

A close-up photograph of two young women wearing hijabs. The woman in the foreground is wearing a dark purple hijab and a matching top with decorative buttons. She is smiling broadly and looking slightly to the right. Her hands are clasped in front of her. The woman behind her is also smiling and looking in the same direction. The background is a soft, out-of-focus light color.

# **THE PROTECTION OF YOUNG WOMEN AND GIRLS IN THE MIDDLE EAST AND NORTHERN AFRICA (MENA)**

A Review of Policy, Gender Rights Movements and Civil  
Society Space in the Region

# ACRONYMS

<b>AWLN</b>	Arab Women's legal network
<b>AWO</b>	Arab Women Organizations
<b>AWU</b>	Arab Women Uprising
<b>BPFA</b>	Beijing Declaration and Platform for Action
<b>CEDAW</b>	Convention for the Elimination of All Forms of Discrimination Against Women
<b>CELWA</b>	The Centre for Egyptian women's legal assistance foundation
<b>COVID-19</b>	Coronavirus Disease 2019
<b>CRTDA</b>	The Collective for Research and Training on Development Action
<b>CSOs</b>	Civil Society Organisations
<b>DOS</b>	Department of Statistics
<b>EFI</b>	EuroMed Feminist Initiative
<b>EFPA</b>	Egyptian Family Planning Association
<b>EOHR</b>	The Egyptian Organization for Human Rights
<b>FDIs</b>	Foreign Direct Investment
<b>FGAC</b>	Family Guidance and Awareness Centre
<b>FGM/C</b>	Female Genital Mutilation/ Cutting
<b>FPD</b>	Family Protection Department
<b>GBV</b>	Gender-Based Violence
<b>GGGI</b>	Global Gender Gap Index
<b>HRC</b>	Human Rights Commission
<b>HRO</b>	Human rights Organizations
<b>ICPD</b>	International Conference on Population Development
<b>ILO</b>	International Labour Organization
<b>INGOs</b>	International non-governmental Organizations
<b>IRCKHF</b>	Information and Resources Centre - King Hussein Foundation
<b>JAFPP</b>	The Jordanian Association for family planning and protection
<b>JNCW</b>	The Jordanian national commission for women
<b>JWF</b>	Justice Without Frontiers
<b>JWU</b>	The Jordanian Women's Union
<b>LAS</b>	League of Arab States
<b>LAWR</b>	The Lebanese Association of Women Researchers
<b>LCW</b>	The Lebanese Council of Women
<b>LDWG</b>	The Lebanese Democratic Women's Gathering

<b>LFPADE</b>	The Lebanon Family Planning Association for Development & Family Empowerment
<b>LGBTIQ</b>	Lesbian, Gay, Bisexual, Transgender, Intersex and Queer
<b>MENA</b>	Middle East and North Africa
<b>MIC</b>	Ministry of Social Solidarity
<b>MoSD</b>	Ministry of Social Development
<b>MOE</b>	Ministry of Education
<b>MOH</b>	Ministry of Health
<b>MOJ</b>	Ministry of Justice
<b>MOM</b>	Egyptian Ministry of Manpower
<b>NAP</b>	National Action Plan
<b>NCCM</b>	National Council for Childhood and Motherhood
<b>NCFA</b>	National Council for Family Affairs
<b>NCHR</b>	National Centre for Human Right
<b>NCW</b>	The National Council for Women in Egypt
<b>NGOs</b>	Non-Governmental Organizations
<b>NPC</b>	National Population Council
<b>PSAs</b>	Promotional service announcement
<b>SDGs</b>	Sustainable Development Goals
<b>SIGI</b>	Sisterhood is Global Institute
<b>SRC</b>	Social Research Centre
<b>SRH</b>	Sexual Reproductive Health
<b>SWL</b>	The Syrian Women League
<b>UN ECOSOC</b>	United National Economic and Social Council
<b>UN Women</b>	The United Nations Entity for Gender Equality and the Empowerment of Women
<b>UNDP</b>	United Nations Development programme
<b>UNFPA</b>	United Nations Population Fund
<b>UNICEF</b>	United Nations Children's Fund
<b>UNSCR</b>	United Nations Security Council Resolution
<b>USAID</b>	United States Agency for International Development
<b>VAW</b>	Violence Against Women
<b>WEF</b>	World Economic forum
<b>WRO</b>	Women's Rights Organization.

