

3. The Arab region



3.1. The role of the League of Arab States in the promotion of gender equality and the political empowerment of women



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Introduction

The Arab region has experienced unprecedented transitions in recent years and the losses and gains experienced by women in the region have been substantial. The status of women in the Arab region remains contested. Gains have been made in core sectors but deficits continue on many levels. The member states of the League of Arab States (Arab League, LAS) have adopted international and regional frameworks that promote gender equality and women's empowerment, but the translation of these frameworks into domestic policy has been uneven. In addition, violence against women, female economic empowerment and political participation, and reproductive health can be sensitive issues for member states.

This chapter outlines recent and current gender-sensitive policy initiatives by the LAS. The most significant is the Cairo Declaration for Arab Women: The Post-2015 Agenda, which also informs the recent Executive Action Plan on UN Security Council Resolution 1325 on Women, Peace and Security of 31 October 2000 and the forthcoming Charter to Combat Violence against Women in the Arab Region. The Cairo Declaration provides a comprehensive framework for promoting the rights and status of women and girls in the Arab region, particularly with regard to eliminating all forms of gender-based discrimination, achieving gender equality, mainstreaming gender, and increasing women's political and economic participation. The proposed policies present an opportunity not only to improve the status of women in the region, but also to engage with international, regional and local human rights organizations and civil society in a constructive and transformative manner.

Based on a substantial desk review of recent gender-based policy documents and reflections on the LAS' previous gender-related work, this chapter shows how the LAS is taking a significant and unprecedented regional lead in addressing concerns about the status of women and girls in the region. In taking this lead, the LAS is assuming much of the

responsibility for translating these policies into concrete action that could potentially result in significant transition or even transformation.

Background

The Arab region continues to experience the results of the major transformations initiated by the Arab Spring of 2010. Since that time, the visibility of women in the region has increased, leading to an extraordinary amount of commentary on and analysis of the gender dimensions of the Arab Spring. The transitions and transformations in the region have resulted in popular movements to reform and transform governments. Part and parcel of these reforms has been the desire for gender equality and the implementation of gender justice through policy and legislation.

A note on terminology

This chapter refers to the ‘Arab region’ as this is the term favoured by the League of Arab States. The regional consultation (summarized in the following chapter) refers instead to the Middle East and North Africa (MENA region).

While member states, with the participation of their citizens, are ultimately responsible for implementing reform, the LAS is well placed to address demands for gender equality and the implementation of gender justice, and to call on member states to implement such change. The LAS has a number of internal structures and frameworks, such as the Permanent Arab Commission of Human Rights, the Arab Committee on Human Rights, the Arab Parliament and the Arab Charter on Human Rights that theoretically have the potential to affect change and promote human rights in the region. Currently, however, the focus on state sovereignty in the LAS Founding Charter renders these structures toothless. There have been calls for reform from local and regional human rights organizations all the way to the former LAS Secretary-General, Nabil Al-Arabi. Reform efforts have occurred at a slow pace and in piecemeal fashion, however, not least with regard to gender equality and gender mainstreaming—but momentum is growing.

This chapter outlines the role of the LAS in fostering gender equality and gender mainstreaming in the region, with a focus on recent and impending gender initiatives and the different activities implemented so far. Recent policy reforms, coupled with the transitions of the Arab Spring, have created an unparalleled opportunity for transformation and engagement with civil society and human rights organizations, including women’s rights organizations. There is now an opportunity for the LAS to strengthen its role in the region through the promotion and protection of human rights, especially women’s rights.

In February 2014, a high level meeting was hosted by the LAS in Cairo to discuss the continued implementation of the Millennium Development Goals (MDGs), with a focus on gender equality and women’s empowerment in the Arab region. The meeting gained support for a plan of action beyond 2015, officially known as the Cairo Declaration for Arab Women: The Post-2015 Agenda. The Cairo Declaration informs the recent Executive Action Plan on UN Security Council Resolution 1325 and the proposed Charter to Combat Violence against Women in the Arab Region. These will provide a framework for promoting the rights and status of women and girls in the Arab region, particularly with regard to achieving gender equality, mainstreaming gender, increasing women’s political and economic



participation, and eliminating all forms of gender-based violence (GBV). Full implementation has yet to begin but civil society is cautiously optimistic about these policies and what they will mean for the region in the long term.

While there is still much to be done concerning the integration of international human rights norms and engagement with civil society, the LAS is taking a significant and unprecedented regional lead on addressing concerns about the status of women and girls in the Arab region. After a review of the history of the LAS, its structures and the impact of its human rights initiatives, this chapter examines recent policy actions concerning women in the region. It concludes with a set of recommendations on the way forward to further promote engagement with civil society, as well as women's empowerment and political participation in the region.

Practical and theoretical considerations

The status of women in the Arab region

The Arab region has recently experienced fast progress according to human development indicators but continues to lag behind in certain measures. Women in the region have experienced a paradox of inequality. While education and health outcomes have seen positive improvement in recent decades, these have not translated into increased participation in political and economic life, or increased safety in the private sphere (Vishwanath 2012). The most recent regional update on the Beijing Platform for Action notes a number of key achievements in the realms of international treaties, legislation, education, health, economic empowerment, engagement with civil society and gender-responsive budgeting but challenges and obstacles remain (UN-ESCWA, UN Women and LAS 2015). Women living in the LAS member states continue to face discriminatory attitudes and structures, many of which are institutionalized in legal frameworks and social systems, thereby creating state-sanctioned discrimination. Furthermore, increased and prolonged conflict in the region has created specific gendered concerns and further impeded women's ability to live their lives fully.

Curbs on women's participation in the public sphere are commonly blamed on the public-private divide in the region and persistent patriarchal, kin- or tribal-based cultures (Al Maaitah et al. 2011). In 2017, the Arab regional average for women's political participation in upper and lower houses combined was 18 per cent, the second lowest globally (Inter-Parliamentary Union and UN Women 2017). While women have served as ministers, ambassadors and mayors in a number of LAS member states, no woman has ever served as a head of government or state. Women make up 25 per cent of jurists in the region (CAWTAR and MENA-OECD 2015: 16). Regionally, women's labour participation is among the lowest at 25.4 per cent in the Mashreq and 28.1 per cent in the Maghreb, when compared to the world average of 51.6 per cent (World Bank 2013: 63). Employed women are more likely to work in the public sector, particularly in teaching, administrative/clerical services and social/welfare services (Momani 2016: 4). Women with post-secondary education are more likely to be unemployed than women who do not have a post-secondary education (Momani 2016: 3), and uneducated or under-educated women are commonly concentrated in the agricultural sector (Roudi-Fahimi and Moghadam 2003: 4–5).

The Arab region has the highest average annual rate of increase in educational attainment of all the regions, but there are still gender disparities. As of 2010, only 69 per cent of women over 15 years were literate (World Bank 2017). Poverty, high fertility rates and conflict are some of the factors that affect women and girls' access to education (UNGEI n.d.). Women were twice as likely as men to be illiterate in 2003 (Roudi-Fahimi and Moghadam 2003: 6).

In terms of health indicators, there have been significant improvements in maternal and reproductive health, but high maternal mortality rates still plague women living in low-income or conflict-affected states such as Iraq, Mauritania, Sudan and Yemen (UN-ESCWA, UN Women and League of Arab States 2015: 8–9). While the average age of marriage in the region has increased, adolescent reproductive health is still a very real concern due to early marriage. Abortion continues to be restricted in all Arab states except Tunisia, where it is legal on request during the first trimester of pregnancy (Dabash and Roudi-Fahimi 2008: 2).

In 2017, conflicts raged in a number of member states, most notably Iraq, Libya, Palestine, Somalia, Syria and Yemen. The Syrian conflict alone has resulted in over 5.2 million Syrians registered as refugees, 48 per cent of whom are female (UNHCR 2017). Among refugees, increases in sexual violence, domestic violence, and forced and early marriage have been documented by local and international organizations (UN Women 2013). In Yemen, the conflict has increased rates of early marriage and GBV against women (CARE, Interagency Standing Committee and Oxfam 2016: 11). The rise of the Islamic State in Iraq has resulted in some of the most extreme forms of conflict-related GBV and discrimination witnessed in the region (Human Rights Watch 2016). GBV arising from regional protests, perpetrated by both civilian and state actors, has been widely documented with varying outcomes for survivors and perpetrators (Amnesty International 2015).

