



SPECIAL COLLECTION-EXECUTIVE SUMMARY

Volume II

Women Leading Change: Rabat Roundtable Papers Executive Summary

The related compilation of papers was presented at the historic Rabat Roundtable convened May 17-18, 2011 by the Ministry of the Interior, Kingdom of Morocco, and the Wellesley Centers for Women, Wellesley College.

Chairperson: Dr. Moushira Khattab
Former Minister for Family and Population, Egypt
Moderator: Dr. Najat Zarrouk
Ministry of the Interior, Kingdom of Morocco
Co-moderator: Dr. Rangita de Silva-de Alwis
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Rabat Roundtables:

- Chairperson: Dr. Moushira Khattab, Former Minister for Family and Population, Egypt
- Moderator: Dr. Najat Zarrouk, Ministry of the Interior, Kingdom of Morocco
- Co-moderator: Dr. Rangita de Silva-de Alwis, Wellesley Centers for Women

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RABAT ROUNDTABLE AND PLATFORM OF ACTION

Introduction

Rangita de Silva de Alwis¹

The Arab Spring altered the history of our times. In the aftermath of the Egyptian Revolution, the Wellesley Centers for Women at Wellesley College partnered with the Ministry of the Interior of the Kingdom of Morocco to convene a Strategic Roundtable on Women Leading Change in the Arab and Muslim World. At this seminar, leading women's rights advocates from the Arab and Muslim World came together to sustain the spirit of the Arab Awakening through women's active engagement at every level of decision making in this period of political transition in the region. While celebrating the transformation to more democratic processes of government, women advocates were deeply concerned about the paucity of women in transitional processes. Another concern was the absence of women in the Committees drafting the Egyptian Constitution and attacks on Egyptian women on International Women's Day on Tahrir Square, the very square that nourished a historic emancipatory project. As troubling were the efforts to roll back the anti- Female Genital Mutilation and child marriage laws. Our Strategic Roundtable offered a critical space at a critical time to reflect on the role of women in political transformation and to identify challenges and impediments to women's role in the vanguard of political reform in the Arab World and in general the Muslim World.

The Arab Spring was a powerful reminder that we live today in a global community and the importance of transnational idea sharing. The coming together of transnational actors at the Rabat Roundtable and the Rabat papers published in this Volume Two of *Women Leading Change* is a significant contribution to the global movement of ideas that sustain, strengthen and advance the empowerment of women. Today, in an era when the Arab Spring has fostered more collaboration across borders, transnational networks such as the *Women's Leadership Network: Women's Political, Public, and Economic Participation in the Muslim World* convened by the Wellesley Centers for Women gains even more relevance and bolsters the cross-fertilization of ideas and the cross- pollination of comparative perspectives. This flagship collection of Rabat Roundtable papers marks the historic role of women in the Arab Spring and seeks to locate young women in peace building and conflict resolution. No narrative on the Arab Spring will be complete without an examination of the urgent role of young women in leading the way ahead. This flagship compilation of papers is dedicated to the new generation of women leaders as the custodians of the new social movements across the world.

One of the most unique features of the Roundtable was its local to global component. Very few forums are able to achieve the congruence of a local and global partnership. The leading regional and international women's rights experts were joined by 15 Moroccan local government

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officials. This confluence enriched the debate and achieved the goal of the convergence of a bottom up and top down interaction by linking the important transnational sharing of ideas and strategies with national and local realities.