# INTRODUCTION

Women and girls in the Middle East and North Africa (MENA) are among the most vulnerable populations in the world. The region ranks lowest on the Global Gender Index (GGI) scoring minimally on indicators on health, education, economic, and political participation. The context is precarious for young women and impedes girls' full enjoyment of their rights and freedoms. With one in three women in MENA having experienced or at risk of experiencing physical or sexual abuse in their lifetime,<sup>ii</sup> Gender-based violence (GBV) is the most common rights violation experienced by women and girls in the region .

In Lebanon and Jordan for example, following the Covid-19 pandemic, there is a reported increase in abuse<sup>iii</sup> and violence against women<sup>iv</sup>, as well as a spike in reports of domestic violence<sup>v</sup>. Access to GBV response and support services has also been inadequate with several vulnerable groups ignored during the pandemic response with a lack of programs targeting women in prisons as well as migrants and refugees. Access to GBV services by women and girls in the country - as is the case in other countries in the region - have traditionally been challenged by limited response capacities and social stigma and discrimination which impede and discourage girls and women from accessing quality services and seeking justice.<sup>vi</sup>

Conservative political regimes and contradictory legal and policy systems at national and regional levels are an obstacle to the protection of women and girls in MENA. While national constitutions provide for equality of all citizens, four out of five countries analysed have loopholes that hinder young women and adolescent girls from fully accessing and enjoying their rights. Furthermore, predominantly sectarian systems of governance that are captured by elites and religious leaders, alongside civil wars and regional conflicts that affect and impact several countries in MENA represent obstacles to enhancing legal and policy measures to protect women and girls in the region. Furthermore, the lack of local and national policies to prevent and address rights violations, and cultural and religious barriers, have contributed to increased challenges to addressing gender rights violations<sup>vii</sup>.

Driven by the ambition to advance children's rights and the equality of girls in countries in the MENA region, Plan international is concerned that within this policy and rights activism environment, adolescent girls and young women in MENA are facing multiple threats to their protection, each contributing to exacerbating the other; exposure to weak legal and policy protections, limited access to protection services, and persistent cultural and social barriers.

To review the protection afforded to girls and women, this analysis focused on 5 countries in MENA:- Lebanon, Sudan, Egypt, Syria, and Jordan. Despite the level of conflict and instability in the country, the displacement of Syrian refugee women and girls into countries in the region warrants its inclusion in this analysis.

Due to limitations in literature and actions focused on the protection of adolescent girls and young women in MENA, this report extrapolates conclusions from the experiences of women rights activists, civil society groups and rights-based agencies coupled with a review of available literature to evaluate the policy and legal environment, nature of girls and women rights movements, as well as the level of civil society freedom in the region.

# POLICY AND LEGAL PROTECTION FOR YOUNG WOMEN AND GIRLS

Jordan, Egypt, Lebanon and Sudan have adopted laws and institutionalized policies aimed at protecting women and girls' rights as well as achieving gender equity. Their constitutions provide for equal rights for women, liberty, and equality of men and women. Some legal provisions also provide for positive discrimination of women e.g. by granting women quotas/privileges including in parliaments and selected institutions. These countries have also made significant programmatic strides in promoting gender equality and responding to GBV, law reform and protection service provision, and women empowerment. For example, the Egyptian government,<sup>viii</sup> following broad stakeholder engagement launched a national strategy to combat violence against women In 2015.

Despite this, national laws and policies in the four countries contain specific restrictions on women and girls' access and enjoyment of rights including in Personal Status Laws and Penal Codes that set the scene for rights violations in the MENA region. Such systematic constraints are resulting in lifelong discrimination against girls and women in the region.<sup>x</sup> Such loopholes include laws that exonerate perpetrators of sexual violence and "honour killings"<sup>1</sup> from punishment.

While the four out of the five countries analysed have defined the legal age for marriage as eighteen years, many legal loopholes exist that effectively nullify this minimum age requirement. For example, laws in Egypt, Jordan, Sudan, and Syria allow children to be married if it is judged as being in their best interest—with no legal guidance defining what that best interest is.<sup>x</sup> Whilst in Lebanon, there is no minimum age of marriage, the age limit depends on the religious or confessional group a person belongs to.

