and women will write the new constitution,” “Eradication of all forms of harassment is a national duty.” All the while, they declared that they will not allow a Constitution that erases the history of struggle of the Egyptian women.

##### **The Raising of Religious Fundamentalism in Egypt**

Egypt may be a conservative society by and large, but whether this translates into public support for conservative religious ideology as a dominant force in the country’s political and economic life is unclear. Politicians are exploiting the traditional and religious values to their advantage, and they are seeking to legitimize regressive measures under the banner of Islam.

Religious fundamentalism arose, and they began to target women. They want women to go back to the home and not work. Male patriarchal culture does not accept that women are higher than men. Some women received education and went to work, while some men lagged behind. One way to equalize status is to shock women and to force a sexual situation on them anywhere.



Muslim Brotherhood is competing with the Salafis to carry the mantle of morality and anti-Mubarakism. Proposals to curtail women's rights were among the first proposals floated in the parliament, including:

- Cancellation of women's rights to initiate divorce. In March 2012, independent parliamentarian Mohammed al-Omda, deputy head of the Constitutional and Legislative Affairs Committee, submitted a draft law suggesting the cancellation of Khula. Based on Islamic Jurisprudence, Khula is a woman's right to initiate and seek a divorce.
- Reducing the age of marriage and decriminalizing female genital mutilation.
- Salafis pushing for ultra-conservative practices and Islamic courts. Salafis in general advocate for gender segregation.
- During the elections, they proposed that working women should stay at home but still receive pay.

The idea was mocked by Egyptians of all classes, many of whom said the Salafis have little understanding of the constraints and economic realities in the lives of ordinary families. Nonetheless, the fact that Salafis as lawmakers can have influence on policies that affect the lives of women so dramatically is a cause for concern. In addition to backing proposals to cancel the 2000 Khula (divorce) law, they are calling for strict adherence to Shari'a law (likely to be their own ultra conservative interpretation of Shari'a). In July 2011, thousands of Salafis poured into Tahrir Square, calling for implementation of the law. Although Article 2 of the Egyptian Constitution already declares Islam to be the state religion and Shari'a as a principal source of legislation, some Salafis want Islamic courts governing all affairs in the Egyptian state.

### **Challenges**

The following are the main challenges facing women in Egypt. Egyptian women face many daily challenges, including:

- The lack of democracy in Egypt under the rule of the Moslem Brotherhood regime without clear guidelines outlining its vision and strategy.
- Increased violence due to the lack of safety and security in the absence of the rule of law.
- Traditional customs that lead to illiteracy and increased school dropout rates for girls and young women including child marriage and choosing to only educate boys due to poverty.
- Discriminatory laws, and especially those pertaining to personal status laws, which are derived from Islamic law and dictate the rules of marriage, divorce, custody, alimony, inheritance, and employment.
- Reactionary religious discourses that undermine women's rights.
- Uninformed media discourse, which deepens customs, traditions, and the reactionary community discourse.

## Appendix

### National Strategy for Women's Development 2006-2015, Yemen

*Nafisa Hamoud Al-Jaifi*

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#### Introduction

The NSWDCG 2006 – 2015 is a strategic vision for goals and measures required to improve women's status and to allow them to enjoy basic human rights, including the freedom to practice their developmental role and to participate effectively in all aspects of life.

This strategy represents in its context an expansion for the previous strategy (2003 – 2005) and for the strategic issues and goals that remain the same for a long time to come. It also aims to eliminate gender gaps, which is at the core of all efforts of gender mainstreaming.

When forming the technical team to update the strategy, different methods to collect views have been taken into consideration, including through consultation with government bodies and NGOs concerned with women issues. This approach achieves a collective balanced vision, reflecting the views of different social categories and using statistical analysis and latest data to show the gender gap and needs in different fields.

The strategy update comes in this time to go in line with the latest development that required the integration of MDGs in 3rd Five Year Plan for Development and Poverty Reduction (3FYDPDR) which present the general development goals and poverty reduction. The strategy captivated the reports of gender thematic groups formed to prepare the 3FYDPDR. Additionally, it considered views and objectives of development partners.

The strategy will facilitate the efforts of all concerned parties with women empowerment in gender mainstreaming in development in accordance to the Beijing Platform of Action (BPFA) and the Convention of Elimination of All Forms of Discrimination Against Women (CEDAW). This facilitation will occur in order to ensure gender equality and women's empowerment as effective instruments to implement MDGs on the national level.

The strategy update is considered necessary to transfer the goals and procedures into executive programs and plans within 3FYDPDR. Therefore, this strategy does not present MDGs as a new agenda for women development but presents new instruments to achieve BPFA and CEDAW, holding all resources and methods to bridge gender gaps.

The WNC is keen in monitoring the implementation of NSWDCG to ensure coordination and partnership with different parties concerned with implementation of either government bodies, NGOs, or the private sector— the core partners with gender and women's rights.

The WNC will ensure also that donors and development partners regionally and internationally (as they were throughout the past years) are supporters in transforming strategy goals into programs and projects on the ground. In this regard, it is expected from the Gender Thematic Group to help in monitoring and evaluating the implementation of the public development plan and sectoral plans from a gender perspective.

### **The Strategy Objectives**

1. Provide basic education for everyone by 2015, provide gender equal access to education in all education levels, and reduce the illiteracy among girls and women by half.
2. Expand women's access throughout her life cycle to adequate and advanced health care and services with affordable cost and ensure women's involvement in health sector employment.
3. Reduce the number of poor women to half and enhance women dependency through economic empowerment and effective participation in economic and environmental decision-making.
4. Increase women's participation, quantitatively and qualitatively, in all decision-making and power positions; upgrade the national mechanisms concerned with women issues; and support NGOs' capacities.
5. Facilitate women's experience of their human rights guaranteed by Shari'a, national legislations and international laws in particular CEDAW and eradicate all forms of discrimination still practiced against women.
6. Expand women's participation and enhance their role in media and information technology in order to improve women status and change the unbalanced image and stereotype.

### **Bases and Principles**

1. Gender equality as stipulated in the Shari'a, the constitution, the national laws, and the Arab and international legislation ratified by RoY.
2. Yemen commitments related to BPFA and CEDAW to ensure women's human rights and gender equality and to empower women through collaboration with all partners', governments, and NGOs.
3. Commitments to partnerships and building coalitions with all related parties, including NGOs, the private sector, and all international and regional donors aimed to improve women's status.
4. Millennium Development Goals (MDGs), particularly the third goal of "Gender Equality and Women Empowerment."
5. Goals and commitments set in national and sectoral strategies in regard to women's empowerment and advancement in all areas.
6. Goals stipulated in NSWDG 2003 – 2005 that are still valid for the coming years.
7. Recommendations of national women's conferences and other related conferences.

### **Current economic, social and political situation and gender gap**

Yemen is still one of the least developed countries; it heavily depends on the decreasing oil revenue, while it has a traditional socio-economic structure. Agriculture absorbs half of the labor force, and it contributes around 15% of the national income and 32% of non-oil exports.

