

BRATISLAVA MODEL UNITED NATIONS 2013



UN Human Rights Council

The Enforcement of Women's Basic Civil and
Individual Rights

Study Guide

Amr Alhuraibi

Letter from the chair

Honorable Delegates,

My name is Amr Alhuraibi, and I am originally from Yemen. I moved to study in Slovakia three years ago. On behalf of me and the organizing team, allow me to welcome you to BratMUN, in its thirteenth copy. I am honored to be your committee (Human Rights) chair. Our topic for this year would be The Enforcement of Women's Basic Civil and Individual Rights.

I am an IB student, at Gymnazium Jura Hronca in Bratislava. I had participated in last year's BratMUN as a page. After that I was Serbia's delegate in ZaMUN, in Zilina. I believe both of those participations provided me with enough experiences to chair this committee. Moreover, my multinational background plays an important role in making me understand the topic (women's right) better and examine it from different point of views. I believe with your help, and through constructive discussions we would be able to draft a perfect resolution, which shall enhance women's right.

Lastly, allow me to thank you for participating in BratMUN 2013 and for choosing my committee. I hope we will have lots of fun. I am looking forward to meet you all.

Sincerely,

Amr Alhuraibi

Chair of UNHRC

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The Background

Women are the other half of men; she is his mother, sister, aunt, niece, wife, and daughter. Men can't live without women, and both sexes need each other in order to exist. However, despite their important and noble role, women are treated unfairly and not given their full rights. This unfairness varies from country to country, where in certain areas such as in Saudi Arabia women have less rights than, for example, in its neighbor state- United Arab Emirates. Our committee (Human Rights) goal is to give human beings (in our case woman) their full rights where ever they are and protect their rights under any circumstances.

Giving women their fullest rights and enforcing them is an important goal of the United Nations since its foundation. This is evident in one of the purposes of the UN, stated in the first article of its charter: "To achieve international co-operation ... in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion."¹ Furthermore, within the UN's first year, the Economic and Social Council established its Commission on the Status of Women, as the principal global policy-making body dedicated exclusively to gender equality and advancement of women. Following that, many world Conferences on Women were held, starting in Mexico City in 1975.

As to appreciate women role and to ensure and maintain their rights and gender equality, the General Assembly declared 1975 as the International Women's Year. Subsequently, it declared the years 1976-1985 as the UN Decade for Women. All these declarations and meetings prove the importance of the women's issue in the United Nations.

Moreover, in 2010 UN Women, an organization of the United Nations was made from United Nations Development Fund for Women to achieve equality of gender and enhance women's rights. The main roles of UN Women are, as mentioned on their website²:

- To support inter-governmental bodies, such as the Commission on the Status of Women, in their formulation of policies, global standards and norms.
- To help Member States to implement these standards, standing ready to provide suitable technical and financial support to those countries that request it, and to forge effective partnerships with civil society.
- To hold the UN system accountable for its own commitments on gender equality, including regular monitoring of system-wide progress.

¹ <http://www.un.org/en/documents/charter/chapter1.shtml>

² <http://www.unwomen.org/en/about-us/about-un-women>

The Issues

Freedom of choice

With *civilized* and *constructive* discussions we will address the issues of women and try to solve them. The main issue in our discussion will be; denying women of their freedom of choice. That is the "right to exercise one's freedoms in any manner one may choose except where such an act may obstruct or prevent others from exercising their freedoms, put oneself or others in danger, or exceed a statutory limit."³ An example of women's denial of freedom of choice would be the situation of women in Saudi Arabia. For instance, the discriminatory Saudi guardianship system prohibits women from traveling, conducting official business, or undergoing certain medical procedures without permission from their male guardians, thus women are partially denied their freedom.

Moreover, women issue in the Kingdom of Saudi Arabia is famously known for prohibiting women from driving. KSA is the only country in the world in which women are not allowed to drive. There is no Islamic (religious) or governmental enforceable law that prevents women from driving. In the contrary, cultural and traditional norms are what enforced such discriminative and conservatives laws.