The five countries also have contradicting laws that reinforce violence against women and girls. Across the region, guaranteeing equality before the law remains a persistent challenge.<sup>xi</sup> For example, a woman or girl's testimony is generally given less consideration than that of a man's in legal proceedings; women and girls do not enjoy the right to equal inheritance, freedom of movement or marriage without a guardian (Wali's)<sup>2</sup> approval<sup>xii</sup> (unless they are above 40 years old). Generally, laws and legislation in these countries allow judges to override the constitutional provisions to apply Sharia<sup>3</sup> law. Across the region, laws give husbands the right to control their wives and do not prohibit marital rape. Only in Lebanon will a husband be punished for using threats to force his wife into having sex, but the assault itself is not criminalized.

Jordanian society is deeply patriarchal, and violence against women and girls is endemic, with over 21 percent of married Jordanian women between the ages of 15 and 49 having experienced violence by their partners.<sup>xiii</sup> Refugee women and girls face additional risks and harm due to the nature of displacement and their vulnerable status. An assessment conducted in April 2020, found that the majority of respondents agreed that since the country's enforcement of lockdown measures to contain COVID-19, violence against girls and young women in Jordan had increased.<sup>xiv</sup>

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<sup>1</sup> Honour Killings: the killing of a relative, especially a girl or woman, who is perceived to have brought dishonour on the family.

<sup>2</sup> Wali: a person who is responsible for the bride's life before she is married. As a Wali, it is also his duty to ensure that the proposed groom is a reliable and a trustworthy person who will continue to carry on his role and responsibility towards the bride after her marriage

<sup>3</sup> Sharia Law: Islam's legal system that is derived from both the Koran, Islam's central text, and fatwas - the rulings of Islamic scholars.

Additionally, Jordan has laws in place against sexual harassment at the workplace or in the public sphere. In Lebanon, a draft law on criminalizing sexual harassment in the workplace has been submitted to the parliament but its yet to be passed. Egypt has no law that prohibits sexual harassment in the workplace; but the country has recently strengthened provisions for punishment of sexual harassment in public spaces. This directly impacts women's economic empowerment as according to the ILO, women in Jordan represent less than 18% of the total labour force, and very few women assume leadership positions and mainly work in the fields of public sector, education, health, and social work.<sup>xv</sup>

Female Genital Mutilation (FGM) is a significant concern for adolescent girls in Egypt and Sudan. Egypt has drafted a law prohibiting FGM in hospitals and public or private clinics, and in July 2020, Sudan's new government ratified a law criminalising female genital mutilation and has promised women rights activists that they will ratify the Committee on the Elimination of Discrimination Against Women (CEDAW).

The ongoing conflict and political instability in Syria remains an obstacle to enabling legal protection for women and girls in the country. The war has displaced millions, depriving vulnerable segments of society, such as women and children, of their fundamental human rights. Many Syrian women have been subjected to extrajudicial killings, arbitrary arrests, torture, enforced disappearances, forced displacement, sexual harassment and rape, and denial of healthcare and essential services.<sup>xvi</sup> As a consequence of the prolonged Syrian conflict, reproductive health services have also been severely disrupted, with the risk of GBV and child marriage escalating.<sup>xvii</sup> This is especially the case for women and girls that have fled the violence into Jordan, Lebanon and Egypt. Women and girls who live in or experience conflict are often also burdened with the extra responsibility of having to provide for their families while dealing with increased household duties.<sup>xviii</sup>

Across the MENA region, social customs, traditions and cultural constraints, as well as religion continue to provide justifications and tolerance for several violations of women and girl's rights<sup>xix</sup>. Table 3 below provides a summary of existing legal provisions on key protection vulnerabilities for women and girls in the five countries focused in this analysis.

Most countries in the MENA have ratified the Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW). However, many made reservations on major articles and this presents challenges to the legal and policy amendments needed to protect women and girls in the region. Table 4 below provides a summary of these.