The share per capita of national income was \$500 in 2004, and a survey done in 1998 showed that 41.8% of the population lives under the upper poverty line and 17.6% live under the food poverty line.

Women represent 50% of the 19.7 million people population, with a population growth of 3.2%. 75% of the population lives in rural areas, and the population under 15 years represents 46% of the population.

The situation of women bears witness to the improvement in the first 2 years of the NSWDG (2003 – 2005) in several areas, which reflects the political commitment towards women's issues and the work of governments to ensure a better commitment to stipulations in national legislation and international laws.

The partnership between the government, NGOs, and the private sector also improved and took practical forms that are more effective in implementing projects and activities for women's empowerment. However, development indicators still prevail gender gaps in many areas:

### **The Education Sector**

Girls represent the following percentage:

- 38.7% in basic education
- 30.2% of secondary education
- 25% in universities
- 7.3% of vocational and technical education.

In accordance to labor force survey 1999 the rate of illiteracy among women (10 years old and more) is 78% in rural areas and 40% in urban areas, while the illiteracy rate among males is 33% and 15% respectively.

### **The Health Sector**

The rate of health services coverage is about 80% in urban and 25% in rural areas. The rate of mothers who get healthcare during pregnancy is 61% in urban areas and 27% in rural areas. The rate for mothers who get natal care during delivery from trained health workers is 22%, while the ones who do not get any postnatal healthcare is about 87%. The maternal mortality rate is 366 in every 100,000 live births, while child mortality under age five is 99 in every 1,000 live births, and infant mortality is 84 in every 1,000 live birth.

### **Poverty and Women's Economic empowerment level**

The health and education indicators show clearly the social, economic, political marginalization, and discrimination women face that make them more vulnerable to poverty than men.

Poverty is wide-spread according to the following indicators:

- poverty rate among rural population is 45% and among urban is 31%
- rate of people living under food poverty line is about 17.6%
- rate of people living under upper poverty line is about 41.8%

The average household income headed by a woman is less by about the third of the income of a household headed by a man.

The rate of employment (according to labor force survey 1999)

- women in human resources is 49.9%
- women in the labor force is at 23.7%
- unemployment rate among women is 8%
- women in the paid sector is at 8.2% in return of 91.8% males

### **Women participation in decision-making position is still limited**

- in Parliament 0.33%
- in Local Council 0.6%
- in Shura Council which is formed by appointment only 2 women among 109 men
- in Supermen Committee of Election and supervision committees no woman is represented, but lately a women department was established.
- in Cabinet two woman ministers among 35 man ministers
- The number of women who are appointed to be deputy ministers can be counted on one hand in return of more than 30 men.
- There are about 11 women in general director positions among 83 men.

- In the judicial system, only 19 female judges among 918 male judges of general attorney, and 16 female judges among 1,008 judges in the ministry and courts.

These indicators and others show the gender gap in addition to a lack of data on violence against women, human rights, and environmental and media. This information only shows the challenges that need to be overcome to achieve true improvement in the status of women. This is what NSWGDG aims to achieve through goals and procedures that will be mentioned.

### **Evaluation of NSWGDG 2003-2005**

The strategy adopts a package of goals to improve women's status and to address challenges facing their participation in all fields. The strategy also takes advance steps to mainstream gender in development in accordance to BPFA and CEDAW. It is all worthy to mention that NSWGDG 2003-2005 contributes to present a new vision of engendering poverty reduction strategy and other sectoral strategies.

The NSWGDG 2003 -2005 contributes effectively in coordinating national efforts and ensuring the best utilization of funds targeted to women's poverty in rural and urban areas. Additionally, it ensures collective efforts of NGOs concerned with gender because of growing needs imposed by reality.

WNC rooted its role as consultative-executive body for Supreme Council of Women Affairs (SCWA) in designing policies that meet women's needs in order to bridge gender gaps. The level of implementation is:

#### **1. Implement Yemen commitments in regard to CEDAW and BPFA**

- Report on the implementation of CEDAW as submitted on August 14, 2002 in New York and another report on BPFA+10 presented at ASCWA in Beirut June 6-8, 2004. Several awareness sessions were held on CEDAW in governorates.
- Amendments of discriminative articles of five laws (labor, personal statues, prison management, civil, registration) in addition to follow –up of the amendments for other laws include discriminative provisions against women.
- Build a database on gender and prepare annual reports on women's status in order to publish a booklet that combines Shari'a and CEDAW.

#### **2. Address Gender Perspective of Poverty**

The strategy succeeded to integrate gender in education and health as main areas of concern for related government bodies. Women are presented in the technical unit for monitoring the PRSP and the establishment of a unit for monitoring and evaluation in WNC.

The establishment of these units aims to integrate gender in sectoral plans; to participate in the activities of MDGs 2015; and to ensure WNC reflects the gender needs. Parallel groups were established to identify clearly the gender needs and interventions and to present them to related government bodies and donors. Also, the WNC was represented in the high Ministerial Committees to prepare the Public Development Plan 2006 –2010 in the Technical Committee, which is concerned with developing the sectoral plans.

#### **3. Women political participation**

Technical committees were formed to study women in decision-making positions. Studies were done on women's participation in the 2003 election. Consultative meetings, official and unofficial, were held to ensure the best ways to get women elected to councils, decision-making councils, and authorities within the government structure. One method identified was starting a campaign for quotas as a temporary measure to activate and expand women's participation in decision-making positions.

#### **4. Government Mechanisms to Support the Women National Mechanism**

##### **Supreme Council for Women Affairs**

The SCWA was restructured by presidential decree No. 25 in 2003. It is headed by the prime minister, and its membership consists of a number of ministers and related institutions, including the WNC chairperson and deputy, head of WNC branches in capital municipality and governorates, and six public female figures including the head of the commercial chamber. Meetings of the council are held to address challenges and constraints facing women's development, as well as to coordinate efforts.

##### **Women National Committee**

The organizational bylaw and structure of WNC was updated and submitted to the cabinet for approval. It specifies the member organizations in accordance to cabinet resolution No.114 for 2004. Membership includes the executive government body and a number of civil society organizations under the terms that it has a female manager, got official permission, and has a women's agenda. These organizations include:

- Centers for Women Studies in Sana'a and Aden Universities
- Supreme Council for Motherhood and Childhood
- National Population Council
- National Programme for Community Development and Productive Families.