The Strategic Roundtable and pivotal partnership with the Ministry of the Interior of the Kingdom of Morocco was born out of the Women's Leadership Network convened by the Wellesley Centers for Women in 2009. This Network was conceived by partners around the world in predominantly Muslim communities who sought a transnational network to advance their common goals. In response to these requests, a transnational network drawing women change agents in more than 12 countries was created to share information, strategies and scholarship as a way to weave together a common platform of action to give voice to women's leadership in public, political and economic development in countries across the Muslim World. Despite an increase in the number of women in decision making positions, there is still a persistent and glaring disparity between the numbers of women who hold decision-making positions in various levels worldwide. A pervasive patriarchal system, including customs and traditions which stereotypically confine women's roles in the private sphere and male-dominated traditional political systems, has been largely responsible for women's under-representation in political processes. Without women's presence at the negotiating table, urgent concerns that impact half of the world often remains silenced. This Roundtable brought to the forefront leaders in communities across the Arab and Muslim World to strategize, collaborate and impact urgent reformist movements and decision making that will affect women's lives across the world.

Some of the most important calls centered around the need to preserve prior gains on behalf of women and to ensure that women are at the forefront of transitional justice in this period of historic transformation in the region.

Mobilizing Positive Change

The Arab Spring has been a lightning rod for some important reforms on behalf of women. Political and social transitions offer unique opportunities for recasting and transforming social, economic and political structures, especially for the benefit of those denied human rights and access to decision making processes. Importantly, the Arab Spring offers an opportunity to consolidate some of the positive changes that occurred as a result of the recent revolutions. In Morocco, the successful Constitutional referendum to strengthen democratic institutions on July 1st, has been described by His Majesty King Mohammed VI and others as a "decisive historic transition" and is a positive roadmap for the region. Under the reforms, among other positive elements, Morocco will have an independent judiciary and provide equal rights for women. On March 9th, in his address to the nation, the King offered the following forward looking initiative: "Promote the participation of women in the management of regional affairs in particular, and the exercise of political rights in general; in this respect, the law should favor equal access by women and men to elected office."

Tunisia's High Commission for the Realisation of Revolutionary Goals, Political Reforms and Democratic Transition has placed the principle of gender parity at the heart of all ongoing political reforms and thus become a beacon of innovation for the region and beyond. Tunisia's parity principle calls for an equal number of men and women as candidates in upcoming

elections in October. Tunisia has also named a 16 member independent commission to oversee the polls and is on course to emerge as the first multiparty Arab democracy. This augurs well for a strong equal protection clause in the new Constitution.

In Egypt, there is some support for granting the children of Egyptian mothers and Palestinian fathers citizenship. The gains made for women's rights have been the result of the efforts of grassroots activists and therefore the onus is on them to retain those successes. Although the likely outcome of talks may result in the State being defined as civil rather than secular, this is a more progressive outcome for women than a theocratic state.

On the 4th of August, 2011, the Lebanese parliament voted to revoke Article 562 from the Penal Code. This Article allowed for the mitigation of a crime of honor. While this is a critical step forward in the region in acknowledging honor crimes as femicide, while patriarchal norms that place women under the guardianship of male members of the family are still in place, this revision is not sufficient.

Preserving Prior Gains

In Egypt, Tunisia, and elsewhere, in seeking to build on women's participation in the revolution and to mine the possibilities of the revolution, women's groups must join forces to demand greater representation for women in parliament and on national councils and committees. The main concerns articulated are the need to expand women's roles in a new, democratic region and to safeguard hard-earned gains in women's rights achieved over the past few decades.

The marginalization of women from key decision-making positions during the political transition must be addressed immediately. The absence of women on the Egyptian constitutional committee, with only one woman in the interim cabinet in Egypt, has led to the fear that women are being side stepped.

At the Rabat Roundtable, convened during this historic time, most speakers spoke of the paradox of women's extensive engagement in the revolutions and in pro-democracy struggles and their subsequent marginalization from democratic negotiations and newly formed governance structures, institutions and democratic and political processes.

Participants stressed that achieving gender justice in transitions calls for close examination of the causes and consequences of women's marginalization in high-level political decision-making. This is pivotal to the negotiations of Constitutions and other legal system reforms. Speakers reaffirmed that transitions represented an important space, or window of opportunity, because they open up possibilities for the reform of legal and political frameworks. Gender justice in transitional periods call for the greater acknowledgment of the pivotal role played by women in informal and formal conflict resolution activities.