Multiple forms of GBV persist in the region and discussion of such violence is often taboo, especially if the violence occurs in the domestic sphere. Only a handful of LAS member states maintain statistics. Egypt recently recorded that three in 10 ever-married women had experienced some form of spousal violence, including physical, emotional or sexual violence (Ministry of Health and Population [Egypt], El-Zanaty and Associates [Egypt] and ICF International 2015). In Palestine, 37 per cent of women have been exposed to domestic violence from their husbands (Palestinian Central Bureau of Statistics 2011). Services for survivors of violence in the region vary but civil society has been extremely active (UN-ESCWA 2013). So-called crimes of honour still occur but some member states, such as Jordan, Lebanon and Palestine, have taken steps to amend penal codes to criminalize such actions. Similarly, efforts to end the practice of rapists marrying their victims to escape punishment have gained momentum, especially after the rape, forced marriage and suicide of Amina Filali in Morocco and the repeal of article 475 of the penal code in 2014 (see Box 3.1).

A number of states have raised the minimum age for marriage to 18 years for both men and women but early marriage is still an issue. According to UNICEF, 18 per cent of ever-married women in the Arab region had been married before the age of 18 (UNICEF 2017). Female genital mutilation (FGM) persists in a small number of LAS member states, and high levels are reported in Djibouti, Egypt, Somalia and Sudan (UNICEF 2016). Djibouti, Egypt and Mauritania have criminalized FGM; Yemen has a draft Child Rights Bill that will criminalize the practice once it is passed.

With a number of LAS member states experiencing prolonged conflict, the UN Economic and Social Commission for Women in Western Asia (UN-ESCWA) notes four major categories of vulnerability that affect the status and security of women: women living under military occupation; women living in areas controlled by radical fundamentalists and armed groups; women living as refugees; and internally displaced women (UN-ESCWA 2015: 20).

Legal frameworks affecting gender equality in the Arab region

De jure gender inequality persists in the Arab region, and legal discrimination remains a significant obstacle to women's advancement. While women living in LAS member states have made great strides in obtaining socio-economic and political rights, comparative data

reveal a significant lag compared to other regions. Plural, overlapping and antiquated legal systems have made gender-sensitive legal reform difficult and uneven but reform is under way (see Box 3.1). Nearly all LAS member states have acceded to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) of 1979, but very few have absorbed the treaty into their legislative frameworks. At the state level, national women's machineries work to hold member states to their international legal obligations, but with varying impact. This is an important area where the LAS can provide positive interventions through its forthcoming policy frameworks.

Box 3.1. Gender-sensitive legal reform in the Arab region

Momentum towards gender-sensitive legal reform is gaining in the Arab region. Following the efforts of Morocco in 2014, in mid-2017 there was an unprecedented repeal of laws that had allowed rapists to avoid criminal prosecution by marrying their victims. Such legislation was removed from the penal codes of Jordan (article 308), Lebanon (article 522) and Tunisia (article 227). Furthermore, on 26 July 2017 Tunisia passed an all-encompassing violence against women law that provides a broad definition of violence against women, introduces new criminal provisions and increases penalties for various forms of violence when committed within the family, criminalizes sexual harassment in public spaces, fines employers who intentionally discriminate against women in pay, and outlines a number of services to be made available to survivors. To complement this reform, Tunisia subsequently passed legislation that allows women to marry outside the Muslim faith and grants them equal inheritance rights with male family members, a first in the region.

Legal reforms through the amendment of constitutions, penal codes and personal status laws, as well as the drafting of specialized laws, have become significant agenda items in some post-Arab Spring transitional processes, in many cases urged on by women's organizations and movements, although calls for such reforms have been ongoing for many decades. However, personal status laws (which exist in all member states, codified or not) present some of the greatest barriers to women realizing their full potential in the public and private spheres. In Lebanon, women's rights within marriage (to divorce, maintenance, child custody) are limited not only due to their gender but also their religious affiliation, as a recent report on personal status laws found; civil marriage is rarely an option (Human Rights Watch 2015). Similar barriers are found elsewhere. For example, a woman's ability to obtain a divorce is often severely curtailed. While the *khul'* option (wife initiated, no-fault divorce) has been possible for Muslim populations in Egypt and elsewhere, it results in a wife forfeiting all financial entitlements and returning her dowry, which for many women is a form of financial security. In some instances, wives turn to the *khul'* option when proving domestic violence or neglect in court become too difficult or too lengthy (Deif 2005). For many Christian communities, divorce is both taboo and nearly impossible to obtain.

Many women in the Arab region still do not enjoy the same right to a nationality as their male counterparts. While Algeria, Egypt, Iraq (to a limited extent), Morocco, Tunisia and Yemen have amended their nationality laws, other LAS member states have not been so reform-minded. This has resulted in women not being able to pass their nationality on to their foreign-born spouse or their children, and in some cases a woman may lose her nationality if married to a foreign-born spouse (CAWTAR and MENA-OECD 2015: 31). Inheritance continues to be a contentious issue and states are reluctant to reform clauses in personal status laws due to their perceived religious immutability (Tunisia became the first state in the region to allow women equal inheritance rights in September 2017). If and when

women do receive their rightful inheritance, many face familial and social pressures to relinquish their rights.

Many constitutions in the region enshrine gender equality but penal codes and personal status laws as well as customary law contradict these declarations. The Arab Spring has furthered constitutional reform in addition to other *de jure* transformations. It has not been easy, but reform has taken place in Egypt, Morocco and Tunisia, where state intervention was prompted by activism from women's movements and civil society organizations (CSOs). For example, feminist groups and organizations compelled the constitutional drafting body, the Committee of Fifty, to draft article 11 of Egypt's 2014 Constitution, which addresses a limited number of women's concerns, such as women's civic and political participation, and commits the state to the protection of women against all forms of violence. A sexual harassment law was passed in 2014 and the National Council for Women published a National Strategy on Violence against Women in 2015. In Morocco, a civil society coalition, the Feminist Spring for Equality and Democracy, has called for greater constitutional gender equality based on international human rights norms. The 2011 Constitution enshrines gender equality, provides for women's participation in decision-making structures and includes a commitment to human rights. In Tunisia, women's rights activists were eventually successful in retaining gender *equality* in the final version of article 46 of the 2014 Constitution, when a proposed draft instead spoke of *complementarity* between men and women.

In another positive shift, specific legislation concerning violence against women or domestic violence is gaining traction in the region. Jordan (2008), Iraqi Kurdistan (2011), Saudi Arabia (2013), Lebanon (2014), Bahrain (2015) and Tunisia (2017) have enacted legislation, while other states are considering such laws. As of 2014, nine LAS member states had gender equality strategies that address, among other concerns, gender-based discrimination, GBV and economic empowerment (CAWTAR and MENA-OECD 2015: 4). Finally, in order to increase women's political participation, legislation on women's quotas has been enacted in Egypt, Iraq, Jordan, Mauritania, Morocco, Palestine, Sudan and Tunisia (Al Maaitah, et al. 2011: 15), with varying outcomes. For example, a women's quota had been in place in Egypt since 1979 but was revoked in 2012. More recently, an electoral law was passed in mid-2015 allocating 56 parliamentary seats to women and 14 others appointed by the president (of the 568 elected seats and 28 appointed by the president), ensuring that there would be 70 women in parliament. In the end, 73 women secured seats as 56 female candidates were allocated seats through the quota system and 17 won individual seats.

Clearly, there is momentum for significant regional reform. Such reform does not need to be based on the work of the government alone as many actors, such as judicial–legal institutions, human rights and CSOs (including women's organizations), religious institutions, media, and regional and international actors, are invested in positive transformation. Since the eruption of the Arab Spring, the LAS has made efforts to take a regional lead in addressing concerns within international and regional frameworks about the status of women and girls in the Arab region—but much remains to be done.

The League of Arab States

The LAS is one of the oldest regional organizations in the world. Founded in 1945 by Egypt, Iraq, Jordan, Lebanon, Saudi Arabia, Syria and Yemen, and based in Cairo, the League now has 22 member states (see Box 3.2). It was formed in the spirit of Arab nationalism, which brought newly formed states together in an institution based on an ethno-national identity.

According to article 2 of the LAS Charter (1945), ‘The League has as its purpose the strengthening of the relations between the member-states, the coordination of their policies in order to achieve co-operation between them and to safeguard their independence and sovereignty; and a general concern with the affairs and interests of the Arab countries’. Condemnation of the occupation of Palestine and the creation of an independent Palestinian state also feature in the framework of the LAS. The hosting of the Palestinian National Conference in 1964 led to the creation of the Palestine Liberation Organization.

Box 3.2. The League of Arab States (Arab League)

Founded in 1945, the League of Arab States has 22 member states: Algeria, Bahrain, Comoros, Djibouti, Egypt, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Palestine, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, the United Arab Emirates and Yemen. Syria’s membership in the LAS has been suspended since 2011; in 2012, Syria’s seat was granted to the opposition but continues to remain vacant despite from calls from some member states to reinstate Syria (MEMRI 2017).

The LAS has been historically based in Egypt except for a 10-year period—from 1979 to 1989—when it relocated to Tunisia due to the signing of the Camp David peace agreement between Israel and Egypt.