##### **CSO active in women development:**

- Yemen Women Union
- Sisters Arab Forum for Human Rights
- Islah Social Charitable Association
- Women Economic Empowerment Association
- Child and Women Development Association (Soul)
- Challenge Association for Female Disabled
- Women Forum for Studies and Training
- Arab Organization for Human Rights
- Women Development Center for Heritage
- Women Support Center
- Family Care Association
- Women's Sectors in Political Parties

Despite the fact that these, which were achieved during the short period of 2000 – 2005, were relatively successful, these issues still impose themselves as strategic needs included in the update strategy for 2006 – 2010 as follows:

##### **I. Strategic Issue**

A wide gender gap in all education levels and fields, and a high illiteracy rate among women and girls

##### **Current Situation:**

Education is a guarantee by law for everyone, and it is compulsory in basic education. The government pays great attention to provide education services for males and females in rural and urban areas. It is even spending a fifth of its public budget on education. Despite the efforts to mainstream gender in the planning process for development programs including the growth of inter-alia education in the past few years, various social, economic, and cultural factors still stand in the face of achieving a quick and comprehensive improvement in education that meets the full human development requirements and bridges the wide existing disparities between males and females access to education and attainment of schooling in all levels of education. Illiteracy is still widespread among women, reaching 40% in urban areas and 74% in rural areas.

The outcomes of the Education Survey 2003/2004 shows the wide disparities between males and females in the following education levels:

**Basic education:**

- The rate of females among total enrolled students is not more than 38.7%, while it is 61.3% for males.
- The rate of females among total enrolled students in first grade is 43.3% while it is 56.7% for males.
- The rate of females among total enrolled students in 9th grade is as low as 30.3%, while it is 69.7% for males.
- The rate of females among total labor force in basic schools is 20.4%, while for males, it is 79.6%.
- The rate for females among total headmasters is 4.9%, while it is 95.1% for males.

**Secondary education:**

The rate of females among total enrolled students in this level is 30.2%, while for males, it is 69.8%.

**General education (primary and secondary levels)**

- The rate of females in both levels is 37.6%, while for males it is 62.4%.
- Rate of females of labor force in both levels is 21.5%, while it is 78.5% for males.
- Rate of female teachers in both levels is 6.3% while it is 78.4% for males.
- Rate of female headmasters in both levels is 6.3%, while for males, it is at 93.7%.
- Rate of female deputy headmasters in both levels is 17.2%, while it is 82.8% for males.

**Vocational and training education**

The data for the Ministry of Vocational and Technical Training shows that the rate of girls' enrollment in this kind of education is still low at 5-10%, and it is generally concentrated in commercial and health fields.

**Higher education (university):**

Statistics show that girls form 25% of total enrolled students in universities. The importance of women's education and training is undeniable, especially its direct impacts on the wide context of development. In light of the aforementioned statistics, the trends of addressing the strategic issue can be identified in the following:

**I-1 Strategic Goals 2015**

- 1-1-1 Provide basic education for everyone by 2015.
- 1-1-2 Gender equality in other education levels.
- 1-1-3 Reduce illiteracy among women and girls by half.

**I-2 Interim Objectives (2006 – 2010):**

- 1-2-1 Increase girls' enrollment in all levels of education to bridge the current gap by half.
- 1-2-2 Increase girls' enrollment in vocational and technical education to 20%.
- 1-2-3 Develop technical programs to eradicate vocational illiteracy for women with less education and disabled women, particularly rural women.
- 1-2-4 Expand programs to eradicate alphabetic illiteracy among women, especially rural women to reduce the current illiteracy rate by a quarter.
- 1-2-5 Eliminate the current rate of girl drop-outs in all education levels by half.

- 1-2-6 Update the educational curriculum to match development requirements and to facilitate girls' enrollment in science and technology, and provide women in general with necessary skills to participate effectively in society.
- 1-2-7 Change the educational curriculums that contain stereotypes of women or any discrimination form against them.
- 1-2-8 Expand in pre-school education (kindergarten) to take a minimum of 255 of children in age 5-6 years, especially in rural areas and at gender equity.
- 1-2-9 Double the rate of female labor force in all professions in the education sector, particularly in rural areas.
- 1-2-10 Improve the educational institution's infrastructure, especially in secondary schools, to ensure their reception of an equal number of students from both genders.
- 1-2-11 Constant on-job training for the educational cadre to upgrade their professional qualifications.
- 1-2-12 Activate and upgrade laws and measures to fully implement the compulsorily and free of charge education with a sanction for whoever disorders the law.
- 1-2-13 Develop programs and mechanisms to encourage families to send their girls to schools and keep them there.
- 1-2-14 Allocate sufficient resources to meet the requirements of education sector reforms.
- 1-2-15 Increase women's participation in education sector decision-making positions to achieve 15% as minimum.

### **I-3 Executive measures during the years of the 3rd FYDPDR (2006 – 2010)**

- 1-3-1 Expand school's construction in different governorates and consider building secondary schools for girls in areas that require special condition for girls' enrollment.
- 1-3-2 Provide residence for female teachers in areas with low rates of girls' enrollment.
- 1-3-3 Expand the construction of technical and vocational training institutes and centers in all governorates as required.
- 1-3-4 Undertake necessary activities to promote girls education such as:
- Improve the educational institutions infrastructure to meet girls' needs (bathrooms, walls, cafeteria...etc.).
  - Expand in colleges and educational centers that meet labor market requirements in order to promote girls' enrollment.
  - Increase girls' opportunities for scholarships and studying abroad
  - Build residences of girls from remote areas with no secondary schools, institutes, and universities.
  - Improve the road networks to facilitate girls' mobility.
  - Provide financial incentives (as books, uniforms, lunch, fees...etc.).
- 1-3-5 Expand the construction of educational institutions to train female teachers to increase education rates.
- 1-3-6 Increase the occupational degree in the education sector in all governorates, particularly rural ones.
- 1-3-7 Develop and expand joint programs between governments, NGOs, and donors in women training fields to eradicate the occupational illiteracy.
- 1-3-8 Expand adult education centers in all areas, particularly rural ones, and allocate essential staff and equipment to function correctly.
- 1-3-9 Adopt awareness programs for parents and families regarding the feasibility of girls' education and eradicate women illiteracy.
- 1-3-10 Assign specialized institutions to correct and update education curriculum to sensitize women's contemporary needs.
- 1-3-11 Carry on studies and recommend necessary changes of educational curriculum that present a stereotype of women and gender-based discrimination.



1-3-12 Undertake studies and present necessary recommendations to establish a permanent system for training the educational cadre to ensure the constant upgrade of their professional qualifications.

1-3-13 Recommend and follow-up the legal and administrative measures to ensure full implementation of provisions in regard to compulsory and free education with a sanction for whoever disorders the law.

1-3-14 Establish women studies centers in universities and research institutes

1-3-15 Integrate gender concepts in education curriculums of all levels.

1-3-16 Allocate sufficient resources to expand and develop training programs for girls and women and include in the annual budgets of related implementing agencies.

1-3-17 Enhance the role of the Girl's Education Sector in the Ministry of Education.

1-3-18 Reflect the context of this strategy in the plans, programs, and projects of related organizations.

#### **1-4 Expected Outcomes 2010:**

1-4-2 Bridge the prevailing gender gap for enrollment in education

1-4-3 Increase the girl's enrollment rate in vocational and technical training to 20%.

1-4-4 Reduce a quarter of the existing women illiteracy rate.

1-4-5 Increase the rate of the female labor force to 40%.

1-4-6 Increase the rate of women participation in decision-making positions in the education sector to 15% at a minimum.