Women in the KSA were not allowed to vote and/or run for election. However, King Abdullah of Saudi Arabia decreed that women will for the first time have the right to vote and run in local elections due in 2015.⁴ This decision is considered giant leap forward for women in the "ultraconservative" KSA. Does this step mean that Saudi Arabia is already taking the right road toward sex equality and enforcing women's rights? Or is it an ineffective act, which was taken just to drug the Saudi people, in order to prevent Arab Spring from reaching the kingdom? Delegates need to keep in mind these questions when searching for a solution for women's issue in the KSA.

(Useful links:

http://www.ted.com/talks/manal_al_sharif_a_saudi_woman_who_dared_to_drive.html, http://www.humanrightsvoices.org/EYEontheUN/un_101/figures/?p=1405)

In term of issues concerning the Islamic and Arabic worlds a full and comprehensive understanding of real Islam should be developed, that means delegates should be able to discriminate between the wrong interpretations of Islam (plus the cultural and traditional effect on it) and the real core of the religion. This knowledge can be acquired by reading a variety of sources concerning those countries, the effect of those customs and traditions on Islam, and about "real" Islam. The reason behind emphasizing this point is to make the resolution more realistic and effective, thus really solving this crucial issue.

(Useful links:

http://www.ted.com/talks/mustafa_akyol_faith_versus_tradition_in_islam.html)

³ <http://www.businessdictionary.com/definition/freedom-of-choice.html>

⁴ <http://usatoday30.usatoday.com/news/world/story/2011-09-25/saudi-women-vote/50543882/1>

Female circumcision

Far from Saudi Arabia, women in some parts of north Sudan and Yemen are experiencing other kind of women rights repression. Female circumcision is considered one of the most unhealthy, painful, traumatic and dark tradition norms in Africa and southern parts of the Arabian Peninsula. Basically it is the removal of the female genitalia (more information about Female circumcision can be found in the links below). The World Health Organization separated the female circumcision procedure into four different categories.⁵ Female genital mutilation has no known health benefits. What is more is that it has many potential negative effects on the women's or girl's natural functioning of the body and causes several immediate and long-term health consequences.

(Useful links:

<http://www.who.int/reproductivehealth/topics/fgm/overview/en/index.html>)

Although Female Genital Mutilation has been condemned by human rights organizations and banned by the United Nations⁶, it continues to be practiced, especially in northern Sudan, where almost 90 percent of northern Sudanese women have undergone the ordeal.

Among other reasons behind this practice, it is believed that women circumcision promotes hygiene. Moreover, Sudanese men prefer having as a wife woman who has been circumcised; this means such women bring higher bride-price which is important in poor country like Sudan.

However, the main reason behind this practice is that the northern Sudanese Muslims believe that the Koran calls for women to be circumcised. Here we see how illiteracy and misinterpretations of Islam are sources of women repression. However, this topic is considered controversial among Muslims as well as non-Muslims, where some scholars have regarded the act as commendable, while others regard it as merely permissible. Islam protects a woman's right to sexual enjoyment and health and if female circumcision violates those rights, automatically the practice would be considered forbidden.⁷ Therefore, before taking a decision on whether Islam permits or prohibits it, the women circumcision categories should be examined. In regard to this issue below is an extract explaining Islam's reaction to each type of the circumcisions:

"Type 1 circumcision is the removal of the clitoral prepuce, which is very similar to the prepuce of a penis, which is removed during male circumcision. This is the most basic procedure of female circumcision and the only procedure that would be allowed in Islam. The other procedures, types 2 and

⁵ <http://www.who.int/reproductivehealth/topics/fgm/overview/en/index.html>

⁶ <http://www.unwomen.org/en/news/stories/2012/12/united-nations-bans-female-genital-mutilation/>

⁷ <http://insideislam.wisc.edu/2011/02/the-truth-about-islam-and-female-circumcision/>

*3, where the labia minora, labia majora and clitoris may be extracted, are considered forbidden as they carry with them too many possibilities of bodily harm."*⁸

Although article 13 of the draft Children's Act of 2009, ban female genital mutilation as part of other customs and traditions harmful to the health of the child in Sudan, this article was dropped in the same year.

