

Situational Analysis of Women and Girls in the MENA and Arab States Region: Pillar 3 Freedom from Violence and Access to Justice Key message and Recommendations

OVERVIEW

Gender discriminatory norms and practices are at the root of multiple forms of Violence Against Women and Girls (VAWG). Patriarchal beliefs that support male privilege and power exist in virtually every area of life. Many forms of VAWG persist across the region, and throughout the female lifecycle. Data and documentation on VAWG is limited due to the stigma and fear of retaliation.

Collect information on the prevalence of gender-based violence using systematic methods aligned with international standards for collecting sex, age and disability disaggregated data on VAWG as well as periodical collection of data aligned with the SDG indicator on prevalence of different forms of VAWG.

POLICY GAPS

Witnessed progress in countries measures to implement policies and laws which protects and mitigate risks of VAWG, and for example FGM has been outlawed in many the countries. Stand-alone legislation regarding VAWG also exists in eight countries in region. Most countries in the region criminalize non-partner sexual violence. Gaps remains in minimum age of marriage; six countries have minimum age for marriage below 18 and only one in three countries in the region addresses IPV or other forms of domestic violence in statutory laws. Most countries do not prohibit corporal punishment at home and ten countries do not prohibit at schools.



Adopt stand-alone legislation on VAWG, including violence related to the legal age of marriage, trafficking, marital rape, and online harassment and amend existing legislation in line with a survivor-centred approach. Ensure such legislation is enforceable and that perpetrators are held accountable.

SYSTEMS, SAFE SHELTERS AND PSYCHOLOGICAL SERVICES

Progress has been slow in terms of ensuring comprehensive multi-sectoral care for survivors that is accessible and affordable. Across the region, the legal and justice system is characterized by a patriarchal structure. Women's organizations have been central to advocating for the needs of survivors, and for the provision of services, particularly case management and counselling, legal aid, livelihood and other social and economic support. Barriers to reporting violence includes fees for services, illiteracy, access to information about services, absence of protection against retaliation and stigmatization. Evidence suggests that elderly women, women with disabilities and women with mental health issues face particular challenges accessing shelters.

Address the stigma related to support-seeking and ensure integrated, age-appropriate and specialized services for survivors of VAWG are affordable, acceptable, accessible and of good quality.

NORMS

Widespread acceptance of various forms of VAWG, from the individual to community and societal levels, reflects and reinforces entrenched gender biases.

Norms that discourage reporting are pervasive. A lack of guarantees for confidentiality may result in lasting stigma for the survivor and her family. With regard to sexual assault, challenges with reporting are further compounded by social taboos related to perceived sexual misconduct on the part of the survivor. Social norms (and some laws and policies) constrain freedom of movement for women and girls, making it impossible to reach support services without a male chaperone.



Address stereotypical gender norms by developing social norms programming targeting men and women on drivers of VAWG, such as patriarchal beliefs and gender discriminatory norms.

EMERGENCY SETTINGS

Increased vulnerability for women and girls during conflict and its aftermath because of the breakdown in the rule of law as well as community-based protection measures. Refugees, migrants and IDP's are more at risk of trafficking. In emergency settings, there is a higher level of GBV, child marriage and girls being taken out of school. In multiple countries there is evidence of sexual violence being used as a tactic of war. During COVID-19, there has been an increased GBV and need of MHPSS, with limited access to service.



Ensure gender-sensitive response to increased levels of GBV during emergency, including COVID-19 pandemic by strengthening capacity for PSEA, hotlines, safe spaces and case management as well as engage existing women's and youth rights networks to support connectivity and vital information flow and ensure gender data are available, analysed and actionable.

HARMFUL PRACTICES

An estimated one in five girls are married before the age of 18 in the MENA and Arab States region, and one in 25 before the age of 15. Data from World Bank study highlighted that if child marriage will continue unabated, it will cost developing countries trillions of dollars by 2030. The MENA and Arab States region contains countries with some of the highest female genital mutilation prevalence rates in the world.



Adopt stand-alone legislation on VAWG, including violence related to the legal age of marriage, trafficking, marital rape, and online harassment and amend existing legislation in line with a survivor-centred approach

GENDER-BASED VIOLENCE

Gender-based violence refers to harmful acts directed at an individual based on their gender. It is rooted in gender inequality, the abuse of power and harmful norms. Different forms of violence include; intimate partner violence, violent discipline and corporal punishment, violence in school, online violence, household chores and unpaid child labour, sexual harassment in private and public sphere including work as well as violence targeting female politicians.