1-4-7 Expand pre-school education to take in 25% of children 5-6 years old in urban areas and 5% in rural areas.

1-4-8 Update the educational system at all education levels, including inter alia curriculums, school management, and the cadre's qualifications.

1-4-9 Raise community awareness in regards to girls' education and the negative impacts of early marriage

#### **1-5 Concerned implementing agencies:**

1-5-2 Parliament

1-5-3 Cabinet

1-5-4 Ministry of Education

1-5-5 Ministry of Vocational and Technical Training

1-5-6 Ministry of Higher Education and Scientific Researches

1-5-7 Ministry of Legal Affairs

1-5-8 Ministry of Finances

1-5-9 Ministry of Information

1-5-10 Ministry of Endowment

1-5-11 Center of Educational Research and Development

1-5-12 Women National Committee

1-5-13 Concerned NGOs

1-5-14 Donors

## **II. Strategic Issue**

Gender inequality in receiving health care and services that limit incentives and guarantees for women in the health sector.

#### **Current Situation:**

During the last decade, there was a tangible improvement in people's living standards and their health awareness. During this time, health services also improved, which had a positive impact on both men and

women. Health qualities improved, while the rate of sickness and death decreased, especially among children and mothers. The rate of newborns and their life expectancy increased. However, the health sector still witnessed shortcomings heightened by a limit of resources for public health expenses (about 4% of public budget). Many of safe health bases are still lacking in their physical, mental, and psychological dimensions for men and women equally.

However, the general existing gender inequality results in several forms of marginalization and the weakening of women's ability to improve their health conditions.

There are constraints that hinder women's effective participation in designing and implementing the development decision and that concentrate the outcomes in the hands of men who are mostly influenced by biased patriotic thinking, judging by their assessments. Furthermore, a large number of women remain economically dependent. There are several factors that hinder women from enjoying adequate health conditions by hindering their access to health facilities on a gender equality basis, including: experiencing poverty; playing multiple roles and functions inside and outside of the house; living under unjust conditions; and a lack of active participation in decisions regarding their lives, particularly in relation to sexual and reproductive rights.

Hereby, some available statistics show the current situation in regard to women's health:

<b>Indicators</b>	<b>2003</b>	<b>2015</b>
Maternal Mortality Rate (in each 100,000 births)	366	90
Birth delivery under medical supervision	31.6%	89.5%
Antenatal care level	45%	99%
Rate of use of family planning methods	23%	56%
Rate of coverage of health services	50%	99.6
Child mortality under five (in each 1,000 life birth)	99.3%	33.5%
Infant mortality (1,000 life birth)	84.3%	29%
Rate of coverage of health services for children	45%	100%

The health sector is considered one of the attractive sectors for women's employment, and it promotes the social acceptance of women's practice of health in different functions. Therefore, placing women as effective and essential partners in providing health services is evidential and facilitates women overcoming the obstacles they face usually while participating in other sectors.

However, women's involvement and participation in the health sector is still low in comparison to men. This is clear from the following indicators:

- The female labor force in the health sector is 28%; this percentage is divided as follows:
  - o Female doctors is 25%
  - o Nurses and Midwives is 39%
  - o Female technicians is 21%
  - o Female administrators is 17%
- The number of women who are in decision-making positions is still low: There are few deputy ministers, general directors, and heads of hospitals.

## **II.1 Strategic goal 2015:**

2-1-1 Expand women access, throughout her life cycle, to necessary and improved health care and services with affordable costs.

2-1-2 Ensure wide involvement of women in the health sector in employment and

policy design.

## **II.2 Interim objectives 2006 -2010:**

- 2-2-1 Facilitate poor women's access to free of charge medication.
- 2-2-2 Increase health care and services coverage for women and children
- 2-2-3 Reduce maternal mortality rate to 183 in each 100,000 live birth.
- 2-2-4 Reduce infant and under-five child mortality to 47.5 and 59 respectively in each 1,000 live births.
- 2-2-5 Increase birth deliveries under medical care to 67%.
- 2-2-6 Increase antenatal care to 78.4%.
- 2-2-7 Increase the use of family planning methods to 43%.
- 2-2-8 Increase the rate of disease eradication by expanding immunity and nutrition.
- 2-2-9 Fight AIDS/HIV, malaria, and other contagious diseases.
- 2-2-10 Increase women's health awareness, especially pre and post marriage and antenatal and postnatal.
- 2-2-11 Improve and vary the sexual and reproductive health services and activities, and provide them in all country and involve men.
- 2-2-12 Raise young women's awareness, particularly adolescences, and provide them with information on sexual and reproductive health issues, and pay attention to their special needs and encourage them to use good health practices, including healthy nutrition and the regular practice of exercises.
- 2-2-13 Raise awareness –especially among women- about the impacts of HIV/AIDS and cancers, including ways of protection.
- 2-2-14 Remove obstacles facing women's employment in the health sector, and protect them against discrimination in appointment and promotion and any form of violence during their employment.
- 2-2-15 Ensure equal access for women working in the health sector to on-job training and education to improve their skills and qualifications.
- 2-2-16 Activate and develop administrative regulations and measures to ensure social security and health insurance to encourage women employment in health.
- 2-2-17 Build databases on quality and quantity of health services for women and the level of their participation in health occupations and positions.
- 2-2-18 Encourage research and document information and data related to women's health, roles, and professional participation leading the health sector.
- 2-2-19 Increase the women's participation rate in decision-making position in the health sector to 20%.
- 2-2-20 Increase financial allocations to the health sector in public budget twice and allocate a sufficient percentage of it for programs targeting women.

## **II.3 Executive measures during 3rd FYP (2006-2010):**

- 2-3-1 Establish health units for women in different districts to facilitate access to public health services.
- 2-3-2 Expand in mobile unit to provide primary health services for women in remote areas and provide regular immunities.
- 2-3-3 Incorporate awareness programs related to sexual and reproductive health in the plans of governorates and districts.
- 2-3-4 Implement protective programs to eliminate the spread of HIV/AIDS; to ensure safety measures for blood transmission services; and to provide the treatment and support to HIV/AIDS positives.
- 2-3-5 Undertake studies and surveys for the cause of the spread of HIV/AIDS and cancers of women, including the extent of the spread.

- 2-3-6 Adopt initiatives of providing medical and social insurance for women as equally as for men.
- 2-3-7 Adopt a program to integrate issues of sexual and reproductive health and population in educational curriculum of secondary schools and universities.
- 2-3-8 Adopt programs to integrate women sports as compulsory classes in schools and universities and allocate necessary resources for required equipment.
- 2-3-9 Adopt programs to lessen the overburden on working women inside and outside the house (health social services).
- 2-3-10 Establish nurseries for children and kid's gardens in the health facilities where more than 50 women are working.
- 2-3-11 Review and amend the administrative regulations and measures that hinder women working in health sector opportunities in employment and promotion on the equal basis as men.
- 2-3-12 Call for the adoption of a greater percentage (no less than 30%) of women in on-job training programs.
- 2-3-13 Call for the adoption of no less than 15% of women in senior positions in the health sector for qualified women for these positions on competitive basis.
- 2-3-14 Enhance and encourage private sector and civil society in providing free health services to poor women.

