

POLICY PAPER
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*Towards an Enhanced Participation of
Women in Decision-Making Positions
in the Arab World*



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UNTIL THE VIOLENCE STOPS

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Summary of the Paper

This policy paper was prepared by Karama, a movement of women leaders from nine countries of the Middle East and North Africa committed to ending violence against women and girls, for the 53rd Session of the United Nations Commission on the Status of Women (CSW), held in New York, March 2-13, 2009. At this Session, the Commission evaluates progress made by governments on the implementation of the agreed conclusions "**Equal participation of women and men in decision-making processes at all levels**" adopted at the 50th Session of CSW.

This paper aims to:

- Provide recommendations to governments, the international community, non-governmental organizations and the private sector to accelerate women's equal participation with men at all levels of decision-making;
- Highlight the current situation of Arab women in decision-making positions in Egypt, Jordan, Syria, Lebanon, Tunisia, Sudan and Morocco, looking specifically at their presence in executive, legislative and judicial branches, as well as in political parties and civil society organizations;
- Analyze the influence of Arab women on decision-making processes;
- Underscore the reasons behind the low representation of women in decision-making positions, such as gender-based violence; and
- Assess the significant legal, political, social, cultural and economic impediments which hinder women's access to decision-making positions.

RECOMMENDATIONS

At The Government Level

Governments should work to:

- 1- Accelerate implementation of governmental policies, especially commitments stipulated in national plans and strategies, obligations under Beijing Platform of Action, the concluding comments of the CEDAW Committee, and the Millennium Development Goals (2015);
- 2- Gender-mainstream all national strategies to ensure increased roles of women in decision-making, particularly in the areas of media and education. This should include allocation of resources and gender-sensitive budgeting;
- 3- Reform electoral systems and develop new strategies to facilitate women's participation in the election process (the list system);
- 4- Offer more protection for women during the election process and enact policies which protect women from all forms of violence;
- 5- Adopt quota systems to ensure women assume decision-making posts at all levels (social, economic and political) and to pave the way for the gradual realization of equal participation between men and women;
- 6- Increase government resources allocated to women's empowerment programmes (i.e., for education, training, rehabilitation) and introduce encouraging mechanisms to increase the number of women and girls who join these programmes);
- 7- Withdraw reservations to CEDAW and domesticate the Convention by reviewing and amending national laws, adopting new laws, or repealing discriminatory laws to ensure equality between men and women in all rights and duties in the private and public spheres; and
- 8- Accelerate policies related to the principle of participation, especially NGO laws which include leadership training and enable women's participation, training and rehabilitation.
- 9- Increase resources to NGOs that provide leadership training. This will help also in generating societal female leaders. More facilities should be given to the NGOs so that they can shoulder their responsibilities.

At the International Community Level

- 1- Create follow-up mechanisms among UN treaty bodies and other entities, especially the CSW and CEDAW Committee as well as the

Human Rights Council, and the activation of these mechanisms to ensure implementation by governments of commitments according to international conventions mentioned earlier;

- 2- Enhance women's participation in non-governmental delegations represented at the UN; and
- 3- Increase efforts by UN agencies and international institutions to build the capacity of national organizations in drafting reports parallel to the ones prepared by governments.

At the Civil Society and Private Sector Level

- 1- Encourage civil society to establish non-governmental developmental associations to increase women's contribution to sustainable development;
- 2- Launch national campaigns for the eradication of illiteracy in which all three sectors (governmental, civil and private) should be involved;
- 3- Prepare databases on activists and leaders of the women's and feminist movement, and implement training programs to empower women to acquire the skills of running campaigns, negotiating and diplomacy, etc.;
- 4- Establish mechanisms to ensure interaction between women decision-makers and the women's movement; and
- 5- Monitor governments' performance and assess implementation of their obligations under the above-mentioned international conventions through preparation of shadow reports.