**TABLE 3:**

## LEGAL AND POLICY PROTECTIONS FOR WOMEN IN THE FIVE COUNTRIES

Country	Legal/Policy status
<b>a) Child Early and Forced Marriage</b>	
Jordan	Personal Status law - allows exceptions based on the judges' recommendations <i>e.g. Women cannot get married below the age of 40 without the approval of a male mediator/guardian, such as a brother or a father.</i>
Syria	Personal status law article 16 (Boys:18yrs, Girls 16yrs): Exceptions for family or the judge preferences exist.
Lebanon	There are 15 personal status laws applied by 18 different recognized religious sects in the country.
Sudan	Article 215 of the Personal Status Law states that the age of marriage is 18.
Egypt	Personal status law: In 2008, reforms were made to extend a mother's legal custody to 15 years of age.
<b>b) Rape and Gender Based Violence (GBV)</b>	
Jordan	Article 292 of the Penal Code Law No. 16 of 1960 criminalizes rape.
Syria	Penal code: If the rapist gets married to the victim, he escapes punishment
Lebanon	Articles 503 and 504, 506 507, 509, 520 524 Penal code
Sudan	Criminalized by Article 149 of the Criminal Act 1991. <i>(there is currently no definition of rape in the legal system; it is called adultery and punishes both the criminal and the victim.)</i>
Egypt	Article 267 of the Penal Code Law No. 58 of 1937 criminalizes rape (sexual intercourse with a female without her consent there are very narrow definitions of rape, sexual assaults, and harassment, which creates an atmosphere for these crimes to occur, as no law outright criminalizes the act. <sup>xx</sup>
<b>c) Sexual harassment</b>	
Jordan	Sexual harassment can be punished as the offense of unwanted sexual contact under Articles 305 and 306 of the Penal Code.
Syria	Penal code - no clear definitions
Lebanon	Penal code articles 519, 507, 385, and 532 - No clear definitions of harassment
Sudan	Article 151 of the Criminal Act was amended in 2015 to criminalize acts of sexual harassment
Egypt	Article 306 of the penal code

<b>d) Female Genital Mutilation (FGM)</b>	
Jordan	N/A - Penal code
Syria	N/A- Penal code
Lebanon	N/A - Penal code
Sudan	A new FGM law introduced and passed in early 2020
Egypt	The Criminal Code 2008. The penalty was intensified in 2016. <i>e.g. According to a UNICEF report on FGM in Egypt 2020, more than half of women and men support the continuation of FGM as practice<sup>xxi</sup></i>
<b>e) Domestic Violence</b>	
Jordan	The Law on Protection from Domestic Violence, No. 15 of 2017.
Syria	Penal code - Needs further amendment
Lebanon	Law 293 - needs further amendment and review
Sudan	No domestic violence legislation
Egypt	Penal Code and Law No. 6 of 1998 in specific cases only
<b>f) SRHR (Abortion)</b>	
Jordan	the Jordanian Penal Code of 1960 <sup>xxii</sup> ;321-325 <i>e.g. , article 324 of the Penal code states that if a woman causes herself to have an abortion in order to protect her honour, or if a person causes her to have one, in order to protect the honour of a female family member, they benefit from a reduction in penalty</i>
Syria	Criminalized, no Exceptions: Penal code
Lebanon	Articles from 539 - 546 of the Penal Code Abortion is prohibited in Lebanon, and it is criminalized, only allowed under 1 circumstance, when the women's life is under great danger
Sudan	Criminalized : Penal code
Egypt	Penal Code

<b>g) Nationality, civil registration and civil rights</b>	
Jordan	Personal Status law: Women do not enjoy the same rights as men. e.g. <i>while Article six of the constitution states that all Jordanians are equal; women still have not gained the right to provide citizenship for their children like men.</i> <sup>xxiii</sup> <i>women's relationship with the government is usually articulated through a mediator – her father or her husband or the older son</i>
Syria	Personal Status law. Women do not enjoy the same rights as men
Lebanon	Personal Status law. Women do not enjoy the same rights as men e.g. The existence of sectarian factions (more than 15) drawn from various religions with no unified civil code governing vital issues like divorce, marriage, property rights, and custody of children leaves unlimited room for discrimination against women and girls. The country has 15 different status laws <sup>xxiv</sup> ;
Sudan	Personal Status law. Women do not enjoy the same rights as men
Egypt	Personal Status law. Women do not enjoy the same rights as men
<b>h) Exoneration of rape by marriage</b>	
Jordan	Article 308 was removed from the Penal Code in 2017.
Syria	Penal code - the article is still there and allows the rapist to marry the victim and escape.
Lebanon	The 522 article of the penal code was abolished in 2017
Sudan	Penal code (The issue of <i>Zena</i> in Sharia)
Egypt	Exoneration by marriage Article 291 of the Penal Code was removed in 1999. Article 291 stipulated that there was no penalty for male rapists who married a Female victim: In 2000, they allowed women to ask for a divorce
<b>i) Human Trafficking</b>	
Jordan	The Law on Protection Against Trafficking of Humans No. 9 of 2009
Syria	No laws in place - Penal code dealing with victims and criminals.
Lebanon	Law on the Protection from Human Trafficking No. 164
Sudan	The Combating of Human Trafficking Act of 2014
Egypt	Trafficking Law No. 64 of 2010