The League’s main organs are the Council, the Council of Ministers of Foreign Affairs, the specialized Ministerial Councils, the Permanent Technical Committees (including the Arab Permanent Commission on Human Rights, which includes the Human Rights Department), the Arab Economic and Social Council (Arab ECOSOC) and specialized organizations (Rishmawi 2015: 20–33, 62–66). The Council is the highest body of the LAS and is comprised of representatives from all 22 member states. Each has one vote; unanimous Council decisions are binding on member states and majority Council decisions are binding on those who voted in the majority (article 7 of the Charter). There is no mechanism for compelling member states to comply with LAS resolutions. In fact, the LAS system is dedicated to respecting the systems of government in each member state and regards these as ‘exclusive concerns of those states’ (article 8). The Council meets in ordinary sessions every March and October (article 11), which serve as an opportunity to discuss important issues affecting the LAS. A communiqué is then published and serves as the basis of the work of the member states. The LAS has observer status at the African Union (AU) and the UN.

The current Secretary General, Ahmed Aboul Gheit, was appointed in March 2016. The last foreign minister to serve under former Egyptian president Hosni Mubarak, his appointment is viewed as a pragmatic choice. The previous Secretary General, Nabil Al-Arabi, was appointed in July 2011 at the height of the Arab Spring. His appointment resulted in an unprecedented response by the LAS to transitions in the region.

In 1968, the Council of the League created the Permanent Arab Commission on Human Rights, which meets twice a year. The Commission has a mandate to promote human rights in the Arab region but is unable to hold member states to account for human rights violations. In fact, the main concern of the Commission is its focus on the Arab–Israeli conflict and other external acts of aggression against member states. It rarely speaks out on internal state matters. When it does, some argue that the Commission lacks the neutrality required to truly address human rights concerns within member states (International Federation for Human Rights et al. 2013: 13). This is because Commission representatives tend to be political appointees rather than human rights experts. There are no mechanisms

for addressing human rights concerns, dealing with individual cases, visiting countries or holding periodic reviews (Rishmawi 2014: 165). The Commission was responsible for the controversial revisions to the Arab Charter on Human Rights (ACHR, 2004), which are discussed in more detail below.

Created shortly after the drafting of the ACHR (article 45), the Arab Committee of Human Rights is an expert body mandated to ‘support joint Arab action in the field of human rights; to endeavor to protect individual rights, while emphasizing the human rights dimension of Arab concerns; and to promote awareness among Arab people about human rights and the need for their protection’ (Riad 2013: 13). The Committee is tasked with overseeing the Charter’s implementation, a first in the LAS system. Like the Commission, there is an intense focus on human rights abuses related to the Israeli–Palestinian conflict and very little attention is paid to human rights abuses committed by and within member states. Member states comprise the Committee and resolutions are not permitted. The Committee has seven members, currently all male, who are elected for four years. Civil society tends not engage with the Committee, possibly due to its perceived ineffectiveness and low profile (Riad 2013: 13–14). For those that do, a periodic review has been set up in accordance with article 48 of the ACHR, where states parties submit reports on the measures taken to comply with the Charter. The Committee can only receive reports and information from CSOs registered in their country of origin. Larger, umbrella CSOs can assist smaller, unregistered organizations with submissions.

In 2001, a Human Rights Department was set up under the authority of the Secretary General. The Department acts as the technical secretariat for the Permanent Commission. The Department lacks a specific mandate and resources, but it is developing relationships with national human rights institutions in member states and with CSOs and has recently been consulted regarding Syria.

A transitional Arab Parliament was created at the 17th General Conference in Algeria in 2005. Its main objectives are to give citizens in the region an opportunity to be heard, and to represent the Arab region and its interests as a whole. Currently, there is no system of direct representation to elect members of the Parliament. Instead, the parliaments of each member state nominate four parliamentarians. There is a mechanism to ensure female representation and, as of 2015, one-quarter of the members were women. The Parliament cannot ratify agreements and is only able to hold debates and make recommendations. Originally located in Syria, it has since been moved to Cairo (Rishmawi 2015: 48–49).

Box 3.3. The Arab Parliament, the Arab Principles on Women's Rights and civil society

The Arab Parliament held workshops in 2013–14 on women's issues and the development of the Arab Principles on Women's Rights. None of the workshops involved engagement with civil society organizations (CSOs). To rectify this, the Open Society Foundations (Arab Regional Office) and the Center of Arab Women for Training and Research (CAWTAR) contacted the sub-committee responsible for the document and proposed a consultation between CSOs and Arab Parliament representatives. The aim was to produce a report with recommendations from civil society that would inform the Principles on Women's Rights.

The Arab Parliament agreed and in late 2014 regional CSOs, including women's rights organizations, held a meeting on the Principles with the head of the parliament's Committee on Social, Cultural, Women's and Youth Affairs. A report was issued with a set of specific recommendations based on the discussions at the meeting. This was later adopted by the parliament as a reference document and used in developing the Principles. While a number of the recommendations were not integrated into the Principles, this case study indicates that engagement between civil society and the LAS is possible and can be beneficial.

In January 2015, the Arab Parliament met to finalize the Principles on Women's Rights. The final version was approved on 17 February 2015. The Parliament intends to have the Principles endorsed at a future summit (Rishmawi 2015: 51).

Talks have been under way to establish an Arab Court of Human Rights to be based in Bahrain. Originally proposed in 2011 and approved at the Arab League Summit in Kuwait in March 2014, its establishment is proving controversial. Many in the regional and international community are concerned about its mandate and structure (see e.g. International Commission of Jurists 2015). The statute setting up the Court was drafted without input from CSOs or human rights experts. Only member states will be allowed to bring cases directly to the Court—not individual citizens. Formal changes to the Court would mean amending the ACHR. For a detailed review of civil society criticisms of the development of the Arab Court of Human Rights see Benarbia et al. (2014).

The LAS is structured to primarily engage with member states, which makes interactions with CSOs and other non-governmental entities difficult. Interventions in member states' affairs have been limited until recently. Since the Arab Spring, the LAS has taken a more demonstrative, albeit selective, role in the region (see Rishmawi 2014: 159–83), supporting a no-fly zone in Libya and the removal of President Muammar Gaddafi, for example, as well as temporarily suspending Libya from the League in 2011. The LAS also coordinated a fact-finding mission to Syria and suspended it from the League. The LAS has called on President Bashar al-Assad of Syria to step down and held official meetings with Syrian opposition groups. The Council of the LAS condemned the alleged use of chemical weapons against civilians by the Syrian Government and called for the perpetrators of war crimes to be brought to justice. In 2015, the LAS focused its attention on the escalating violence in Yemen.

Box 3.4. Arab human rights organizations' call to reform the League of Arab States

On 20 March 2012, a Memorandum was sent by 37 Arab human rights organizations (regional and state focused) to Lakhdar Brahimi, Chair of the Committee for the development of a joint Arab action at the LAS, tasked with preparing a reform plan. The Memorandum called for greater acknowledgment of human rights in the LAS system, following the statement by former Secretary General Al-Arabi that the Arab Charter on Human Rights fell short of international human rights standards. Calling the potential for reform 'an extraordinary opportunity', the human rights organizations listed a possible platform for action by the LAS system:

- Allow human rights organizations to obtain consultative status within the LAS and its internal mechanisms, including the Summit, the Council, the various Ministerial Councils, the Economic and Social Council, the Arab Parliament and the International Secretariat;
- Consult with human rights organizations regarding the development of the Standing Committee on Human Rights prior to making any decisions. The Committee should appoint special rapporteurs or a thematic working group to receive complaints from victims of human rights violations and investigate human rights violations in their respective field of specialization. In this vein, the Committee should also be comprised of individuals well versed in human rights;
- Develop a long-term strategy to ensure the participation of human rights organizations and recruit staff familiar with the field of human rights. Furthermore, all documents stemming from the Arab Human Rights Committee's work should be publicly accessible through a website;
- The Arab Parliament should issue guiding principles on how member states might adjust their domestic laws to meet international obligations. The Parliament should also amend laws within the LAS to ensure that they are compatible with human rights norms. This should be done in a transparent manner and include feedback from human rights organizations; and
- Resolutions, reports and other materials must be made available to the public in a timely manner so that outside actors, such as human rights organizations, have the opportunity to comment.

It is unclear what, if any, action was taken by the LAS on this Memorandum (Cairo Institute for Human Rights Studies 2012).