Introduction

Women's participation in the decision-making process is one of the most important indicators of human development, as it reflects the level of democratic performance within a given society and the degree to which all segments of the population are included in the development process.

The Arab region has witnessed positive advancements in this direction in recent years due to a number of measures adopted to improve of the participation of women. In Egypt, for example, women have succeeded in assuming posts as judges and marriage notaries – positions that were previously restricted to them. There is also a trend in Egypt to allocate a certain number of seats for women in the Parliament under the Political Rights Law. , which used to be restricted to men for long years, such as the posts of judges and marriage notaries. In Syria, a woman currently holds the post of Vice President of the Republic for Cultural Affairs and Family Welfare. Electoral systems in Tunisia, Morocco and Jordan now include quotas. In Sudan, the Sudanese interim Constitution in 2005 stipulated taking affirmative actions in favor of women. Also, the constitution of South Sudan stipulated that women should be represented by 30%.

In spite of the above-mentioned measures and successes, women's participation in decision-making in the Arab region is still among the lowest in the world (9.1% representation in national parliaments, IPU). we still have a long way to go to be in a position The predominant culture in Arab societies prevents the development of the overall system of participation in an integral manner, thus undermining the positive measures being taken. Much progress remains to be made to realize the Beijing Platform for Action and the Millennium Development Goals by the year 2015.

The Arab Human Development Report for the year 2005, "Towards the Rise of Women in the Arab World", refers to achievements and efforts made by governments to address women's low participation. However, these efforts result in only cosmetic measures, as they are meant to superficially improve the image of governments through giving chance to some of the prominent female figures in the society to hold senior posts in government. More must be done to ensure real and measureable change to existing legislative, political or cultural structures so that women are empowered to take part in the decision-making process. The number of women in senior positions cannot be a true indicator of the actual rates of women's participation in decision-making.

In order to assess the rate of women's participation in the decision-making process and understand the reasons behind women's low participation in this regard, we must thoroughly analyze many of the features of Arab political, economic and social life. In addition, there are telling indicators which can be identified by monitoring the percentage of women in executive, legislative

and judicial branches of government, as well as in political parties and non-governmental Organizations (NGOs) in several Arab countries (such as Egypt, Lebanon, Syria, Morocco, Jordan, Sudan and Tunisia).

The Current Situation

Genuine empowerment of women in general and in the political domain in particular is a long-term process. Although women are more present in various public institutions, their influence is still very weak. This is clearly reflected in the low numbers of women participating in executive, legislative and judicial branches of government, and in political parties and civil society. This can be attributed to entrenched traditional views about women's roles within the family and gender stereotypes, which negatively affect women's influence and contribution in public life in general.

In the following section, we present the percentages of women's participation in some Arab countries in the above-mentioned three branches of government, as well as in political parties and civil society organizations.

First: The Executive and Legislative Authorities

According to the Human Development Report for the year 2007-2008, the percentages of women's participation in the executive and legislative authorities highlight the limited participation of women in the region:

The country	Percentage of women at the Ministerial level	Percentage of women's representation in the People's Assembly		Percentage of women's representation in the Shoura Council
			2007	
Lebanon	6.9	00	4.7	-
Jordan	10.7	00	5.5	12.7
Tunisia	7.1	4.3	22.8	13.4
Syria	6.3	9.2	12	-
Egypt	5.9	3.9	2	6.8
Morocco	5.9	00	10.8	1.1
Sudan	2.6	00	17.8	4

The higher presence of women in political life in Morocco, Jordan, Tunisia and Sudan is attributed to the application of the quota system in their

parliaments. Thus, the quota system has proved to be a powerful tool to enhance women's numerical representation in electoral legislative institutions.

Second: The Judicial Authority

The Arab Human Development Report for the year 2004, "Towards the Rise of Women in the Arab World", indicates that the percentage of women working in the judicial system in the Arab region does not exceed 15%.