**TABLE 4:**  
**SUMMARY TABLE**

**(STATUS ON CEDAW AND GBV LEGISLATION , AND EXISTENCE OF STUDIES AND DATA ON WOMEN AND GIRLS RIGHTS)**

Country	Status on CEDAW (and reservations )	Existence and status on GBV legislation	Existence of GBV studies & Data
Jordan <sup>xxvi</sup>	Ratified - with reservations (August 1st, 2007) <i>Article 9: Paragraph 2, Article 16: paragraph 1</i>	Yes <i>(with gaps)</i>	Yes
Syria <sup>xxvii</sup>	Ratified - with reservations <i>(Article 2, Article 9: paragraph 2, Article 15; paragraph 4, Article 16: paragraph 1+2, Article 29: paragraph 1)</i>	No	No <i>(regional and international data exist)</i>
Lebanon <sup>xxviii</sup>	Ratified - with reservations <i>(Article 9: paragraph 2, Article 16: paragraph 1, Article 29: paragraph 2)</i>	Yes <i>(with gaps)</i>	Yes
Sudan <sup>xxix</sup>	Not ratified <i>(The new government promised to review and to ratify in 2019)</i>	No	No <i>(regional and international data exists)</i>
Egypt <sup>xxx</sup>	Ratified - with reservations <i>(Article 2, Article 16, Article 29)</i>	Yes <i>(with gaps)</i>	Yes

# THE NATURE OF GIRLS AND WOMEN

## RIGHTS MOVEMENTS IN MENA

The MENA region has seen a rapid increase in programs and actors focused on gender rights over the last decade. These have been formed and concentrated at both local and regional levels<sup>xxxii</sup>. They have however been challenged by underlying factors that draw back progress in gender focused programs and advocacy<sup>xxxiii</sup>. These actors and programs are largely focused on broad gender and women's rights engagement with limited organizations and institutions focusing on addressing the specific needs of adolescent girls and young women. This has left rights activism and programming targeted at adolescent girls and young women severely underserved.

Despite this, some progress has been made in gender rights activism in the region. These changes have largely been in the area of legal reform, which has granted more rights to women. For instance, following civil society campaigns Jordanian authorities increased civil rights<sup>xxxiii</sup> to children of Jordanian women, who previously could not access education, health, work, investment and inheritance opportunities and could not obtain a valid driving license. These rights were previously only granted to the children of Jordanian men, and so Jordanian women who married a nationality outside of that would have their children's rights excluded.

Women's rights organizations and movements in the region may be categorised into three: national/government structures, formal and informal regional actors and International actors.

## NATIONAL/GOVERNMENT STRUCTURES

National structures and groups established to enhance women's rights and gender equity in countries in the MENA region are commonly set up as sections of respective governments - a unit or department within government ministries. Questions surround their efficacy, the human and financial resources allocated to them, as well as their level of autonomy and accountability.

In some countries such structures are not listed in official government charts and where these are formalized, governments limit their participation in decision making processes. Often, they receive support from first ladies or members of royal families. Their function in advocacy for girls and women's rights and policy engagement is still limited, dependent on their positioning, networks, and relationship with ruling regimes<sup>xxxiv</sup>. This has resulted in significant gaps in the representation, inclusion and advocacy for girls and women within political and governance structures across the region.

The table below provides an overview of national structures in the five countries that are the focus of this report.