Sustainable transitions reject a hegemonic male notion of power and demand an examination of security both in the home and in the public sphere. This necessitates an investigation of economic, social and political transformations from a gender perspective. This involves an understanding of the inequities women faced pre-revolution, and reforming legal systems and

practices so as to safeguard gains made before the revolution and propel advances that were not possible before the political transformations.

The full and equal participation of women in all transitional and other processes demands positive measures to counteract gender discrimination, like the use of quotas to secure, at a minimum, 30 percent representation of women in national democratic bodies, and strategies to address discrimination in family law, inheritance laws, violence against women must be linked to the realization of women's equal participation in transitional justice and peace processes.

Internal discourse and cross-cultural dialogue are critical to resolving conflicts within Islam as well as to building on the congruence of Islam and human rights. Women's struggle for equality and basic rights has been intensified by the rise of a male dominated Islam that too often defines women's empowerment as anti-Islamic or even as Western cultural imperialism. In fact, the recent Family Violence Bill in the lower houses of Parliament in Lebanon was recently denounced as a western project although it was an organic effort to affirm the equality of women. Women leaders present at the roundtable are working both within the tenets of Islam and the human rights framework to make changes for women and to broaden the frontiers of social, economic, political, and educational participation for women.

Transitions provide powerful windows of opportunity to address deep-seated gender inequalities and reevaluate the status of women in political economic and social life within an indivisible and interrelated framework of human rights.

The participants at the Rabat Roundtable pledged to collaborate and to continue to exchange ideas and regional experiences. The hope is that this forum will amplify the call for gender equality in the democratic and political transformations sweeping the region and the world.

New Awakenings and Women's Critical Role in Democratic Transformations

The presentations on *New Awakenings and Women's Critical Role in the Democratic Transformation* set the theme for the roundtable. Moushira Khattab, the Chair of the roundtable and the former Minister for Family and population, Egypt asked: "What should we do so that Spring does not turn into Autumn? What measures should we take to make sure women continue to make gains, build on achievements, to make sure we have laws and that they are enforced?" She emphasized that this was an opportunity to exchange women's experiences through networking, consolidation and capacity building. Khattab stressed that restoring the Rule of Law was integral to the revolutions. The law can be an engine for development and is constitutive of social change.

Morocco has embraced equality as one of the fundamental components of democracy and has launched several initiatives since 2003 to turn back the tide of radical Islamist contestation and violence. King Mohammed VI established a royal commission to reform the shari'a-based family code, granting women more civil rights than they had hitherto been accorded. Another royal initiative was the establishment of a special graduate program to train women as spiritual guides. King Mohammed VI, in his speech to the nation on March 9th, 2011, promised to "promote the participation of women in the management of regional affairs by political rights in laws that favor equal access by women and men to elected office."

Rachida Tahiri of the Ministry of Social Development, Morocco, speaking of the status of women in Morocco noted that the dynamism of the ‘Arab Spring’ was characterized by more than just a claim for freedom. It was a call for human dignity, and at its heart was a clarion call for equality. Equality cannot be isolated from freedom, justice and dignity: basic human values at the foundation of human rights. Gender equality impacts not just women but the community as a whole.

She stressed that the presence of women in decision-making was critical in different ways: it can help change mentalities, deconstruct stereotypes that reinforce the subordination of women, and create new images of women based on equality and partnerships. Women leaders are pivotal role models for future generations of women. The marginalization and exclusion of women results in negative economic and social consequences. The Millennium Development Goals (MDGS), the 2010 Summit on development objectives of the MDGs, and the 15th anniversary of Beijing; all of these reports and evaluations have shown that inequality is a hindrance for development, whereas the promotion of human rights leads to better development models.

