

16 May 2007

**Statement of H.E. Ms. Sheikha Haya Rashed Al Khalifa,
President of the 61st Session of the General Assembly,
at the Panel Discussion: Women and Human Rights in the Middle
East**

Distinguished Guests,
Esteemed Students,
Ladies and Gentlemen,

At the outset I would like to thank Dr. Amirahmadi and Mr. Abdeljabr for inviting me to address the question of women and human rights in the Middle East.

I will reflect on some regional specific realities that hinder gender equality. This is not to undermine the positive developments we are witnessing but highlight such realities that need to be tackled in order to achieve long-lasting equality and human rights for all.

The concept of human rights is based on the notion that all human beings are born with equal and inalienable rights and fundamental freedoms. Yet, in the Middle East women face multi-layered and multi-dimensional discrimination that is embedded in our culture, government policies, educational systems and the legal framework. This discrimination often goes un-addressed not only by men or states but also by women themselves who more often than not, view their predicament as natural. We must ask ourselves then:

Why are such human rights violations deemed acceptable?

I believe that there are many reasons behind this complacency and systemized discrimination. And, I will touch upon a few that are important.

The first reason is related to the interpretation of Islamic text. Women are subject to family laws that are Sharia based which strictly follow the interpretations of Islamic scholars that lived 1000 years ago at the beginning of Islam. These interpretations are applied now without making any allowances to the very different social contexts of today. In fact, these interpretations are sanctified as holy which prevent them from criticism and change. This is one of the main reasons behind the discrepancy between personal status codes on the one hand and the current social circumstances on the other.

Under family law, women cannot conclude marital contracts without a male guardian which can be a father, brother, cousin and even a son. In the case of divorce, women cannot obtain a divorce without a court proceeding and judge approval whereas men can divorce their wives by a mere verbal declaration.

These rules deprive women of their basic right of self determination...These rules deprive women from maintaining peace and security within their home as they are constantly threatened by divorce or polygamy!

The underlying reason behind this is the lack of rational interpretations of the text that integrate the current social circumstances. It is thus imperative to allow new interpretations of Islamic text in light of contemporary circumstances and needs. And, recognize the distinction between worship (Ibadat) and social conduct (Moamalat) in religion; where worship defines the relationship between humans and God which does not change with time, whereas social conduct defines the relationship amongst humans and is subject to change depending on prevailing circumstances.

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), adopted by the General Assembly in 1979 is essentially an international bill of rights for women. It defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination.

Although the principles of human rights are embedded in all Middle Eastern constitutions, many of these countries have expressed reservations about several Articles of (CEDAW) on the grounds that they are in conflict, with either, religious or national laws. In particular, Article (2) establishing the principle of equality between men and women. Opting out of this Article undermines the whole of CEDAW.

Distinguished Guests,

The second reason is that of social structure, more specifically the concept of the family versus the individual as the nucleus of society. This structure has constrained the progress of women on two fronts.

On an individual level: it has encouraged and preserved certain gender power relations as reflected in rights and duties, where women conform to the needs of men who in turn offer protection and financial support. It has led women to accept a level of control and submission, even violence at times for the preservation of the family. It has also discouraged women from exploring their capabilities and realizing their full potential.

On a societal level: it has created a mentality that fears the autonomy of women, viewing it as a threat to the centrality of the traditional family, a threat to marital relationships and a catalyst to sexual freedom. These attitudes which were based on traditions are now associated with religion, making it harder to criticize or change them.

The third reason is a product of our political structures. Women remain under-represented in parliaments and at higher government positions. Even when they are ministers, they are often assigned ministries that reinforce their traditional roles.

Why is that?

First, one of the strongest barriers is that political success in parliamentary elections are based to a large extent on male kinship and patronage, leaving little room for women participation on equal footing.

Second, the introduction of representative bodies in most countries in the region is a recent development. This unfamiliarity with official political work particularly since a high number of women were not politically active prior to this era has increased the knowledge-barrier, women in politics face.

Third, party leaders and political figures are usually reluctant to support female candidates partly because they perceive women as lacking organizational and communication skills; and partly out of fear of losing their seats. In fact, during elections in Bahrain and Kuwait, many religious leaders encouraged voters not to elect women on religious grounds claiming that a women's place is at home.

Fourth, women themselves oppose their own involvement in politics viewing it as unfeminine and threatening to the well-being of society. We saw this in Bahrain in 2002 when the majority of voters were women but not one woman out of the eight female candidates was actually elected.

All this discourages women from running for elections and reduce their chances whenever they do.

Similarly, we saw last week the appointment of 31 female judges in Egypt. This move received resistance from both men and women on religious grounds; deeming women incapable, physically and mentally, of assuming such a decision making position.

Ladies and Gentlemen,

Nevertheless, women have been active in influencing policy making and public opinion through other means; namely through the media, in petitions to Members of Parliament and government officials, as well as through their memberships in unions, political parties and NGOs.

Indeed, the involvement of women in NGOs and the call for gender equality by civil society institutions in the Middle East has a rich history.

Calls for the education of girls for example go as far back as the nineteenth century - when gender justice was a concern for both women and men alike. We see this in publications such as *The Liberation of Women* by Qassim Amin in 1899 and the existence of gender specific Arab Journals in the early 1890s.

Today, the Middle East is witnessing a proliferation of NGOs, many of which are active in women empowerment issues.

This brings me to my last point which concerns education or more specifically the quality of our educational systems.

Although the Middle East has come a long way in educating women, the fact of the matter is that critical thinking, and the teaching of philosophy and theology are absent in our curricula; and they are essential in laying the foundation to review, evaluate and criticise the ideas that shape our societies. We are left with a fertile ground for fundamentalist ideologies and we have reverted to the past to solve our problems of the present.

Ladies and Gentlemen,

The status of women cannot and should not be seen in isolation from regional and international circumstances that challenge human security. While the Middle East continues to face the devastating effects of war, occupation, civil unrest, weak governance as well as the challenges of globalization, economic volatility, impoverishment, demographic changes and counter-terrorism measures which may negatively affect human rights and further constrain freedoms.

It falls upon us to raise more awareness of women's legal rights both on the local and international spheres by endorsing educational and training programs on the governmental, institutional and grass root levels.

There is a great determination within the Middle East to modernize and reform so that people can live without fear and want, in a state of security and prosperity. And it is now, more than ever before, that the voices of women need to be heard. We must not only hear these voices – we must listen to them, and then act. So much of our future depends on our response.

Thank you.