In Syria, women were given access to the judiciary system in 1975. The number of female judges today has reached 170 judges (13.38%) in different types of courts, including the Court of Cession (Religious courts are excluded). Female lawyers in the country represented 14.47% in 2004. By 2008, the number of female lawyers represents 16% of the total number of lawyers in the country. The number of Assistant Judges is 250, which is in addition to the number of female workers in the legal corps. The first female judge in Syria was appointed to the post of Attorney General at Lazakia in 2008.

In Lebanon, women have held judicial posts since the 1980s. There are 124 female judges in Lebanon out of a total of 434 judges (about 35%). More importantly, women in Lebanon are represented in the Shoura Council and the Supreme Judicial Court, albeit in few numbers, but they are not represented in the Constitutional Council.

As for Jordan, members of the judicial authority are directly appointed by the Executive authority, including male and female judges, even if the appointment is in the Supreme Judicial Court. The Minister of Justice has to sign the order of appointment to the council, as the quota for the judiciary (15%) is applied only in the Supreme Judicial Court.

In Egypt, women have had the opportunity to hold the position of judge since 2003, when one female judge was appointed to the Supreme Constitutional Court and another three female judges were appointed to the State Commissioners Board of the Supreme Constitutional Court. More recently, in 2007, thirty female judges were appointed to different courts.

In Sudan, appointments to the judiciary have been suspended since 1990 and it is only in the year 2007 that four female judges were appointed out of 100 judges selected in that year. In the year 2008, a good number of female judges were appointed, but it was still not up to the aspired for number compared to the total number of selected judges. However, no woman has been appointed to the Supreme Judicial Council nor the Judiciary Commission, which is the premier entity mandated with drawing up policies and the appointment of judges.

Third, Political Parties and Civil Society Organizations

The representation of women in all political parties, whether among those in power or in the opposition, throughout the Arab region is remarkably low. Women are generally not interested in membership in political parties, and those who are already present, do not hold leading positions in most cases. There is not a single woman holding the position of head of a political party in most] of the Arab countries.

The number of NGOs active in the area of women's participation has recently grown. Some of organizations work in the field of women's political empowerment, and women hold various positions in these organizations. However, the presence and representation of women in leading positions among NGOs is not up to the aspired-for level. This is clear from the following statistics:

Country	Percentage of women representation in boards of directors	Percentage of women's membership compared to number of total members
Egypt	11.6%	44.0%
Morocco	32.0%	37.8%
Tunisia	44.6%	30.2%
Sudan	36.4%	94.6%
Lebanon	39.7%	35.2%
Jordan	36.9%	41.7%
Syria	25.6%	31.4%

Women's Low Participation...Why?

Arab governments have ratified the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and, as such, are obliged to take the necessary measures to guarantee and ensure women's political rights and empower them to reach decision-making positions (Article 7 of the Convention). Steps to be taken by governments include the adoption of temporary special measures, such as affirmative action programmes which allocate a proportion of seats in office for women (Article 4). Governments are also obliged to change negative social attitudes towards women, which play a role in the discrimination women face in society (Article 5). However, governments are failing to fully implement the Convention, and despite some successes, women's participation in the political process remains very weak in the region.

It is important to note that the constitutions of most Arab countries enshrine the principle of equality between men and women in terms of their civil and political rights. However, the applicable laws do not translate this principle

into reality. Many policies in the Arab region include different forms of discrimination that run contrary to the principle of equality, particularly in personal status and criminal laws. Moreover, women's constitutional rights are no more than ink on paper. In sum, constitutional guarantees are not enough to materialize and effectuate women's civil and political rights.

The predominant culture of male preference in Arab societies is a significant factor resulting in women's low visibility in the political sphere. Discrimination against women, social traditions, and gender-based violence in the public and private spheres are principal obstacles to increasing women's roles in decision-making positions.

Discrimination against women concentrates on physical differences between the two genders and the social roles assigned to each, according to the traditional context. In this context, it is contradictory for women to be responsible for the family and the upbringing of their children, while simultaneously holding public office; women are thus not welcomed to engage in political life.