Arab civil society has attempted to engage with the LAS since the 1970s in order to build its profile as a human rights-focused institution. Many of these efforts were initially ignored or discouraged by member states (Riad 2013: 14-16). More recently, however, there have been calls by Arab civil society to develop a collaborative relationship with the LAS (Riad 2013: 25-26). The Tunis Declaration (2004), drafted during the 16th Arab Summit in Tunisia, expressed an interest in 'fostering the role of all components of the civil society, including non-governmental organizations (NGOs), in conceiving of the guidelines of the society of tomorrow'. Section 2.3 of the Declaration also called for a widening of women's participation in a number of fields:



Endeavour, based on the Declaration on the process of reform and modernization in the Arab world, to pursue reform and modernization in our countries, and to keep pace with the rapid world changes, by consolidating the democratic practice, by enlarging participation in political and public life, by fostering the role of all components of the civil society, including NGOs, in conceiving of the guidelines of the society of tomorrow, by widening women's women's participation in the political, economic, social, cultural and educational fields and reinforcing their rights and status in society, and by pursuing the promotion of the family and the protection of Arab youth.

Currently, CSOs are not allowed to attend Summit meetings and are only allowed observer status within the LAS system, meaning that they cannot directly influence debates. Many argue that CSOs should be given consultative status. A handful of regional and international NGOs have arranged activities related to the LAS on a regular basis. This engagement is something to build on (Riad 2013: 32–34).

In 2013, a Secretariat for Civil Society under the Secretary General was established to provide technical assistance and liaise with CSOs. The previous Head of the Secretariat, Nabil Al-Arabi, suggested to Lakhdar Brahimi and the Economic and Social Council (ECOSOC) at the UN that the LAS should establish criteria for accepting CSOs as observers to the LAS ECOSOC (International Federation for Human Rights et al. 2013: 30). According to Rishmawi: 'Currently NGOs can have an observer status with the Arab Commission and with the Arab ECOSOC. Criteria for obtaining such status are restrictive, and NGOs do not have the possibility to engage with the work of these bodies' (2013: 37). Civil society has suggested creating a quota system for CSOs from each member state that rotates over a specified timeframe. CSOs in this quota system would directly engage with their governments and others in the region. Ultimately, CSOs would perform in the same manner as they do in the UN, with consultation status and the ability to issue shadow reports. An alternative suggestion is to develop a committee of CSOs within the LAS system. The Secretariat continues to show an interest in dealing with CSOs and has recently launched the Arab Decade for Civil Society (2015–2025), an effort supported by the LAS Council of Ministers.

Regional and international frameworks related to the work of the League of Arab States

International frameworks

Despite some contention over the relevance of international human rights frameworks, most LAS member states engage with such frameworks and have ratified some of the more prominent conventions, such as the International Convention on Civil and Political Rights (ICCPR 1966) and the International Convention on Economic, Social and Cultural Rights (ICESCR 1966), although five (Comoros, Oman, Qatar, Saudi Arabia, and the United Arab Emirates) have not. All LAS member states have ratified the Convention on the Rights of the Child (1989).

All but two LAS member states have acceded to CEDAW, albeit with a number of reservations (Somalia and Sudan have neither signed nor acceded to the Convention). Reservations to CEDAW commonly concern articles 2, 9, 15, 16 and 29. Such reservations have inspired cross-regional organizing among women's rights activists, such as the campaign to lift the reservation on article 16 on discrimination against women in matters relating to marriage and family relations. Only four member states—Comoros, Morocco, Palestine and

Tunisia—have ratified CEDAW without reservation, and Libya, Morocco and Tunisia have ratified the Optional Protocol.

The Fourth World Conference on Women in Beijing (1995) proved to be a transformative event for women and governments in the Arab region and all LAS member states have engaged in some way with the implementation of the Beijing Platform for Action (BPfA). More recently, LAS member states implemented the Millennium Declaration (2000) and the Millennium Development Goals' (MDGs) time-bound and quantified targets for addressing poverty in the world by the year 2015. Gender equality was only explicitly addressed in MDG 3, but many of the targets fed into gender equality campaigns. In the LAS member states, the targets reached were on health and educational parity, but researchers have noted that gender disparities in these areas are more about poverty, marginalization and conflict than solely gender-based. In addition, patriarchal attitudes and discriminatory legal systems were seen as hindering women's overall progress (Sika 2011). The MDGs have been reconstituted into Agenda 2030 and the Sustainable Development Goals, which are discussed in greater detail below.

Regional frameworks

The LAS was founded three years before the Universal Declaration of Human Rights (1948), which means that there is no mention of human rights in its founding Charter. There have been calls from regional and international human rights organizations, which are being taken seriously, to amend the Charter to include mention of human rights protection as one of the League's founding principles (Rishmawi 2015: 15), among other concerns. For a list of proposed amendments to the Charter see Cairo Institute for Human Rights Studies (n.d.).

A separate attempt to address human rights within the framework of the LAS resulted in the ACHR in 2004. Although an important step, the ACHR is not seen as fully consistent with international human rights law, especially compared to other regional regimes such as the Inter-American or European systems. Originally drafted in 1994, the document was revised with the assistance of the UN Office of the High Commissioner for Human Rights. The new version was adopted by the Arab Permanent Commission on Human Rights and passed to the LAS in 2004, where it entered into force in 2008 after ratification by seven LAS member states. While the initial revisions were viewed as appropriate, the Commission made significant alterations. Some argue that these alterations compromised human rights standards related to the death penalty, women's rights, the rights of non-citizens and the freedoms of expression and religion (Rishmawi 2009). As noted above, the Arab Committee on Human Rights serves as a monitoring mechanism for the ACHR. As of April 2017, only 14 member states—Algeria, Bahrain, Iraq, Jordan, Kuwait, Lebanon, Libya, Palestine, Qatar, Saudi Arabia, Sudan, Syria, United Arab Emirates and Yemen—had ratified the document.

The ACHR is unique in its promotion of positive gender discrimination within the framework of an Islamic legal framework, as outlined in article 3(3): 'Men and women are equal in respect to human dignity, rights and obligations within the framework of the positive discrimination established in favour of women by the Islamic Shariah, other divine laws and by applicable laws and legal instruments'. Concerning violence against women, article 33(2) focuses on violence in the family while isolating women as a group vulnerable to such violence. The passage, however, privileges the preservation of the family unit, which could be at the expense of women's safety and/or autonomy:

The State and society shall ensure the protection of the family, the strengthening of family ties, the protection of its members and the prohibition of all forms of violence or abuse in the relations among its members, and particularly against women and children. They shall also ensure the necessary protection and care for mothers, children, older persons and persons with special needs and shall provide adolescents and young persons with the best opportunities for physical and mental development.

Despite employing religion when speaking of rights in article 3(3), article 43 directly references international human rights frameworks: ‘Nothing in this Charter may be construed or interpreted as impairing the rights and freedoms protected by the domestic laws of the States parties or those set forth in the international and regional human rights instruments which the states parties have adopted or ratified, including the rights of women, the rights of the child and the rights of persons belonging to minorities’. It is worth noting that the only time sharia is mentioned in the ACHR is in article 3(3), thereby linking a religious framework rather than a secular framework with women’s rights—and only with women’s rights.

Structures and policies supporting gender equality in the League of Arab States

The LAS has developed a number of internal structures for addressing the rights of women and girls in the Arab region. In 1971, the LAS Council of Foreign Ministers adopted Resolution 2828 establishing the Arab Women’s Committee, which serves as an advisory body on issues related to women’s advancement. The creation of the Committee was linked to preparations for the UN’s First World Conference on Women in 1975, which was also International Women’s Year and kicked off the UN Decade for Women. The conference led to the adoption of CEDAW in 1979.

In 1984, the Women, Family and Childhood Department (WFCDD) was established to work with national women’s machineries to promote the status of women in the Arab region. The WFCDD serves as the technical body of the Arab Women’s Committee and is tasked with achieving women’s political and economic empowerment, and their protection from GBV. The WFCDD is also tasked with monitoring the progress and implementation of regional and international instruments on women’s rights, and assumes responsibility for the formulation of strategies and action plans on advancing women’s rights.

The Tunisia-based Center of Arab Women for Training and Research (CAWTAR) was set up in 1993 prior to the Beijing Conference, with the goal of generating research and data on the status of women in the Arab region. Under the patronage of Prince Talal Ibn Abdulaziz of Saudi Arabia, its Board of Trustees comprises representatives of the LAS, the UN Development Programme (UNDP), the UN Population Fund (UNFPA), the World Bank, the International Planned Parenthood Federation (IPPF), the Arab Gulf Programme for UN Development Organizations (AGFUND) and the Tunisian Government. CAWTAR is an intergovernmental organization that has historically partnered with the WCFD on projects related to the situation of women in the region, bringing together governments and NGOs.