Judge Monia Ammar, the General Coordinator of Human Rights in Tunisia speaking on Political Transformations and Women in Decision Making in a New Tunisia, argued that the political revolutions that have taken place will likely be followed by economic and cultural revolutions. Women, who are integral part of such transformations, often find themselves marginalized after the revolutions and men feel entitled to write the history of the revolution in the male image. In processes that would determine the destiny of the ‘New Tunisia,’ women must have equal representation in political, legal and social reform.

In Tunisia, the Revolution was also an opportunity to connect as equals. After the revolution, the Tunisian people expected the transitional government to take gender equality into account; unfortunately only two female ministers and one deputy minister were appointed. On a positive note, the Tunisian government has agreed to a proportional party–list voting system in which half the candidates must be women for elections in July to choose a 260-person body to draw up a new Constitution.

The rise of conservative currents in the region is a threat to women’s rights. The question remains as to how to deal with currents of Islamic fundamentalism that prevent women from exercising their rights.

Reforming Family Law

Family law reform has an intimate and powerful impact on women’s lives. It is also a statement of principles that weave together the rights of women in the private sphere and has the power to shape culture and ideology.

In almost all countries in the Arab and Muslim World, women face gender-based discrimination in the family codes. Family laws in these countries declare that the husband is the head of the family, require the wife to obey her husband, and give the husband power over his wife's right to work and travel, among other rights. Family law reform is one of the most critical areas of law reform for women.

Among the countries with the most liberal family codes are Tunisia, which has had a relatively liberal family code for many years, and Morocco, which enacted a family code that substantially expanded women's rights in 2004. Reform of the family code has been a high-priority objective of women's rights advocates, as well as liberal-minded lawyers, judges, and Islamic scholars. The Morocco reform has had an important regional impact, as it has strengthened the argument of those who say that equal status within marriage is compatible with Shari'a law. The reforms adopted in Morocco are also seen as small but important victories for civil society movements in their ongoing struggle against patriarchal and extremist Islamic forces, for whom the subservient position of women in marriage has been a key political issue. However, while progressive steps have been taken, women are still treated unequally even under the more liberal family codes. Reform of the family code has been a high-priority objective of women's rights advocates. The Morocco reform has had an important regional impact, as it has strengthened the argument of those who say that equal status within marriage is compatible with shari'a law. The reforms adopted in Morocco are important victories for civil society movements in their ongoing struggle against patriarchal and extremist Islamic forces.

Dr. Siti Musdah Mulia was the only female advisor to the Ministry of Religion in Indonesia, the country with the largest Muslim population. As an adviser, she drafted the Counter Legal Draft or an alternative civil code setting out the Koranic injunctions on family law within a feminist and humanist framework. Siti Mulia's landmark Counter Legal Draft shows that one of the greatest advances in recent times is a progressive reading of the Koran that creates a nexus between Islamic injunctions and human rights. The counter-legal draft soon became a blueprint for reform throughout Islamic world but also caused a firestorm of protest among patriarchal elements.

Siti Mulia discussed a collective effort she led in Indonesia to draft the model family law that constituted a gender sensitive interpretation of the Koranic injunctions within an Islamic and human rights framework. The Counter Legal Draft addressed a range of issues surrounding marriage and family, from establishing marriage as a union between a man and a woman and raising the age of marriage to nineteen and above, to redefining recipients of the dowry and mandating marriage registration. Taken as a whole, the CLD advocates for an egalitarian interpretation of cultural and Islamic principles on marriage and family relations based on human rights and pluralism.

Article 2 of the CLD defined marriage as a powerful bond between a man and a woman entered into with understanding for the purpose of creating a family and based on the consent of the parties. "Thus marriage was defined as a civil union founded on the assent of both parties to the marriage rather than an agreement between two guardians.

The principle of gender equality is the overarching thread that weaves through the CLD. Article 47 provides:

The status rights and responsibilities of husband and wife are equal (setara), both in family life and in their life together in society.

Siti Mulia commented that although 87 percent of the population is Muslim, Indonesia is not an Islamic state. Indonesia has two schools of law and two court systems: the national law and the

Islamic law, and a national court and an Islamic court for issues dealing with the marriage, *waqf* (property) and inheritance.