#### **II.4 Expected outcomes 2010**

- 2-4-1 Reduce maternal mortality to 183 in every 100,000 live births.
- 2-4-2 Increase birth delivery rate under medical supervision to 67%.
- 2-4-3 Increase antenatal care to 78.4%.
- 2-4-4 Increase the use of family planning methods to 43%.
- 2-4-5 Reduce under-five child mortality to 59 in every 1,000 live births.
- 2-4-6 Reduce infant mortality to 47.5 in every 1,000 live births.
- 2-4-7 Increase the rate of women and children who get primary health care.
- 2-4-8 Increase the rate of women working in different health occupations.
- 2-4-9 Increase the rate of women in decision-making positions in the health sector to 20%.

#### **II.5 Concerned implementing agencies:**

- 2-5-1 Ministry of Public Health and Population
- 2-5-2 Ministry of Finance
- 2-5-3 Ministry of Education
- 2-5-4 Ministry of Information
- 2-5-5 National Population Council
- 2-5-6 Supreme Council of Motherhood and Childhood
- 2-5-7 Women National Committee
- 2-5-8 Civil Society Organizations
- 2-5-9 Donors

### **III. Strategic Issue:**

Women poverty and their economic dependency, and limit participation in management of economic and environmental resources.

#### **Current Situation:**

In the last decade, the government of Yemen adopted a number of development plans and programs aimed at addressing the impacts of the structural adjustment policies. The objective is to reduce poverty, create new job opportunities, etc.

However, these programs faced challenges that hinder achieving any progress and economic stability, or stopping the subsequence of poverty. As a result, poverty continues to be a problem that imposes itself among the rural population who compose 74% of the total population. Of the rural population, 83% of them are poor and 87% are suffering food poverty. At this point, women are the ones who suffer more from the subsequence of poverty, as they experience all forms of discrimination, especially economic, social, cultural, and political marginalization. Women are the ones who take the burdens of the social, economic, and environmental problems that result from the bad conditions in rural areas. The lack of infrastructure and basic services, the immigration of men and youth to cities for work or school, limited access to water and power resources, and desertification are all factors that maximize the responsibility and role of women. In addition to her reproductive role and role as caretaker to her children, she has to take care of the family socially and economically. She is the producer of food and crops that a family needs, in addition to household unpaid tasks. All these roles double the loads on women's shoulders and increase their poverty.

The gender inequality in division of power and economic roles and resources, based on socio-cultural and political context, forms the crucial factor in feminization of poverty and makes the rural women and households headed by women more eligible for this phenomenon. There is also a strong linkage between poverty and environmental degradation, which makes the poverty reduction an essential step towards sustainable development. Moreover, it imposes the necessity to mainstream gender in environmental strategies and policies and increase efforts to raise women awareness about environmental issues and their active involvement in protection and management of different resources. Many changes were generated from the globalization era, including changes to production means, technology, and what is imposed of SAP. Yemeni women -- of which the majority are illiterate, unskilled and economically dependent-- are an easy victim for the challenges and impacts of globalization, rather than beneficiaries of available opportunities.

Women suffer most from privatization of resources and services and cuts to public expenses because she has less of a chance and the capability to compete in the labor market. Her work is still mostly unpaid and her income is less than a man, although legislation does not discriminate against her. Her chances are limited to owning land and other production means, such as capital training, education, and other social services including insurance. She also has the chance for limited participation in economic and political decision making.

Although gender disaggregated data is not available in many aspects related to women's poverty, there is information regarding women's labor and economic contributions and the gender gap in formal and informal sectors. Some of the available data from the family budget survey and labor force survey of 1998 and 1999 show a lot about women's situations in these areas. Below are the most important:

- The upper poverty rate reaches among 45% of the rural population and among 30.8% of the urban population.
- The rate of people who live under the poverty line (food poverty) is 17.6%.
- The rate of people who live under the upper poverty line (the ones who do not get their sufficient needs of clothes, house, health, education, transport beside food) are 41.8%.
- Rate of households headed by women (who fall under the lower poverty line) is about 13.8%.
- The poverty gap for the total household headed by women is 13%, while the gap for the total household headed by men is 10%.
- The average income of households headed by women is less by third than the average income of households headed by a man.
- The rate of women among the economic inactive population is 72.1%.
- The rate of women among the labor force is 23.7%.

- The percentage of paid working women is 8.2% of total paid labor, while 91.2% is men.
- 92.7% of working women are in the informal sector.
- The percentage of unemployment is 8.2% among women and 12.5% among men.
- The unemployment percentage among young women (15-29 years old) is about 55.8% of the total unemployment rate among women.

This situation of women makes the policies for eradicating their poverty, providing job opportunity for them, and facilitating their control and management of economic and environmental resources. All of these are crucial areas to empower women and enhance their economic, social, and political independence. Below are the objective and measures to achieve that:

### **III.1 Strategic goal 2015:**

- 3-1-1 Reduce the percentage of poor women by half.
- 3-1-2 Enhance women's independence, economic empowerment, and active participation in economic and environmental decision making.

### **III.2 Interim objectives 2006 – 2010:**

- 3-2-1 Adopt development and economic policies that are gender sensitive and considerate to poor women who head households in rural areas in order to reduce 25% of their current poverty.
- 3-2-2 Ensure a judicial, legal, and administrative environment to implement legislation and rules that guarantee women's rights, promotion, social security, and other work benefits.
- 3-2-3 Ensure women receive a job opportunity that doubles the current percentage of paid working women and women in the agriculture sector and reduces by half the unemployment percentage among women.
- 3-2-4 Enhance women's economic independence by facilitating access to resources, market, trade, services, information and technology.
- 3-2-5 Increase women's participation to 30% in economic and developmental decision-making positions.
- 3-2-6 Improve women's effective participation by 20% in environmental decision-making positions and ensure implementation of policies related to managing natural resources and protecting the environment.
- 3-2-7 Provide infrastructure services in rural areas and ensure protection of environmental resources.
- 3-2-8 Allocate required resources to improve women's situation in public programs and plans that target women such as gender budgeting.

### **III.3 Executive measures during FYP 2006- 2010**

- 3-3-1 Carry on legislative review that ensures women's rights in work, equal payment and promotion, social security, and access to different resources including land, infrastructure, participation in management, and protection of environmental resources.
- 3-3-2 Provide women with a higher percentage of available job opportunities in private and public sectors according to qualification and specialization in order to reduce the gender gap that exists in this area with an annual increase of 5%.
- 3-3-3 Review the division of senior positions on gender basis to ensure a qualified women's right to get these posts and increase their participation in decision making.
- 3-3-4 Undertake surveys on market needs and evaluate and classify the women labor force in different fields to develop programs and to build their capacities.
- 3-3-5 Encourage the private sector to extend women training and to integrate them in the labor market.
- 3-3-6 Expand in establishing funds and programs that support income generation for women and develop human capital through education, training, and improvement of social services.