The Arab Women’s Organization (AWO) functions as an intergovernmental organization under the umbrella of the LAS. The LAS Council approved the creation of the AWO at the Arab Women’s Summit in 2000 and it was formally established during the Second Arab Women’s Summit in 2002. The Executive Council of the AWO comprises Arab First Ladies or their representatives. Only 16 member states belong to the Organization (AWO 2012:

10). Its presidency rotates biennially in alphabetical order. The AWO aims to promote women's empowerment through the formulation of equality legislation, promote participation in decision-making processes, raise awareness of women as equal partners in societal development, and integrate women's concerns into development programmes (Al Maaitah et al. 2011). The AWO published its *Arab Strategy for Combating Violence Against Women, 2011–2020: Arab Women's Right to a Life Free from Violence* in 2011. While not necessarily presenting a strategy for buy-in from Arab states, it does address a wide range of topics related to violence against women and builds on international and regional texts. The Strategy adopts a broad definition of violence against women, including social, economic and political violence, and provides a strategic plan that can be utilized by member states. However, it is unclear how the AWO is engaged with states to persuade them to adopt the plan. Yemen's Women's National Committee adopted it in 2013, however, and intended to prepare a strategy based on the plan (UN Women for Arab States and CEDAW Committee 2013: 15).

The LAS has been deeply involved with the implementation of the BPfA, beginning with the Arab Regional Preparatory Meeting for the Fourth World Conference on Women. Preparations for the Conference, under the auspices of Princess Basma bint Talal of Jordan in November 1994, served as one of the first opportunities for Arab states to come together in an international capacity to discuss the status of women in the region. The preparatory meeting was a cooperation between the LAS, ESCWA, UNIFEM (now UN Women) and CAWTAR. The preparatory meeting took place in two parts. First, an expert group reviewed and assessed the progress of Arab women in the light of the Nairobi Forward-Looking Strategies (1985) and drew up a Plan of Action for the Arab region to the year 2005. Second, a high-level meeting was held to discuss the Plan of Action, attended by Algeria, Bahrain, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Mauritania, Morocco, Oman, Palestine, Qatar, Sudan, Tunisia, the United Arab Emirates and Yemen. The resulting document, the Arab Plan of Action for the Advancement of Women to the Year 2005, addressed women's participation in power structures and decision-making mechanisms; the alleviation of poverty; ensuring women equal access to all levels of education; ensuring women access to health services; women and the labour market; women in war, occupation and armed conflict; violence against women; women and managing natural resources and safeguarding the environment; and women and the media.

After the Beijing Conference, member states took significant action to address women's concerns in their home countries, such as the establishment of national women's machineries. In Lebanon, the Conference led to the formation of new women's organizations to follow up the Platform, as well as ratification of CEDAW. In Syria, the General Union of Syrian Women sought to implement the Syrian Women's Strategy. In Jordan, adoption of the BPfA legitimized women's activism and led to the formation of new women's organizations. The preparations for Beijing resulted in new networks and collaborations in Yemen (Arendfelt and Golley 2012: 21–23).

The BPfA continues to be a popular framework for advancing women's rights in the region and affirmations of the Platform are found in the Beirut Declaration, Arab Women Ten Years after Beijing: Call for Peace (2004), which reaffirmed commitment to the Beijing process, and the Consolidated Arab Report on the Implementation of the Beijing Platform for Action: +15 (2009), which highlighted a number of achievements in the legal realm while at the same time noting social, economic and cultural factors, in addition to prolonged conflict, that had prevented gender equality from being realized.

Box 3.5. Member states, civil society and Beijing +20

The Arab Regional Synthesis Report on the Implementation of the Beijing Platform for Action: Twenty Years Later was launched at the 59th Commission on the Status of Women (CSW) in 2015. The CSW conducted a global review of progress 20 years after adoption of the BPfA, and each regional commission submitted a regional report that was later consolidated into a global report to be presented to the General Assembly by the Secretary-General. The ESCWA Centre for Women, in partnership with the UN Women Regional Office for Arab States and the WCFD, coordinated the collation of national reports into a regional report, and held several related events. Compared to the report on Beijing +15, in which 17 member states provided national reports, the Beijing +20 process received an impressive number of submissions from 21 member states. The Arab High-Level Conference on Beijing+20: Towards Justice and Equality for Women in the Arab Region resulted in:

- An Expert Group Meeting for representatives of national women's machineries on the Guidance Note for the preparation of national review reports (February 2014);
- A consultative workshop with Arab civil society organizations on the implementation of the BPfA in the region (August 2014);
- A regional synthesis report;
- An Expert Group Meeting for representatives of national women's machineries to present and review the draft regional synthesis report (October 2014); and,
- Preparation of an analytical study on the status of women in the Arab region 20 years after the adoption of the BPfA (June 2015).

CAWTAR also supported UN-ESCWA and the LAS in training CSOs to produce shadow reports on the Beijing +20 process.

The most recent consolidated report is the Arab Regional Synthesis Report on the Implementation of the Beijing Platform for Action Twenty Years Later (UN-ESCWA, UN Women and LAS 2015, see Box 3.5). The report highlights achievements in the region but also confronts challenges and obstacles, such as regional conflict, the cultural environment, institutional barriers and poverty. It was presented at a special session of the 59th Commission on the Status of Women. Based on national reports, the LAS, the ESCWA Center for Women and UN Women extracted four key themes to prioritize in combating gender discrimination and empowering women in the Arab region: the development of official frameworks and institutions; activating socio-economic empowerment opportunities; greater concentration on the protection of women from violent practices; and knowledge, cultural development and media empowerment (UN-ESCWA, UN Women and LAS 2015: 21–25).

Current gender-sensitive policy initiatives at the League of Arab States

In addition to adherence to CEDAW, the BPfA, the MDGs, and UN Security Council Resolution 1325 and the subsequent Women, Peace and Security resolutions, the LAS has recently developed a series of gender-sensitive policy initiatives within the main framework of the 2030 Agenda for Sustainable Development.

The 2030 Agenda for Sustainable Development and the Sustainable Development Goals

The 2030 Agenda for Sustainable Development, developed during the Rio +20 United Nations Conference on Sustainable Development in 2012, is an extension of the MDGs that seeks to eradicate poverty, promote environmentalism and strengthen peace initiatives. Gender equality and women's empowerment are also integral components of the Sustainable Development Goals (SDGs) and are mainstreamed throughout most of the 17 target areas, 169 targets and 231 indicators. Unlike the MDGs, which were vague on actions to address the rights of women and girls, SDG 5, 'Achieve gender equality and empower all women and girls', sets targets on ending all forms of discrimination against women and girls, eliminating all forms of violence against women and girls in the public and private spheres, eliminating harmful practices, valuing domestic work, ensuring women's political and economic participation, ensuring sexual and reproductive health in line with International Conference on Population and Development (ICPD) Program of Action (1994) and the BPfA, ensuring women's control over assets such as land, gendering technology use, and adopting and strengthening gender-sensitive legislation (UN Women n.d.).

In late 2015, UNDP, UN Women, the LAS and the AWO met to discuss the SDGs and their impact on gender equality and women's empowerment in the Arab region. The aim was to provide a set of recommendations to assist policymakers, national women's machineries, civil society and other key actors to mainstream gender issues and advance the status of women in monitoring their progress with achieving the SDGs. A Platform for Action for implementing the SDGs for Women in the Arab Region was set out by the AWO (AWO 2015). It addresses eight concerns:

1. Building awareness of the importance of mainstreaming gender across all SDGs as a basis for regional and national action;
2. Facilitating action-oriented multi-stakeholder dialogues on gender mainstreaming in SDG implementation, providing a knowledge base for advocacy for policy action;
3. Engendering national, subnational and local level planning processes to achieve the SDGs, and enhancing regional technical and coordination support;
4. Developing coherent gender-responsive policies that can ensure fair dividends for women from SDG implementation;
5. Engendering SDG-related national budgeting processes;
6. Enhancing gender-sensitive SDG monitoring, reporting and accountability;
7. Engendering risk assessment and reduction efforts within the SDG context; and
8. Establishing an SDG Regional Capacity and Technical Support Mechanism.

An Arab Ministerial Conference on the implementation of the 2030 Sustainable Development Agenda was held in April 2016 in Egypt. In December 2016, Arab states came together for the 29th Ministerial Session of ESCWA where they agreed on the Doha Declaration on the Implementation of the 2030 Agenda for Sustainable Development. Discussions focused on external and internal regional challenges to implementing the 2030 Agenda, the impact of conflict and occupation on implementing the 2030 Agenda; and proposed tools, methods, and projects needed to implement the SDGs (Wahlén 2016).



The Cairo Declaration

In February 2014 a high-level meeting was hosted by the LAS in Cairo to discuss the MDGs with a focus on gender equality and women's empowerment in the Arab region. As noted above, the meeting built support for a plan of action beyond 2015, the Cairo Declaration (League of Arab States 2015a). The Commission adopted the Cairo Declaration at the 35th session of the Arab Women's Commission in January–February 2015, and assigned the portfolio to the WFCF. The Cairo Declaration and Plan of Action were adopted at the 144th Ordinary Session of the Ministerial Council of the LAS in September 2015.