Ensure VAWG programmes assess risk, including recognizing the overlapping risks girls and women experience at different stages, and protective factors across the lifecycle of women and girls in order to promote prevention and age-appropriate responses at all stages.

ACCESS TO JUSTICE FOR SURVIVORS

Women and girls in the region continue to face very challenging barriers to accessing justice in both formal and informal institutions. Discriminatory gender norms enforced by family or personal status laws remain in many countries, essentially codifying inequality. Many deep-rooted socio-cultural practices do not incentivize but stigmatize and even endanger women and girls who seek justice and services to challenge these norms and help women and girls overcome such barriers are largely insufficient.



Establish and maintain comprehensive referral systems that are survivor-centred and are aligned with human rights standards.

SOCIAL SERVICE GENDER BIAS

Widespread gender bias and the promotion of family over the protection of individuals can present specific challenges for providers and for survivors alike through the region, particularly with government supported services that may reinforce harmful gender norms, which includes discourage divorce, despite instances of domestic violence, shelter providers arranging new marriages for single women as a strategy to help them manage the challenges and stigma of being without a partner and shelter workers mediate conflicts between abusers and survivors. Lack of training for medical and police forces can also leave women and girls vulnerable for reprisal or stigmatization for reporting their case, influencing women and girls to choose to have issues addressed through informal or customary justice systems rather than through formal courts.



Implement, customize and finance different survivor-centred approaches to improve women and girls' safe and age-appropriate access to justice, including improving female representation in the judiciary, providing virtual legal and judicial services, and developing legal literacy curricula for women and girls

Situation of Freedom of Violence and Access to Justice – Key Highlights

POLICIES/ LEGISLATIVE

Witnessed progress in countries measures to implement policies and laws which protects and mitigate risks of VAWG

Stand-alone legislation regarding VAWG exists in 8 countries

FGM has been outlawed in many countries

Most countries in the region criminalize non-partner sexual violence

Gaps in minimum age of marriage, six countries have minimum age for marriage below 18

Over 50% of countries have some protection for sexual harassment in the workplace

Non-ratification of the 1951 Refugee Convention. Refugees, and migrant domestic workers are not well protected by law.

Only 1 in 3 of countries in the region addresses IPV or other forms of domestic violence in statutory laws

Most countries do not prohibit corporal punishment at home and 10 countries do not prohibit at schools

SYSTEMS/ INSTITUTIONS

Barriers to accessing justice in both formal and informal institutions

Patriarchal legal/justice system

Barriers to reporting violence includes fees for services, illiteracy & access to information about services, absence of protection against retaliation, and stigmatization

Elderly, women with disabilities and women with mental health issues face particular challenges accessing shelters

NGOs are often the access point for survivors; important in facilitating access for specific subgroups of women, such as migrants and refugees

Existence of community support service (awareness-raising, hotlines, shelters, PSS counselling)

Barriers due to gender bias within the social service

NORMS

Stereotyped gender norms and discriminatory practices is at the root of multiple forms of VAWG.

Widespread VAWG acceptance (as high as 63% among adolescents boys and girls in Jordan)

Norms discourage reporting violence are pervasive

Challenges with reporting are further compounded by social taboos related to perceived sexual misconduct of the survivors

In several parts of the region, most people, rely on male dominated customary law mechanisms to resolve disputes

EMERGENCY SETTINGS

Conflict is amplifying the quality of learning crisis and reinforcing already-existing inequalities within the formal education system. Marginalized groups of children, including girls and young women, are disproportionately disadvantaged. Access to education in emergency remains a challenge; including damaged or destroyed schools.



ISSUES

About 100 million children aged 2-14 are regularly subject to violent discipline at home

Collective violence against children is highest in the world (23% per 100,000 girls)

Some countries with highest FGM prevalence rates in the world

High level of household chores

46% of girls aged 13-15 from select countries have been bullied in school

1 in 5 girls are married before the age of 18

Honor killings tied to cultural and social practices, mainly occurs in the Middle East and South Asia, 61 per cent of female homicides are a result of 'honor killings'

Sexual harassment and exploitation via internet platforms (highest among 17-28 year)

1 in 3 females likely to be exposed to intimate partner violence which is higher than global level. Linkage VAW/VAC

Women and girls with disabilities are at greater disadvantage

Region has one of the highest proportions of women unpaid labour (on average 4.7 times more than men), nearly doubling the rates of every other region

Legal literacy is an issue for many females in the region, particularly in rural areas with higher percentages of illiteracy

79.6% women parliamentarians in the Arab region are exposed to one or more forms of violence