- 3-3-7 Support small and medium women's organizations through micro-finance and extend them in all governorates.
- 3-3-8 Expand the finance program targeting for poor households headed by women and increase social security to those families.
- 3-3-9 Develop training and counseling for women who are interested in getting credits.
- 3-3-10 Encourage investment in the agriculture sector to secure sufficient paid employment for women in rural areas.
- 3-3-11 Encourage the establishment of social and health insurance for women.
- 3-3-12 Adopt programs to support specific groups of women, such as young women who start their professional lives, housewives returning to the labor market, unemployed women, and women interested in changing their profession.
- 3-3-13 Increase finance ceiling for credits provided to women with facilitation to encourage women to get credits.
- 3-3-14 Activate the law provision that oblige work institutions to open kids nurseries if women working for them are over 50.
- 3-3-15 Encourage private sector to employ women part-time.
- 3-3-16 Adopt awareness programs and media activities to change the stereotype of relations and roles of women and men in society, especially in work, inheritance rights, and ownership and participation in decision making.
- 3-3-17 Undertake studies of the poverty phenomenon using gender approaches.
- 3-3-18 Adopt training programs for administrative leaders in gender analysis and mainstreaming in development planning, preparation, implementation, and analysis of gender budgeting.
- 3-3-19 Involve women effectively in all phases of planning, evaluation, and management of economic and environmental resources.
- 3-3-20 Support programs that assist women to own and manage agricultural lands and that enhance their contribution in food security for family. Overcome the traditional types to modern agricultural productivity that support development and achieve food security through increase in production and availability for internal and external exports.
- 3-3-21 Take required measures to activate and expand women's contributions to achieve sustainable development and to protect the environment and manage natural resources.
- 3-3-22 Support activities that provide technical and financial assistance in areas of: alternatives to woods for fuel, digging wells. Find ways to reduce the time women consume in fetching wood, digging wells, building water tanks, and reducing air pollution inside houses.
- 3-3-23 Adopt awareness programs on issues of gender mainstreaming in management of natural and environmental resources, alternatives of environmental resources to achieve sustainable development, impact of environmental degradation on women, and the relation between gender equity and sustainable development.
- 3-3-24 Allocate sufficient financial resources for infrastructure projects in rural areas and environmental protection projects, especially water and desertification. Identify a percentage of projects that target women in particular and include it in the annual budget of concerned agencies.
- 3-3-25 Adopt training courses for financial personnel in central bodies and governorates in preparing, monitoring, and implementing gender budgeting.

#### **III.4 Expected outcomes by 2010**

- 3-4-1 Increase living standards for poor women and their families and reduce 25% of their poverty.
- 3-4-2 Improve the level of infrastructure services in rural areas.
- 3-4-3 Double the percentage of paid working women and expand women's participation in the labor force and the non-agriculture sector.
- 3-4-4 Increase women's participation in economic and environmental decision making to 20%.
- 3-4-5 Facilitate women's access to resources, markets, services, and information.

3-4-6 Spread a supporting culture for women's right at work, including ownership and participation in decision making and management of natural and environmental resources.

3-4-7 Improve the use of environmental resources.

3-5-8 Integrate gender perspectives in the planning and managing of economic and environmental resources.

3-4-9 Build a database on women's economic situations and her relation with the environment.

3-4-10 Involve the private sector in activities for women's economic empowerment and the eradication of poverty.

### **III.5 Concerned implementing agencies**

3-5-1 Parliament

3-5-2 Ministry of Planning

3-5-3 Ministry of Finance

3-5-4 Ministry of Social Affairs/ Social Fund for Development

3-5-5 Ministry of Agriculture

3-5-6 Ministry of Trade and Industry

3-5-7 Ministry of Local Administration

3-5-8 Ministry of Legal Affairs

3-5-9 Ministry of Tourism and Environment

3-5-10 Local Councils

3-5-11 Private Sectors – Chamber of Trade and Industry

3-5-12 Women National Committee

3-5-13 Civil Society

3-5-14 Donors

### **IV. Strategic Issue**

Poor women's representation – quantitatively and qualitatively – in all decision-making positions and in elected and appointed bodies on the central and local levels.

#### **Current situation:**

After analysis of women's presence in decision-making positions, governmental bodies, political parties, and even the private sector, we find that the percentage is low if not unnoticeable. Women represent 2.76% of the total labor force in governmental executive structure, including one woman is a member in parliament among 300 members (0.33%), and 2 females are members in Shoura Council among 109 male members (1.80%).

In local councils, women are only 38 among 7,000 male members (0.58%). There are also two women ministers among 35 man (2.78%); and one female ambassador among 57 ambassadors; and 2 women are minister plenipotentiary (in diplomatic sector) among 108 men (1.82%); and 2 women are undersecretaries among 27 men (6.90%); and 11 women are general directors among 83 men (11.70%). In the judicial sector, there are 32 women judges among 1200 male judges (1.8%).

In conclusion, the absence of women from decision-making position reaches 99.9% with the exception of the presence of one women minister or undersecretary or general director or ordinary employee here and there.

Below are the results of a study analyzing the internal, regional, and international factors that hinder women from reaching decision-making positions. Here we are concerned with the internal factors which are:



- Cultural heritage: This deepens the view of women as minor members who cannot be counted on. Even though women take on responsibilities and loads inside and outside the house, these responsibilities do not give them credit to be leaders or decision makers.
- The recent democratic experience: Although it truly gave women more constitutional and legal rights, it still did not deepen enough in society behavior.
- The dependency of women political decisions: This is as a result of the social attitudes that impose women's attachment to man and stereotype her role as responsible for the husband and family, all of which reduce and eliminate her interest in political issues.
- Political education that usually targets men rather than women.
- The weakness of the education system, which doesn't change people's attitudes and view towards women.
- Political party's attitudes, which target women as voters only.

In regard to political presentation of governmental bodies concerned with women issues, there are different agencies like WNC, supreme council for motherhood and childhood, and women directorates in ministries and governorates. However, the challenge that faces these bodies most of the time is that their contribution is not positively received or reflected in the executive reality. For example, the WNC is the sole governmental body formed for the purpose of monitoring the progress in women status; however, in the last 10 years of WNC's existence, it became clear that the political representation of WNC is the greatest challenge facing WNC. It undertakes its task states by integrating women issues in mainstream development, even though it comes under the supreme council of women affairs, which is headed by the prime minister.

An evaluation for the implementation of women development strategy in its first year shows that the strategy's components were not incorporated in most sectoral plans and programs. Despite the Prime Minister's resolution, even resources were not allocated to support the implementation of the strategy within the public budget.

The other example is that some of the women directorates in ministries and governorates are there by name only without any institutional structure or required resources to function adequately (staff, offices...etc.), and the others ones exist but without actual participation in policy and programs design.