One week prior to the high-level meeting, Ambassador Inas Mekkaway, head of the WFCF and formerly of the LAS Secretariat for Civil Society, proposed the Cairo Declaration at the LAS Civil Society Forum. According to a representative of CAWTAR, the Cairo Declaration was a response to the Arab Spring and the roll back of women's rights, as well as the rise of conservative governments in the region.

There has been no formal launch of the Cairo Declaration, but it has been officially adopted by member states. Those familiar with the document, particularly civil society, are pleased that it is linked to the LAS, meaning that it is a regional or 'Arab' document. Others note that the topics addressed in the Declaration are generally considered taboo, such as violence against women and reproductive health. Significantly, the Cairo Declaration is based on a number of international conventions such as CEDAW and its General Recommendations, the BPfA, the MDGs, the ICPD Program of Action, the SDGs and the ACHR. References to these frameworks are significant for women's organizations.

The Cairo Declaration Plan of Action is a cooperative effort between the WFCF, the ESCWA Centre for Women and the UN Women Regional Office for Arab States. The Declaration focuses on implementing social justice policies that affect women and girls. The Plan of Action focuses on eight outcomes covering four pillars: transformation at the political, social and economic levels, and ending violence against women.

Outcome 1 involves transforming the legislative environment, including harmonizing legal regulations and mechanisms with human rights principles, and a commitment by member states to international, regional and Arab conventions to eliminate all forms of discrimination against women and achieve gender equality. Outcome 2 calls for an organization to mainstream gender into development planning, as well as policies, programmes and budgets. Outcome 3 focuses on women in decision-making positions, and a quota of at least 30 per cent nationally and locally in Arab, regional and international organizations. Outcome 4 calls for an increase of 50 per cent in women's economic and workforce participation, and demands that women have access to services and benefits. Outcome 5 demands that women benefit from social protection policies and services, including health, education and legal benefits, to improve their quality of life.

Outcome 6 states that women and girls have the right to live in a society free from all forms of GBV, and that legal, social and health protection should be available for all women and girls exposed to violence and its consequences. Outcome 7 calls for the creation of national frameworks on women, peace and security, in order to create an environment where women and girls are not susceptible to conflict-related GBV. Similarly, outcome 8 calls for the creation of national frameworks to address terrorism and to create an environment where women and girls are not susceptible to terrorism-related GBV.

UN organizations and agencies will lend support with implementation. At the international level, the Organization For Security and Co-operation in Europe and the EU will also assist, as well as regional entities such as ESCWA, the African Commission on Human and Peoples' Rights, member states' women's machineries, regional and Arab

organizations and local ministries. Civil society participation will include CAWTAR. The Arab Women's Commission intends to conduct an evaluation of the Plan of Action periodically.

Executive Action Plan on the Regional Strategy on Protecting Women in the Arab Region: Peace and Security

In 2012, the AWO published the *Regional Strategy 'Protection of Arab Women: Peace and Security'* (2012), which was very narrow in scope and focused primarily on women directly affected by conflict, with a heavy emphasis on the situation of Palestinian women (LAS, AWO and UN Women 2012). A framework of participation, prevention and protection before, during and after conflict, the 2012 Strategy was presented without a discernible timeline, indicators or partners. Thus, it served more as a call to develop a regional plan of action rather than a work plan in itself. Many of the recommendations made were eventually clarified in the LAS' Executive Action Plan and Regional Strategy on UN Security Council Resolution 1325.

The WFCD at the General Secretariat of the LAS and the AWO, in partnership with UN Women, drafted a Regional Strategy on Peace and Security: Protecting Women in the Arab Countries in 2013. The general objective of the Regional Strategy is that, 'Women and girls in the Arab region are secure from conflicts, occupation, wars, and terrorism, and are fully protected under legislation and policies that promote their full participation in building and promoting stability' (LAS 2015b). In 2015, an Executive Action Plan on the Regional Strategy was drafted, led by WFCD in partnership with UN Women, in an effort to renew the commitment to address the needs of conflict-affected women and girls in the Arab region. The Executive Action Plan has a timeline of 2015–2030 and is based on regional and international resolutions concerning the protection of women affected by armed conflict, including the LAS Charter, the Arab Charter on Human Rights and the Strategy for the Advancement of Arab Women, the UN Charter, CEDAW and General Recommendation no. 30, the Beijing Declaration and the BPfA, the Declaration on the Protection of Women and Children in Emergency and Armed Conflict, the Geneva conventions, the Rome Statute, and the Women, Peace and Security resolutions.

According to the Strategic Framework, the Executive Action Plan aims to define the priorities for the coming years, guarantee the implementation of regional and international resolutions on Women, Peace and Security, ensure women's participation in decision-making and combat GBV. The aim is that member states, particularly those experiencing conflict or any other form of impact from the Arab Spring, will begin to develop their own National Action Plans (see Box 3.6). The LAS intends to coordinate training on UN Security Council Resolution 1325 and the Women, Peace and Security agenda and instruct each member state on how to create a NAP. The Executive Action Plan took into consideration recommendations made by the national women's machineries of Algeria, Bahrain, Egypt, Iraq, Kuwait, Lebanon, Morocco, Oman, Palestine and Tunisia. There were also two consultative meetings with CSOs where recommendations were sought.

Box 3.6. United Nations Security Council Resolution 1325: National Action Plans in the Arab Region

In 2014, the Federal Government of Iraq and the Kurdistan Regional Government became the first political entities in the Middle East and North Africa region to ratify a 1325 National Action Plan (NAP). The overall objective of the Iraqi NAP is to 'contribute to building and sustaining peace and security in Iraq through enhancing partnerships with civil society and judiciary towards achieving equality between women and men and social justice in all spheres of life to allow women to play their equal role' (Federal Government of Iraq and Kurdistan Regional Government 2014: 14).

Palestine then launched an NAP for the period 2017–19, which was developed through the Ministry of Women's Affairs and in conjunction with the Higher National Committee for the Implementation of UNSCR 1325. It reads:

The NAP is aimed at protecting Palestinian women and girls from violations of the Israeli occupation, holding it accountable internationally while ensuring the participation of women without discrimination both locally and on the international stage, developing protection mechanisms for Palestinian women and girls against the violations of the Israeli occupation, and working to increase the participation of women in peacemaking and conflict resolution at all levels, integrating their points of view in peace and reconciliation agreements and addressing the impact of conflict on women (State of Palestine Ministry of Women's Affairs 2017: 6).

Jordan, through the leadership of the Jordanian National Commission for Women (JNCW), has drafted a 1325 NAP that is currently under debate within the government. The JNCW has been engaged in ongoing consultations concerning UN Security Council Resolution 1325 under the framework of Beijing +20. These consultations have engaged with national actors and decision-makers, as well as Syrian women refugees (UN Women Jordan 2015).

The Technical Secretariat has identified the various parties that will assist with implementing the Executive Action Plan. In October 2015, the WFCD organized a coordination meeting with regional organizations working on women's issues in order to identify areas of collaboration concerning, but not limited to, the Women, Peace and Security agenda and the Cairo Declaration. Other coordination meetings may take place in the future.

The general objective of the Executive Action Plan is that 'Women and girls in the Arab region are secure from conflicts, occupation, wars, and terrorism, and are fully protected under legislations and policies that promote their full participation in building lasting peace and promoting stability' (LAS 2015b). In this vein, Outcome 1 of the Executive Action Plan strives to increase the quantity and quality of women's political participation in the Arab region through the development of legislation and measures to promote women's political participation, including engagement with CSOs, and to reinforce women's political participation in peacebuilding, conflict prevention and counterterrorism measures.

Outcome 2 focuses on the prevention of conflict and of violence against women during conflict, including sexual violence. It advocates the development of gender-sensitive early warning and response mechanisms, as well as legislation and policies to combat GBV; the drafting of studies and research; the development of awareness programmes; and documenting the efforts of different parties working on prevention.

Outcome 3 involves the protection of women and girls in conflict and post-conflict settings. This will be achieved through the translation of regional and international commitments into practical measures and actions; the protection of women and girls from

conflict, occupation and terrorism; and the reduction of vulnerabilities in regions that are conflict-affected or under occupation.

Finally, outcome 4 focuses on relief and recovery during and after conflict. This will be achieved through the development of action plans and the allocation of resources to post-conflict recovery, including disarmament, demobilization and reintegration; the utilization of a gender-responsive approach to vulnerable groups; and the use of a gender-sensitive approach in transitional justice mechanisms, including compensation for victims of violence, forced migration and terrorism.