Country	National Mechanism
Jordan	Jordanian National Commission for Women (Inter-ministerial committee)
Lebanon	National Commission for Lebanese Women (Commission under the authority of the Prime Minister)
Sudan	A unit within the Ministry of Welfare and Social Security
Egypt	National Council for Women (Council under the authority of the President)
Syria	Syrian Commission for Family Affairs (Commission under the Ministry of Social Affairs)
	(Commission under the Ministry of Social Affairs)

To fill the gap in advancing gender rights, new forms of civic organizations have emerged to enable activists, and human/women's rights defenders to share experiences, resources, and support. These organizations are often not officially registered with government; and operate mainly by engaging social media and other informal mechanisms for gender rights campaigns and advocacy. As will be discussed later in this report, the formal registration of these groups is often restricted by existing national laws and policies .

# FORMAL AND INFORMAL REGIONAL ACTORS

Several countries in the MENA region have gone through political and contextual instability in the last two decades. This has contributed to the challenges to establishing regional collaborations on vital humanitarian and development issues in the region<sup>xxxv</sup> and consequently the formation of regional mechanisms to enhance the protection of women and girls.

Politically, the League of Arab States (LAS) is the most prominent regional body connecting countries in MENA. Formed in 1945, the LAS primary function is to draw closer relations between member countries, safeguard their independence and sovereignty and consider member country affairs and interests.<sup>xxxvi</sup> The permanent Human Rights Commission (HRC) is the central political organ in charge of the protection of human rights within the LAS structure with the Arab Charter on Human Rights (2004) including provisions for the enhancement of women's rights.<sup>4</sup> Countries in MENA have however been accused of failing to implement the charter due to prevalent negative public perceptions of gender roles in LAS member states.<sup>xxxvii</sup>

The HRC has limited financial and human resources to execute what is an unclear mandate. This has negatively affected the establishment of regional efforts to enhance women and girls' rights and gender equality. Also, within the LAS, is the Arab Parliamentary Committee (AWO), aimed at enhancing legislation on human rights. This too is challenged by a lack of shared vision, coordination, and funding. Other regional bodies and initiatives that exist in the MENA focus on research and women's issues and include the Arab Women Network<sup>5</sup>, Salma Network<sup>6</sup>, Euro-Med Women Network<sup>7</sup>, Karama network<sup>8</sup>, and the Arab Network for Gender and Development<sup>9</sup>.

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<sup>4</sup>The Arab Charter on Human Rights requires states to ensure the prohibition of all forms of violence or abuse in relations among family members, particularly against women and children, and to take all necessary legislative, administrative and judicial measures to guarantee the protection, survival, development and well-being of the child in an atmosphere of freedom and dignity (article 33)..

<sup>5</sup>Is an Arabic feminist network that aims to advocate for women's rights in the a social, economic and political spheres.

<sup>6</sup>The SALMA Network calls for increased gender equality and improved social and legal position of women in the Arab world, focusing on protecting women from all forms of violence.

<sup>7</sup>The EMWN is a platform powered by the North-South Centre of the Council of Europe for women's empowerment that serves as a platform to highlighting good practices, measures, testimonials and experiences in order to inspire, facilitate and support collaboration on the fight against violence against women.

<sup>8</sup>Karama is a network of civil society groups and activists in 13 countries that aims to end all kinds of violence against women in the Arab region.

<sup>9</sup>A network that mobilizes regional expertise and resources to address priorities in the field of gender and development.

# INTERNATIONAL ACTORS

International Organizations (Humanitarian & Development focused) face immense challenges in engaging with governments and national CSOs in the MENA region. Several factors influence the activism, programming and operations of International organizations in the region. The relationship between host countries and such actors is largely dependent on their sector focus with politically sensitive areas (e.g. human rights, gender equality, sexual and reproductive health rights, legislation, security etc) more likely to be scrutinized than others e.g. education. Secondly, the attitude of governments in MENA towards international organizations is essentially based on the political decision of whether the activities of the organization pose a challenge to their authority..<sup>xxxix</sup>

Aside from geopolitical competition between countries and conflicts in several others, there is a lack of consensus on the priorities for women's rights and gender equity.<sup>xi</sup> This has affected the region and the work of the international organizations.<sup>xii</sup> As the region has become more unstable, international organizations are less capable of providing comprehensive programming and influencing for the rights of women and girls. This has made external engagement difficult, and issues consistently see to be sensitive, controversial, and challenging.<sup>xiii</sup>