Obstacles to Women's Equal Participation in Decision-Making

1- Political and Legal Impediments:

- Limited freedom in general, including the pressures exerted on civil society organizations and the presence of the Civil Associations Law that curbs the expansion of societal activities.
- The weak role of political parties in advocating women's issues, building their capacities, and empowering them politically.
- The absence of special programmes aimed at empowering women and putting women's concerns on the agenda of governments.
- Election-related violence, which has become a dominant feature of the election process in several Arab countries (as highlighted by the UNIFEM Report on the development of the Arab Women), as voters are prevented by force from accessing ballot stations. For example, some candidates in Jordan, Egypt, Algeria and Yemen were threatened to be killed or were killed. Such an atmosphere discourages women from taking part in the election process.
- Gender-based harassment faced by some candidates. For instance, women who work in the political sector are subjected to ill-intentioned rumors, slander and scandals, which negatively affect their image before the public, as well as their families.
- Lack of implementation of international agreements, such as CEDAW, which governments have ratified. This is in addition to the absence of obligatory mechanisms to implement these commitments.

- Discrimination against women in some national laws which do not recognize women as full-fledged citizens. In cases where women are deprived of their full citizenship rights, they cannot exercise their political rights. In other words, there is no equal participation in the society among its supposedly equal citizens. So, the reluctance of women from participation is definitely a logical result in view of such conditions. Among the discriminatory laws against women is the nationality law deprive children of mothers who are married to foreigners from getting the mother's nationality, while men are given this right. Similar inequalities occur in other laws, such as the Personal Status Laws, Penalties Law and Elections Law.

2- Social and Cultural Impediments:

- The rise of fundamentalisms, which Arab societies have witnessed since the 1970s, and the retreat of liberal and progressive trends, have negatively affected women's roles in political and economic arenas. Fundamentalist groups have revived calls for keeping women at home without any change to their conditions under the rubric of preserving values and identity. Some fatwas (religious verdicts) have surfaced which advocate violence against women. The Council of the Sudanese scholars issued a fatwa on the validity and permissibility of an Misyar Marriage under which women waive their rights to a residence and remittances, and which release husbands from staying with them at night. This *fatwa* has been widely supported by men in Sudan, especially clergymen and imams of mosques. This is to mention but a few.
- The weakness of political and civic education in the Arab region which contributes to a lack of information and awareness among citizens about their rights to fully participate in the political arena, especially for women.
- The dominance of tribal and communal traditions over formal laws, which diminish women's abilities to exercise full citizenship rights.
- The predominance of discriminatory traditions and customs.
- The perpetuation of stereotypes and classification of roles of men and women, with women's roles being restricted to family life, and men's roles focused on the outside world.
- The manipulation of women's votes during the election process (highlighted by the Report on the Rise of the Arab Women), whereby women are pushed to vote according to the will of the husband, family or tribe.
- Lack of services and facilities which would enable women to strike a balance between their family commitments and their roles in

public life, such as childcare or the equal sharing of responsibilities with regard to domestic responsibilities.

- Women's high rate of illiteracy (double that of men in the Arab region) represents one of the serious impediments to political, economic and social development of women.

3- Economic Impediments:

- The spread of poverty which negatively affects women's participation in public life. Citizens in Arab countries do not consider women's political participation as a means to improve economic circumstances.
- Lack of access to or control over national resources dedicated to economic development, which would enable women to achieve greater prosperity, self-development, and economic benefit for themselves and their families.
- Absence of women's economic independence which impedes her ability to live and work autonomously, provide for her family, and enjoy the freedom to pursue political office or other forms of public participation.
- Unemployment or lack of legal protection in the informal sector, aggravated by the international financial crisis, which cause women to be pushed back into the home.
- Sexual harassment in the workplace, which creates a hostile environment for women, diminishes their economic opportunities and achievements, and impedes their political opportunities and prospects.