A unique component of the Executive Action Plan is the Emergency Committee. It is proposed that this Committee will meet when the situation of women becomes critical in the region's conflict zones. Representatives from member states and partners from the UN and relevant international organizations will form the Committee. Resolution 1325 and the subsequent Women, Peace and Security resolutions lack a formal monitoring mechanism so it is up to those drafting strategies to implement formal monitoring and evaluation mechanisms. It is expected that the LAS will issue annual reports documenting the progress made on the Executive Action Plan. Mechanisms and tools for following up on progress in accordance with the indicators are being developed. The LAS intends to work with member states to monitor their accomplishments through multisectoral national committees that will follow up on achievements at the national level.

The Charter to Combat Violence against Women in the Arab Region

Criminalizing all forms of violence against women, including domestic violence, is gaining momentum in the Arab region, as is evidenced by specific standalone legislation and pending legislation. There are currently efforts under way to draft a Charter to Combat Violence against Women in the Arab Region based on the recommendations adopted at the 35th session of the Arab Women's Committee, coordinated under the fourth pillar of the Cairo Declaration that seeks to eliminate violence against women. The WFCD, UN Women and other UN agencies will work to produce a general framework for the Charter.

Ratifying such a Charter in line with international norms would create a strong regional framework for member states to address violence against women domestically, especially in the light of the growing number of states drafting laws on domestic violence and violence against women. There should also be input from and participation by domestic and regional women's organizations and movements.

Future steps and possibilities

The 2030 Agenda for Sustainable Development and the SDGs provide a vibrant framework for the LAS to develop policies that seek to ensure gender equality, mainstream gender, increase women's political and economic participation, and eliminate all forms of GBV within member states. As the above discussion shows, the Cairo Declaration and the Executive Action Plan on the Regional Strategy on Resolution 1325 aim to be as comprehensive as possible within this framework. Nonetheless, it is too soon to tell what impact these policies will have on women living in the Arab region. What is known is that while the LAS is taking significant steps to implement gender-sensitive regional policies, a number of questions and concerns remain, especially from CSOs, regarding the future of the LAS and its promotion and protection of human rights, including women's rights, gender-sensitive reform in the region and the possibility of transformative implementation.

In addition to the initiatives discussed above, other projects under way indicate that the LAS is making further strides to address gender in its policies, as well as to include civil society in these measures. For instance, a handful of CSOs, including CAWTAR and the Arab



NGO Network for Development (ANND), with technical support from Oxfam, are in the midst of advocating for greater coordination between the WFCD and CSOs on gender and the LAS's humanitarian response. Both organizations have been involved in a proposal to develop a Committee on Humanitarian Response within the LAS concerning Syria. A concept paper is to be presented to the LAS on behalf of the CSOs. Elsewhere, a process has begun to develop a Strategy on Arab Human Rights within the LAS. A first draft has been submitted for review by experts, including members of civil society, and this is nearing completion. The Strategy intends to implement the ACHR through six pillars and gender is a component of the Strategy.

Achievements and challenges

Through the Cairo Declaration and the Executive Action Plan on the Regional Strategy on Protecting Women in the Arab Region, the LAS has adopted a comprehensive gender policy that supports gender mainstreaming and the empowerment of women and girls in the region. The proposed work plan addresses the key concerns of women in the Arab region, which means that action should also be comprehensive and transformative. The true test now is whether these policies are wholeheartedly supported by member states and put into action through practical national work plans that engage state and non-state actors.

While previous statements concerning reform and engagement with human rights norms within the LAS system are welcome, there continues to be a resistance. The structure of the LAS makes reform difficult. It is a government-focused regional organization dependent on the consensus of its member states and the invocation of sovereignty restricts the LAS (and other member states) from holding offending member states to account. Furthermore, there is no requirement to engage with non-state actors, although there has been good coordination between the LAS, UN Women and ESCWA. According to those working in collaboration with the LAS, for there to be full implementation of the Cairo Declaration, its ancillary documents and all future policies, this must change.

The structure of the LAS limits the involvement of human rights organizations and other members of civil society, as their participation in LAS processes is restricted to observer status. CSOs are not allowed to attend summit meetings, but do facilitate parallel events which can introduce their perspective to member states. As noted above, human rights organizations across the region have lobbied for greater CSO involvement in the LAS system, especially during the current transitions, but the need for such lobbying makes clear that CSOs continue to be shut out or offered only limited engagement. In addition, the LAS cannot formally interact with CSOs that are not officially recognized in their state of origin. Some have noted that the Arab Spring has caused a closing down rather than an opening up with regard to member states' interactions with CSOs and NGOs. Before the Arab Spring, 17 CSOs had observer status with the Arab Permanent Commission on Human Rights. As regimes fell, many of these CSOs disappeared, indicating that they were probably 'governmental NGOs'. By 2013, 23 NGOs and national human rights institutions had gained observer status after meeting eight criteria (Rishmawi 2015: 30). They cannot address the Permanent Commission, nor can they attend meetings (International Federation for Human Rights et al. 2013: 28).

The WFCD within the Arab Women's Commission has been central to much of the recent gender-sensitive reform within the LAS. The current head of the WFCD is a well-regarded activist concerned with gender-sensitive initiatives and engaging with civil society. In the time that she has been at the WFCD, the Cairo Declaration has come to fruition

based on her advocacy. While her presence and activism are welcome, one person cannot sustain gender-sensitive transformation in the LAS. The challenge is to create sustainability within the WFCD and other systems in the LAS, and to ensure the continuation of this important work.

At the national level, member states must acknowledge that they have made international commitments and that they are obligated to follow through on such commitments. Adoption of treaties such as CEDAW has been piecemeal and with reservations. The LAS should work with the remaining member states on acceding to CEDAW and for those that have acceded, advocate a lifting of their reservations and a harmonization of national legislation with CEDAW and other international frameworks, following the leads of Morocco and Tunisia. The LAS has the ability to negotiate this reform with member states across the region due to its privileged understanding of each member state's context.

Regionally, frameworks like the ACHR have the ability to localize human rights and increase the ownership and buy-in of member states. Nonetheless, while rightfully reflecting the social and cultural composition of the region, regional frameworks must still come into line with international human rights frameworks if true gender equality and empowerment are to occur. Furthermore, regional frameworks have the ability to engage with local actors, such as human rights or women's rights organizations, in a highly specific way that can increase localization, and thus the adoption of rights. Therefore, the LAS should support revisions to the ACHR, given that only slightly more than half the member states have ratified the document, some noting that their own domestic legislation supersedes the Charter. As more member states begin to pass laws that support human rights, including on the human rights of women, domestic law will become more progressive than the Charter.

The Cairo Declaration framework presents an unprecedented opportunity for the LAS to fully engage with gender-sensitive regional reform. The few women's organizations in the region that are aware of the Declaration are pleased but cautious about the document and its potential. The fact that the Declaration refers to the BPfA, among other international frameworks, is significant. As it is a framework endorsed by the LAS and supported by member states, Arab governments cannot choose to ignore it. Its connection to Cairo, considered by some to be the centre of the Arab world, and also a member state that has experienced much upheaval since the Arab Spring, is highly symbolic. However, since there has been no formal launch of the Cairo Declaration, it is difficult to gauge its level of acceptance. The fact that the Cairo Declaration has not been launched has led to an assumption that the LAS is no longer 'vital'. If civil society is expected to participate in its implementation, they must be notified of the Declaration's content and its ancillary documents. It is unclear how the Cairo Declaration will be implemented as resources have been dedicated only at the regional level and not at the national level. UN Women is currently working with governments on this matter but not with civil society.

There is concern that despite ratification, member states may not concern themselves with references or tools endorsed by the LAS to assist with implementation of the Cairo Declaration. In addition, implementation is dependent on the political will and motivation of member states, which raises concerns over the lack of a system of accountability within the LAS. Finally, there is concern that funding has not been set aside by the LAS for member states to fully implement the Declaration.

The Arab region is currently one of the most volatile and women's lives have been affected in highly gendered ways since late 2010. Refugees and displaced women and girls require specialist attention. While the recent policies proposed may address regional concerns, the current political environment is a challenge for any type of implementation, big or small, short term or long term. Of serious concern, therefore, is how the Cairo Declaration and the



1325 Executive Action Plan can be implemented in conflict-affected or occupied countries. Refugee and displaced women and girls are not specifically mentioned in the 1325 Executive Action Plan, despite references to women and girls in conflict and post-conflict situations. Given the contentious status of refugees, internally displaced persons, asylum seekers and individuals fleeing low-level conflicts and alleged human rights violations in nearby states, a more specific reference to the individuals seeking refuge while living in hosting members states would ensure a greater likelihood of mainstreaming this population into the Regional Strategy and meeting their gendered needs. This population of women and girls must also be intimately involved in any mechanisms developed to benefit them under the four pillars of prevention, protection, prosecution and the provision of service, which is another reason for CSOs to be involved in the work of the LAS. The inclusion of all relevant populations in the 1325 Executive Action Plan must therefore be clarified.