The overlapping work of international organizations in the MENA region over projects and target communities, conflicting priorities of the international community, and the weak understanding of contextual realities have contributed to creating humanitarian, development and rights outcomes for women and girls that are hard to predict or account for.<sup>xiiii</sup> Within this context, international engagement on addressing the rights of adolescent girls and young women necessitates the balancing of host government interests and perceptions, conflict sensitivity and greater collaboration and contextual analysis of the realities on the ground.

## CIVIL SOCIETY SPACE FOR GENDER ACTIVISM IN MENA

As a result of the political instability, civil strife, and increasing violence and extremism, civil society groups – especially those engaging in human rights in MENA have experienced a significant decline in presence and engagement. As a result of shifts in political systems following the Arab-spring movements in several MENA countries, new laws were enacted to restrict and limit the operations of CSOs and limit rights activism. Of concern, women-focused CSOs were subjected to systematic campaigns to both intimidate and curtail their operations, with security forces targeting human rights activists by detaining, torturing, and killing them.<sup>xiv</sup> Furthermore, government authorities are increasingly using social media to target gender activists.<sup>xv</sup>

Many governments in the region have viewed non-governmental entities as operating in their shadows and consider them as opposition to their rule. For example,<sup>xvi</sup> the Olive Branch, a Syrian organization with over one thousand staff members operating in Jordan, Lebanon, Turkey, and Syria has been prohibited to register in Syria and operates primarily in opposition-held areas within Syria and work with Syrian refugees throughout the region.

Several laws exist across the MENA region that allow local authorities to dissolve CSOs as well prosecute staff as was the case for Nazra<sup>xlvii</sup> and the Salmah women studies centre in in Egypt and Sudan respectively.<sup>xlviii</sup> In Syria, the regime has stopped the work of several specialized women institutions, which played a vital role in raising awareness on women's issues and advocated for their fundamental rights. For instance, the Syrian Women Union was shut down in 2018, demonstrating a significant setback for gender movements in the country.

In Sudan, the previous regime side-lined and challenged the work of CSOs focused on women's rights issues. In 2014, The Salmah Centre for Women Studies was shut down, and all its funds confiscated by the government<sup>xlix</sup>. Its staff were subjected to harassment and threats, and the Director of the centre forced to flee the country. This was no isolated case, many activists suffered similar fates.

The newly formed transitional government in Sudan has promised to amend laws that regulate civil society organization's work and structures. Though the majority of Sudan's transitional government members are composed of former CSO representatives, there are concerns that women's issues may be staged for political show and not to genuinely demand for women's universal and genuine rights.

The nature of governance in the region has contributed to the emergence of a unique and new form of civil movements. While these may be perceived to be legitimate CSOs that adhere to humanitarian principles and hold objective agendas, they are largely supported and managed by the ruling authorities. Legitimate gender movements struggle to sustain campaigns and projects, and often lack specific agenda and strategies. Gender activists continue operating under the threat of arrest or home-confinement. This is in addition to the cultural barriers to gender equality and traditional power dynamics that render women and girls underprivileged.

Conversely, new forms of engagement have emerged in the region. In Egypt, following an increase in violence against women in the public sphere during the Arab spring that began in 2010, several new feminist movements and groups initiatives emerged; women activists started to use creative and alternatives tools to advocate for their rights and to raise awareness of the violence they faced<sup>li</sup>. There however remain significant gaps in service provision and official data on the scale of violence against women in the country. For example, there are only eight internal shelters across Egypt and women activists continue to be regularly harassed and threatened.<sup>lii</sup>

The regional crisis in Syria and Iraq have contributed to a significant increase in GBV projects and programmes operating inside Jordan targeting both Jordanian nationals and refugees. More funds have been directed to tackle these issues, and more research has been conducted by the INGOs and Agencies. Nevertheless, data remains limited, uncertain, and not comprehensive.