#### **IV.1 Strategic goal 2015:**

- 4-1-1 Increase women's participation in decision-making positions by quantity and quality.
- 4-1-2 Upgrade the representation of the governmental mechanisms concerned with women's issues.
- 4-1-3 Support institutional capacities of NGOs.

#### **IV.2 Interim objective 2006- 2010:**

- 4-2-1 Apply the quota system for women in different decision-making positions by 30%.
- 4-2-2 Expand the mandate and resources of existing national machineries to enable them to undertake their tasks.
- 4-2-3 Build women cadre who possess leadership capacity to compete in political and public life.
- 4-2-4 Enhance the partnership between the governmental and nongovernmental mechanisms.

#### **IV.3 Executive measures during FYP 2006-2010:**

- 4-3-1 Expand and activate dialogue with all institutions (ministries, governmental bodies, NGOs, political parties) to discuss the possibility for implementation of the quota system.
- 4-3-2 Develop awareness programs on quota systems in media campaigns that target different social groups.
- 4-3-3 Present the pioneer political experience of women from Arab countries.

- 4-3-4 Build women leadership capacities through training.
- 4-3-5 Target women with political education in curriculum and encourage them to participate in political and social work.
- 4-3-6 Undertake a survey for women in decision-making positions and others who have high qualification and are not engaged in power and decision making to empower them to participate in leading and senior management.
- 4-3-7 Build the political capacities of women through training on elections, campaigns, and political work in general.
- 4-3-8 Advocate for the establishment of a women development ministry after studying the feasibility of such entity.
- 4-3-9 Open dialogue with all parties on the possibility to form a ministry for women development addressing the risks and opportunities.
- 4-3-10 Build an effective partnership between official and non- official organizations concerned with women issues.
- 4-3-11 Follow-up the establishment of the rest of WNC branches in governorates.
- 4-3-12 Allocate resources to expand and activate women's role in decision making and incorporate it in the budget of concerned bodies.

#### **IV.4 Expected outcomes by 2010**

- 4-4-1 Bridge the gender gap in decision-making positions.
- 4-4-2 Integrate women's needs in development programs and legislations.
- 4-4-3 Achieve gender equality in public and political work in accordance to Shari'a and national and international legislations.

#### **IV.5 Concerned implementing agencies:**

- 4-5-1 President Office
- 4-5-2 Parliament
- 4-5-3 Shoura Council
- 4-5-4 Cabinet
- 4-5-5 Ministry of Legal Affairs
- 4-5-6 Ministry of Finance
- 4-5-7 Supreme Committee for Election
- 4-5-8 Local Councils
- 4-5-9 Political Parties
- 4-5-10 Women Union
- 4-5-11 WNC
- 4-5-12 NGOs
- 4-5-13 Donors

### **V. Strategic Issue:**

Violence against women (VAW) and ensure women's human rights

#### **Current situation:**

Women have witnessed in the last years enhancement of their rights guaranteed by Shari'a, as well as constitutional and legal provisions. However, studies and facts still show the gap between what is on paper and practices in reality.

The percentage of women suffering from different forms of violence is still high (estimated to be 50% from the total percentage of women). This situation hinders the achievement of goals of equity and equality where women's civil, political, economic, and social rights are being abused. Further, they fail to

have access to resources and power that enable them to benefit from the available laws that guarantee women equal rights with men. Although some progress has been achieved in the last few years in amending discriminative provisions in the in-force laws and promoting elimination of VAW in different activities, many other legal articles still need amendment. Further, there needs to be more effort to eradicate VAW, and the enforcement of the law needs to take place.

### **V.1 Strategic Goal 2015:**

- 5-1-1 Facilitate women's actual exercise of their human rights guaranteed by shari'a, national laws, and international conventions, especially "Convention for Elimination of All Forms of Discrimination Against Women."
- 5-1-2 Eliminate all forms of VAW.

### **V.2 Interim objectives 2006 – 2015:**

- 5-2-1 Abolish all discriminative articles in laws and adopt legal measures that guarantee and protect equal rights for women.
- 5-2-2 Ensure equal access to justice for women especially in the judicial system.
- 5-2-3 Raise awareness with causes, results, and forms of VAW, including effective ways to eliminate them.
- 5-2-4 Amend educational curriculum and media discourse that involve ideas that directly or indirectly encourage discriminative practices against women. Move to incorporate human rights instead.
- 5-2-5 Increase the number of women working in the judicial system and in law enforcement institutions.
- 5-2-6 Raise awareness of basic rights, freedoms, and legal principles among men and women.
- 5-2-7 Establish effective and modern methods to support and protect women victims of violence.
- 5-2-8 Allocate sufficient resources from the public budget and donor funds to carry on activities to eliminate VAW.
- 5-2-9 Build database on women's rights and VAW.

### **V.3 Executive measures during FYP 2006- 2010:**

- 5-3-1 Continue with efforts to amend discriminative articles in laws.
- 5-3-2 Adopt new legal measures to protect women's equal rights and enforce them in reality.
- 5-3-3 Establish monitoring mechanisms in collaboration with civil society to measure the implementation of laws.
- 5-3-4 Develop awareness programs for communities, schools, and sensitization programs on VAW and women's rights.
- 5-3-5 Establish special units to deal with women in police stations.
- 5-3-6 Establish special units to deal with domestic violence cases (at least in governorates capitals).
- 5-3-7 Establish hotlines to help violated women.
- 5-3-8 Establish shelters and emergency services for women victims of violence.
- 5-3-9 Study the educational curriculum which need amendment to change stereotype images of women.
- 5-3-10 Continual awareness on VAW, and its consequences on women as an individual and on the development process. It should be addressed to judicial personnel and senior governmental officers.
- 5-3-11 Provide programs for legal assistance for women.
- 5-3-12 Start supportive initiatives to facilitate women enrollment in the High Institute for the Judiciary to ensure recruitment of female judges.
- 5-3-13 Campaigns for women's rights in inheritance.
- 5-3-14 Develop procedures to protect women.

- 5-3-15 Build database on women's human rights and forms of VAW.
- 5-3-16 Support NGOs and develop partnership to take bigger role in eliminating VAW and provide legal assistance to women.
- 5-3-17 Implement activities targeted about prostitution and all forms of exploitation of women.
- 5-3-18 Adopt initiatives to protect child girl from any form of violence (FGM deprivation due to education and early marriage; deprivation from inheritance; and economic and sexual exploitation).
- 5-3-19 Take required measures to reform laws that discriminate against child girl.
- 5-3-20 Allocate required resources to eliminate all forms of discrimination and VAW, and empower women to enjoy her human rights. The allocation should be incorporated in the annual budgets of concerned parties.
- 5-3-21 Enhance partnerships with CSOs, under and outside the umbrella of Yemeni Network, for the Elimination of VAW.
- 5-3-22 Continual community awareness on early marriage, and call for the approval of minimum age of marriage in law.
- 5-3-23 Strong punishment for those who commit moral crimes against children, including girls.