There is considerable evidence that state and non-state actors in the member states affected by the Arab Spring have been perpetrators of the harassment and sexual abuse of women (Human Rights Watch 2014; Amnesty International 2015). More recently, GBV perpetrated by non-state actors like the Islamic State has dominated the region (Human Rights Watch 2016). The 1325 Executive Action Plan mainstreams gender into political systems, the security sector and/or peacekeeping forces, which is certainly a step in the right direction, but transformation will only fully occur within these systems when discriminatory attitudes towards women and girls have been changed and offenders held to account. This is not clarified in the Plan. Furthermore, changing attitudes to harassment, sexual violence and exploitation within security institutions is another essential transformation that should be prioritized and made more explicit. While domestic and regional mechanisms to bring perpetrators to justice would be ideal, sometimes this is not possible. This is where accession to the Rome Statute and the International Criminal Court is important, particularly in light of the gender-based crimes perpetrated by the Islamic State. Currently, Comoros, Djibouti, Jordan, Palestine and Tunisia are the only member states to have acceded to the Rome Statute. Algeria, Bahrain, Egypt, Kuwait, Morocco, Oman, Syria, United Arab Emirates and Yemen are signatories but have not ratified the Statute. The LAS support for formal accession to the Rome Statute by all of its member states would provide an opportunity to hold perpetrators of gender-based war crimes and crimes against humanity to account in the future.

Recommendations

The shrinking space for civil society in the region, exacerbated by the backlash linked to the Arab Spring, has been on the increase. Time and again, recommendations note that the current structure of the LAS is outdated and that reform must occur so that civil society, and not just member states, has a voice. The emergence and implementation of the Cairo Declaration and its ancillary documents provides opportunities for reform. The recommendations set out below are based on recommendations made previously by international and regional human rights organizations as well as those derived from interviews with individuals who have worked with or in the LAS system.

The League of Arab States Charter

- Mainstream international human rights standards and norms, including gender equality and women's empowerment, into the League of Arab States Charter.

The Arab Charter on Human Rights

- Amend the Arab Charter on Human Rights in order to go further towards enshrining international human rights standards, including gender equality and women's empowerment, in the League of Arab States system;
- Make explicit the rights of women and girls, as per international human rights standards, in the Arab Charter on Human Rights, and avoid contextualizing those rights within a religious or socio-cultural framework;
- Amend the Arab Charter on Human Rights so that it becomes a binding document for League of Arab States member states;
- Link the Arab Charter on Human Rights to other human rights systems within the League of Arab States.

Internal structures within the League of Arab States

- Develop an internal gender policy within the League of Arab States that takes into account recommendations from the current gender structures within the League as well as relevant regional and international human rights organizations and civil society organizations;
- Employ a gender balance mechanism (as well as clear criteria for appointments) in all human rights structures within the League of Arab States, such as the Arab Parliament, the Arab Court, the Arab Permanent Commission on Human Rights and the Arab Committee on Human Rights;
- Expand the mandate of the Arab Permanent Commission on Human Rights to hold member states to account for human rights violations, including gender-based violations;
- Ensure that human rights principles are adopted if and when the Arab Court for Human Rights is instated, and that citizens are able to bring cases to the court, including gender-based violations, directly rather than through their home countries, thereby further strengthening international and regional commitments;
- Guarantee that any findings of the Arab Court for Human Rights provide redress to victims of human rights abuses, including violations perpetrated by non-state actors concerning gender-based violations, and in accordance with international standards;
- Support the submission of shadow reports by local, regional and international non-governmental organizations, and make such reports available to the public;
- Ensure that the Arab Women's Organization and the Arab Women's Committee, including the Women, Family and Childhood Department, as well as any other gender-specific entity within the League of Arab States, receive adequate human and financial resources and support to carry out their work and the implementation of the Cairo Declaration and its ancillary documents;
- Implement gender budgeting throughout the League of Arab States system;



- Publicize meetings, especially those where human rights are discussed, as well as reports and policy documents.

The League of Arab States: engagement with civil society

- Facilitate interaction between local, regional and international human rights organizations and civil society, including women's rights organizations, and all League of Arab States bodies through the development of a concrete procedure for engagement;
- Ensure that such engagement results in substantive participation (i.e., consultative status) by human rights organizations and civil society organizations, including women's rights organizations, in the League of Arab States system;
- Educate local, regional and international human rights organizations and civil society on the League of Arab States system to ensure that engagement is productive;
- Publicize meetings, especially those where human rights are discussed, as well as reports and policy documents.

The Cairo Declaration and gender policies

- Publicly launch the Cairo Declaration and its ancillary documents, and hold information sessions or workshops with local, regional and international human rights organizations and civil society, especially women's rights organizations, on the content and expectations of the policies;
- Develop a coordination body responsible for implementation of the Cairo Declaration, including budgeting, reporting and accountability;
- Develop a mechanism for monitoring implementation of the Cairo Declaration and hold member states accountable for their obligations;
- Develop a complete and concrete action plan containing dates, budgets and a timeframe, including realistic deadlines within the 15-year work plan span, and strengthen M&E and reporting systems in order to monitor progress;
- Dedicate resources for implementation of the Cairo Declaration and assist member states that do not have adequate resources;
- Publicize meetings related to the Cairo Declaration, especially those where human rights are discussed, as well as reports and policy documents;
- Develop a mandate for the adoption of gender-related international frameworks among all member states, and support the removal of reservations to treaties such as CEDAW.

Conclusions

The Arab region is at an important juncture. It is crucial to realize that the hoped for transformations resulting from the Arab Spring are, in fact, a process of change that will take time as well as targeted energy. The same can be said for any gender-sensitive transitions and

transformations in the region. The LAS has an important role to play in these transformations—and is clearly transforming internally—but there is much work to be done. The most challenging reforms are those that must occur from within, concerning important frameworks such as the League’s founding Charter and the ACHR. These frameworks are important to the overall work of the League and indicate a commitment to human rights in the region. The current challenge is to translate these policies into concrete action.

The LAS has taken a more active role in the region since the Arab Spring. It appears that now is the time to take an active role in securing the full participation of women living in the Arab region. The Cairo Declaration and the Executive Action Plan on UN Security Council Resolution 1325 currently serve as starting points for LAS member states to implement gender-sensitive regional change. The work plans are detailed and follow a number of best practices. These documents provide a framework for substantive change, but implementation and outcomes will take time and patience, much like the hoped for transformations of the Arab Spring.

In conclusion, the League seems to be moving beyond political statements in the design of these strategies and there appears to be buy-in from a wide range of international, regional and domestic actors. The coming years will be the true test of how these policies will be delegated, implemented and measured. In the meantime, it is important that the international community supports the League and its partners in their next steps. What is clear is that the work plans of the Cairo Declaration and the Executive Action Plan for the Regional Strategy on 1325 serve as a catalyst for full engagement with the SDG process, integrating international frameworks into the work of the LAS—and the member states—and taking bold action to implement gender-sensitive reform in the region and engage with transformation rather than transition in the member states emerging from the Arab Spring. It is important that these policies do not merely stay as ideals on paper. The challenge is to translate these declarations into concrete action. These are opportunities that must be seized.

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3.2. Recommendations from the Middle East and North Africa consultation



During the Middle East and North Africa (MENA) consultation, held in Tunis on 9–10 March 2017, participants offered a series of recommendations for future initiatives to empower women in the political sphere.

1. Participants felt that further advocacy campaigns were needed to urge governments and political parties to promote women's political participation. The Women's Union in Bahrain is currently engaged in such a campaign but more work is needed, in particular, to secure women's meaningful participation in peace and security processes, including by engaging them in national and local dialogues and initiatives.
2. National women's machineries across the MENA region require additional technical support and capacity-building so that they can better integrate international commitments into national development plans and strategies. Resources to facilitate the collection of sex-disaggregated statistics are also needed to monitor policy and programme implementation, and thus gain a better sense of progress related to women's empowerment. Regional human rights organizations lack a strong gender focus and thus could similarly benefit from training in gender instruments and analysis. Participants also noted that additional financial resources from donors could help support various regional projects, especially the implementation of pilot projects and the exchange of experiences and lessons from across the region.
3. International, regional, and civil society mechanisms should be established to compel governments to implement SDGs 5 and 6 nationally and locally. Similar efforts are needed to translate CEDAW provisions and the Beijing Platform for Action into plans and strategies at the municipal level.
4. Initiatives targeting men are needed in order to promote gender equality in the public and private spheres. The limited engagement of men in gender equality debates, some participants proposed, resulted in a lack of a genuine political will to enact change and commit adequate financial and human resources to gender equality reforms and programmes.



5. More partnerships should be forged among various stakeholders in these debates—for example, among international and regional organizations, governments, and civil society—in order to better coordinate efforts to promote gender equality and women’s empowerment and the SDGs more broadly.