In Syria, the Syria Commission for Family Affairs is the only body officially tasked with dealing with issues on women's rights and gender equity within the current political regime. In some opposition-controlled areas, local committees have been established to work on women's rights and gender equity. The nature of challenges faced by women and girls across Syria is influenced by the political and conflict dynamics in the region as well as the nature of the dominant power. For example, in areas under the Al-Assad regime, women face problems such as rape, threats and intimidation, lack access to protection services and limited legal protections<sup>liii</sup>.

As for the areas under the control of Islamic extremist armed groups, women and girls suffer from general and comprehensive restrictions in all aspects of life with a noticeable absence and scarcity of response services. There are only three women shelters in all of Syria and very limited psychological and social support services. Even though sexual violence has continuously been highlighted during the conflict period, actions to address this have lacked contextual relevance and have had limited sustainability. This, coupled with the absence of an active criminal justice system has resulted in a weak protection environment and increased risks facing women and girls.<sup>liiv</sup>

There exists an overwhelming conservative image tied to women across countries in MENA, resulting in barriers to women's engagement in politics, economy, and the public sphere. Women also face social stigma while seeking justice and legal services including filing complaints processes or accessing counselling services. Their engagement and contribution in political and policy decision making is also curtailed. For example, the Lebanese political ruling system is set up to serve the highly patriarchal society and is a barrier to the CSOs' work on women's rights as they struggle to have their voices heard by decision and policy makers. Even though Lebanese women have a high percentage of economic participation compared to other Arab countries (estimated at 26%),<sup>lviv</sup> they are still subjected to discrimination in salaries. Additionally, women do not have equal access to senior positions in government.

In Egypt, despite the government statements on increasing the percentage of female ministers in the cabinet, women participation in government positions remains very low. For example, female judges in Egypt represent less than 1% of the total number of judges in the country. This has had an impact on women and girls' access to justice for GBV.<sup>lvii</sup>

International funding sources remain out of reach for many national CSOs as governments in the region seek full control of funds and their use. New laws in countries across MENA prohibit fund allocation to Community Based Organizations (CBOs) without prior approval from the government. Furthermore, Governments in the region have been known to fund public and social defamation of women's rights movements, claiming their allegiance to foreign agenda or anti-Arab or Islamic values.<sup>lviii</sup> While some governments have established national councils and committees to enhance women's rights and gender equity; most of these are affiliated to the government, and have limited sphere of public work to independently advocate for women's rights.<sup>lix</sup>

National CSOs also face significant gaps in their capacities to deliver effective programs and influencing activities. For example, due to the conflict in the country, CSOs in Syria are facing significant challenges with regards to outreach, service provision, coordination, and communicating with international organizations.

It's important to also note that governments in the MENA region and especially in Syria, regularly reject any international reports highlighting the flaws in their work and rights violations in their countries. The lack of available, verifiable, comprehensive data and absence of transparent local reporting mechanisms on the violations against women limits constructive engagement and programme design.

# RECOMMENDATIONS

## FOR GOVERNMENTS

- Amended laws to fulfil each country's obligations to their national constitutions, international laws, and regional documents and declarations.
- Address existing gaps and loopholes including harmonizing definitions including of GBV, sexual harassment, rape, and related issues into constitutions and national legislations.
- Introduce and implement a national and regional initiatives to facilitate dialogue on the place of women and girls including the Personal Status Laws provisions for marriage, property, inheritance and custody.

## FOR WOMEN'S RIGHTS AND GENDER MOVEMENTS

- Include men, young boys and, religious and traditional leaders as partners in the design, planning and execution of programs, and where relevant as beneficiaries.
- Provide support to national Human and Women Rights Organization based on the identified needs and ensure their participation in the program design and implementation.
- Collectively work with Human and Women Rights Organizations to develop capacity building plans for essential tasks such as; advocacy, digital campaigning, social media, data collection, and analysis
- Support women CSOs to adopt creative and innovative approaches to tackle GBV;
- Work with government entities and the executive authorities to actively prioritize and mainstream women's rights issues on their national agendas.
- Enhance provision of services for women in humanitarian contexts, and establish/maintain more shelters and Women protection centres, especially in Syria, Sudan and Egypt.
- Continuously monitor and document progress on countries' commitment to international and regional declarations and conventions protecting women and girls.
- Strengthen young feminist movements by resourcing and mentoring them whilst creating safe spaces for their representation in discussions.



# ENDNOTES

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