#### **V.4 Expected outcomes 2010**

- 5-4-1 Remove all discriminatory articles in laws against women.
- 5-4-2 Endorse new legal texts that guarantee the enforcement of women's rights.
- 5-4-3 Raise the legal awareness among men and women.
- 5-4-4 Increase the percentage of women in decision-making positions concerned with law enforcement and justice.
- 5-4-5 Establish the modern instrument to protect victim women.
- 5-4-6 Reduce the percentage of women victims of violence in homes and workplace.
- 5-4-7 Increase the percentage of women working in police to 50% of total labor force.

#### **V.5 Concerned implementing agencies:**

- 5-5-1 Parliament
- 5-5-2 Shoura Council
- 5-5-3 Cabinet
- 5-5-4 Ministry of Human Rights
- 5-5-5 Ministry of Legal Affairs
- 5-5-6 Ministry of Interior
- 5-5-7 Ministry of Justice
- 5-5-8 Ministry of Endowment and Guidance
- 5-5-9 Ministry of Education
- 5-5-10 Ministry of Finance
- 5-5-11 Ministry of Information
- 5-5-12 Ministry of Higher Education and Scientific Research
- 5-5-13 Academic and research institutions
- 5-5-14 WNC
- 5-5-15 Civil Society organizations
- 5-5-16 Donors

## **VI. Strategic Issue**

The stereotype of women in media and weak mainstreaming of gender issues in media policies and programs.

**Current Situation:**

Media is considered one of the most important social educational institutions because of its impact on identifying the cultural attitudes discussing the issues of women and media take two dimensions: the first is women presences in media institutions and their influence on the formulation of media policy, and the second is women's image in the media.

The media play a crucial role in presenting women as an active member in society, which depends mainly on the trends of media policy and the people who work there. Despite the increase in concern in the last years to integrate women's issues in development of policies and programs, it is noticeable that the media policy prepared by the ministry of information referred to women's issues within the consideration of social issues which involves childhood, youth, immigrants, environment, health, and agriculture development.

This reference came as the 29th objective of the general objectives of media work which are 42 objectives. The indicators of women's presences in media decision-making position show that their percentage is limited. There are only 2 women in undersecretary and undersecretary assistant, one general director, and one manager among 36 men.

An empirical study on work division among men and women in media institutions shows that although women exist in different specialties, they are absent from the occupation of some specialties related to the nature of the institutions. The study attributed that to social factors and institutional ones, especially the social factors reflected in the "family refusal and discouragement" and the lack of spouses understanding of wife work. Besides that, the dominated culture does not give a freedom margin of choice and stops women from working in some positions.

Moreover the education level is one of these factors. In relation to institutional factors, most views state that senior positions are held by men due to a lack of confidence in women's capacity; and that decisions are usually taken in sessions; and that men are more capable to do tasks because they have the freedom of mobility/their mobility.

Another analytical study for women's image in media shows that programs and articles addressing women focus on issues related to women at home. The general impression from the existing writing reflects an improper image for woman (such as using her in commercial, instead of addressing issues such as illiteracy, fertility rates, and social marginalization).

**VI.1 Strategic goal 2015**

Expand women participation and enhance her role in media, IT, and communication to support women advancement and to reflect balanced image.

**VI.2 Interim objectives 2006 -2010**

6-2-1 Raise the level of women's participation in the media sector, especially on the policy design and decision-making level.

6-2-2 Erase the women IT illiteracy.

6-2-3 Change the stereotypical image of women in media; address the challenges of women's economic, political, social, and cultural advancement; and set it as a priority in all visual and aural programs.

6-2-4 Bridge the existing gap in women benefitting from IT and communication.

**VI.3 Executive measures during FYP 2006-2010**

6-3-1 Ensure women presentation in decision-making positions in all of the media sector.

6-3-2 Organize training for different women's groups in the area of computer and internet.

- 6-3-3 Implement awareness programs to change the stereotypical image of women.
- 6-3-4 Review the media programs with concerned institutions, and highlight materials that reflect women's participation in the development process and changing women's image in media.
- 6-3-5 Organize special training for media personnel, males and females, to develop their capacities in TV, radio, newspaper, and in addressing gender issues.
- 6-3-6 Allocate resources for activities that aim to change women's stereotype and expand its participation in media and IT and incorporate these allocation in the annual budgets of concerned bodies.

#### **VI.4 Expected outcomes 2010;**

- 6-4-1 Sensitize media programs for women's issues.
- 6-4-2 Highlight the different roles for women in media (leadership).
- 6-4-3 Change society's image of women.
- 6-4-4 Open chances for women and girls for education and training in sectors of IT and communications.
- 6-4-5 Increase women's presence in decision making in media institutions.

#### **VI.5 Concerned implementing agencies:**

- 6-5-1 Cabinet
- 6-5-2 Ministry of Information and its institutions
- 6-5-3 Ministry of Communication
- 6-5-4 Ministry of Technical Education and Vocational Training
- 6-5-5 Ministry of Higher Education
- 6-5-6 independent media
- 6-5-7 WNC
- 6-5-8 CSO
- 6-5-9 Donors

### **Mechanisms of implementation, monitoring, and evaluation of the strategy**

The preparation of the strategy, undertaken with a direct and indirect involvement of concerned parties in four steps, started by sending a written request for views and suggestions on the context and trends, and it finished with wide discussion on the final draft in the annual conference for women (March 8, 2005). The space was also open to include any comments for a long period.

By endorsement of the strategy as an official committed document, all governmental bodies that are concerned with implementation are required to transfer the related goals and measures to programs and projects as part of their annual plans till 2015. The overall goals and measures till 2010 should be reflected in the 3rd FYPDPR as a sum of the program and projects of concerned governmental bodies. In regard to goals and procedures concerned with CSOs, the private sector can be considered as a pilot direction for the gender component in their plan, and it can also create different forms of partnership and coordination between CSOs, the private sector, and other development partners (government and donors). The most important commitment is the gender- budgeting and development of monitoring and evaluation measures and not only just to integrate gender in their annual plan or FYP.

### **Monitoring and Evaluation Mechanisms**

The government bodies concerned with implementation should adopt two parallel trends:

- The first is restricted to the monitoring and evaluation tools the governmental bodies use, with the condition that they take a gender analysis approach to ensure gender-based outcomes.
- The second meets the requirement of the WNC role as sole monitor, which obliged the concerned governmental bodies to submit regular progress reports to WNC in the beginning of the following year. The women directorates should take over these responsibilities.

Through the partnership, coordination, and different correlated activities of monitoring and evaluation for what has been achieved by CSOs, the WNC can fill in the gaps in the annual report.

In the annual conference on March 8th, the report can be presented, enriched, and then submitted to the Supreme Council of Women for approval.

A comprehensive evaluation can be done in 2009 for the progress achieved during the period of the 3rd FYP in parallel with activities of the preparation of the 4th FYP 2011-2015

The WNC is permanently responsible for the follow-up of the level of implementation through field visits and consultative meetings with concerned persons.