Yemen is another country suffering from the same issue. Although there are no sufficient studies on Female Genital Mutilation practices in Yemen, yet the problem exist there in considerable amount. According to Yemen Times article published in 2007, 24 percent of Yemeni women have experienced gentle mutilation, with great concentration in the western and southern parts of the country.⁹ According to a Fact-sheet that 78 percent of the women who have been cut plus eleven percent of those who have not are in favor of continuing the practice. This is probably because of the same reasons mentioned in the case of Sudan (illiteracy, holding on bad traditions and assuming that FGM is a religious obligation).¹⁰

There is another practice which violates women rights; locally it is called Al-takhmeed. The extract below from the Yemen Times explains the practice:

"On the fourth day after a baby girl's birth, her mother or an older female household member prepares a compress to use on the genitalia. The compress is a soft cotton material inside of which heated salt and/or sand is placed, along with oil and herbs.

*A mother heats the compress and places it on the infant's genitalia, pressing repeatedly for about an hour. This continues for a period varying between 40 days and four months. The procedure's physical effect may affect nerve endings and decrease the sexual excitement of the girl or woman on whom it's performed. "*¹¹

The Yemeni Government condemns both of these practices against women. This is evident in the ministerial decree issued in 2001 which bans the procedure in medical facilities. However this ban was not put into effect and many conservatives in the parliament opposed it. Some claim that such ban would push people to practice circumcision using unhealthy ways, as they are not allowed to do it in hospitals, which increases the possibility of negatively affecting the patient's health.

(Useful links: <http://www.fgmnetwork.org/gonews.php?subaction=showfull&id=1171338119&ucat=1&>)

⁸ Extracted from: <http://insideislam.wisc.edu/2011/02/the-truth-about-islam-and-female-circumcision/>

⁹ <http://www.fgmnetwork.org/gonews.php?subaction=showfull&id=1171338119&ucat=1&>

¹⁰ <http://www.giz.de/Themen/de/dokumente/giz-fgm-EN-jemen-2011.pdf>

¹¹ <http://www.fgmnetwork.org/gonews.php?subaction=showfull&id=1171338119&ucat=1&>

Sexual violence against women

Violence against women is considered a magnificent violation of women rights. And the UN condemns it, and fight against it. For example, sexual violence against women in the DR Congo is condemned by the United Nations. The UN's position in regard of this issue in the DRC can be seen in the UN Security Council Presidential Statement on the Democratic Republic of the Congo, in July 25, 2013:

"The Security Council condemns the widespread incidents of sexual and gender based violence in the DRC and emphasizes the importance of effective steps to prevent and respond to such acts. It further recalls that rape and other forms of sexual violence in armed conflict are war crimes, and calls for the investigation and prosecution of those responsible, in order to end impunity for such crimes."¹²

Moreover, the UN Security Council demands all the conflicting groups in the DR Congo to cease immediately all forms of violence, including sexual and gender-based violence, which shows the importance of the issue

"The sexual violence in the Congo is the worst in the world", Said John Holmes, UN Undersecretary General for Humanitarian Affairs. Because of the conflict going on in the country the rate of rape or sexual violence is high. According to *The Beast* website, four women are raped every five minutes in the war-torn DR Congo.¹³ Sexual violence is practiced by government soldiers, rebel forces, and lately civilians, which emphasizes the seriousness of this issue and the great importance of finding a solution to it.

Sexual violence victims suffer from many physical and mental illnesses. Furthermore, they get rejected by their families and/or their communities. Although many women survive the sexual violence or rape, some of them don't make it, and die either instantly while being raped or after.

Factors such as education, income, and area of residence (rural or urban) neither protected nor put women at greater risk.¹⁴ Therefore, a non-conventional solution should be reached, this means a deep understanding of the issue and the environment of the country should be developed by the delegates. Below are helpful links!

(Useful links: <http://www.thedailybeast.com/articles/2011/05/11/congo-rape-crisis-study-reveals-shocking-new-numbers.html>, <http://usun.state.gov/briefing/statements/212395.htm>) (Further study links: http://news.bbc.co.uk/2/hi/south_asia/6086334.stm, <http://edition.cnn.com/2013/08/15/world/asia/india-rape-problem/index.html>)

¹² <http://usun.state.gov/briefing/statements/212395.htm>

¹³ <http://www.thedailybeast.com/articles/2011/05/11/congo-rape-crisis-study-reveals-shocking-new-numbers.html>

¹⁴ <http://www.thedailybeast.com/articles/2011/05/11/congo-rape-crisis-study-reveals-shocking-new-numbers.html>

Other violations of women's basic individual and civic rights

- Domestic violence: It is also called Intimate Partner Violence (IPV). Around 70 percent of women in India are subject to domestic violence. This kind of violence may result in sexual violence and rape.

(Useful links: http://en.wikipedia.org/wiki/Domestic_violence_in_India,
<http://www.washingtonpost.com/blogs/worldviews/wp/2012/12/29/india-rape-victim-dies-sexual-violence-proble/>)

- Forced marriage is a marriage in which one or both of the parties are married without his or her consent or against his or her will. This kind of marriage is popular in Pakistan. Although the government bans such marriages, yet it is still widely practiced.

(Useful links: http://en.wikipedia.org/wiki/Forced_marriage,
<http://saynotoviolence.org/join-say-no/say-no-forced-marriage-pakistan>)

Potential Solutions

1. In solving most of the issues above, we are battling against the conservative and partially ignorant community/society and its bad cultural and traditional norms. For instance, in the case of Saudi Arabia, the conservative society is really banning women from driving, rather than the law. Therefore, educating the society through different means (such as school education curricula, advertisement, radio, TV...) would help in eliminating this issue. However, this solves the problem in the long run, while the problem needs an immediate solution.
2. In order to speed up the process of eliminating such violations, Non-Governmental Organizations (NGOs) and Civil Society Organizations (CSOs) play an important role, through showing the public the negative effects of such practices (such as Women Circumcision, Banning women from driving, domestic violence, etc...). Therefore, member countries can help eliminating those violations by supporting, sponsoring, and helping in improving the efficiency of such NGOs and CSOs.
3. Moreover, member countries can help through sponsoring and encouraging influential individuals (e.g. Islamic clerics) to explain for the public the negative effects as well as the costs of such practices, since those individuals are much closer to the public.
4. In most cases organizations which target the rural communities in terms of educating rural inhabitants as well as of acquiring data about the issues, are suffering high costs and lack of safety in doing their job. Therefore, supporting such organizations financially and by providing security to the organization members on the field would help in solving the issues in question.
5. Member Countries could support the DRC's government in taking control of the country thus protecting its civilians from such violations; however, in many cases the government soldiers are the ones who are committing rape and sexual violence. Therefore supporting the government would be as if supporting sexual violence. This means that a combination of different solutions should be reached!
6. Member countries could create a coalition in accordance with the NATO to expand training of combat units to protect the most vulnerable inhabitants.
7. What is more, they can increase access to quality services for survivors.

Closing remark

Of course women issue in regard of their basic individual and civic rights does not stand only on these violations mentioned above (freedom of choice, female circumcision, sexual violence etc...). The issue is wider and deeper. Moreover, the solutions mentioned above only pave the way for delegates to find more real and relevant solutions. Therefore, I encourage Delegates to inquire more about these issues and solutions, and through research, develop a deep understanding of them! What is more, the delegates should be fully aware of their states position in terms of these issues!

Best regards,

Amr Alhuraibi, Chair of the UNHRC