Siti Mulia argued for a move away from the patriarchal interpretation of culture to a more egalitarian interpretation of culture through education. The urgent need of the day, she argued, was to reform all laws in accordance to international norms and make them compatible with the CEDAW and the CRC.

Despite the revolutionary nature of this law, in a triumphant victory of modernist forces against sectarian forces, today the Counter Legal Draft is informing Family Law reform in Indonesia.

Haleh Esfandiari, author of *My Prison, My Home* and the founding Director of the Middle East program at the Woodrow Wilson International Center for Scholars argues that in Iran, the 1960s and 70s were a golden age for women's rights, for women from all classes. It was then that family courts were set up to look into disputes, women could petition for divorce on a number of grounds including abandonment or incompatibility and could petition for custody of children. Women could serve as judges and men could not divorce by repudiation. The Family Protection Law was revised in 1975 and the marriage age raised to 18. These legal guarantees liberated women from the fear of being unilaterally divorced or stuck in an unhappy marriage.

Men needed permission both from wife and court in order to take a new wife. Women's organizations found that a husband would harass his first wife in order to get a second, so the decision was left to court. In February 1979, only weeks after Khomeini's triumphant return from fifteen years of exile, his office made known his belief that the 1967 Family Protection Law (FPL), which governed marriage, divorce, and child custody, was non Islamic. Khomeini reinstated Shari'a law in that area, in courts presided over by religious judges. The FPL had made divorce easier for women to obtain, giving them the possibility of getting custody of children upon divorce, and made family courts civil rather than religious, but Khomeini declared that all divorces granted under the FPL were to be considered void. Further, the marriage age was lowered to nine, men could unilaterally divorce their wives, polygamy was made the law of the land, child custody given to father or male members of the family, women were barred from serving as judges, and even barred from certain areas of education.

These regressions unified women from different cross sections of society who came together to protest the law. The government reinstated the marriage contract with 12 clauses, including child custody to mother unless she remarries. However, polygamy and temporary marriage still remained men's prerogative. Man is head of the family. As we speak, the Iranian parliament is considering a new version of the 'family act' that includes the right of a woman to pass citizenship to her child. A number of Iranian women married Afghani refugee men, and they could not pass on their citizenship, which meant their children could not have access to schooling.

In 2006 women in Iran campaigned to collect 1,000,000 signatures to end discriminatory laws. The success of the campaign in Morocco was an impetus for Iranian women's activists. If they get a million signatures, the Iranian parliament will have to debate these issues. Five years later, with a number of the campaign activists in Iranian jail, serving long sentences, the campaign has not come to a standstill but moving in incremental steps.

Selen Yilmaz, Consultant to the European Union and well known women's rights activist in Turkey discussed the recent changes on behalf of women and the upcoming Constitutional reforms. Beginning in the 1980s, the feminist movement gained pace, forged networks and coalitions and used the media to its advantage. The women's groups were adept at mining every window of opportunity including Turkey's EU membership process. Reforms included the 1990 annulment of Article 159, which had said women need their husbands' consent to work, and Article 483, which reduced rape sentences if the victim was a sex worker.

In 2001, extensive reform of the civil code was undertaken. Reforms of civil law have taken place in other countries too. The 2002 reforms to the Turkish Civil Law raised the age of marriage to 17 and equalized it to both women and men. Neither party needs the permission of the other to engage in a profession or trade. Moreover, it created a joint system of property at marriage and equalized women's and men's marriage rights in relation to custody, property ownership, registration of marriage and births, etc.

Changing the Civil Code involved a broad campaign, not only of upper class elite women, but NGOs from all over Turkey. At the time of divorce women were able to get equal property gains, marriage age was raised to 17, and any form of violence constitutes ground for divorce. The major challenge in this law is that the parliament, mostly men, refused to apply equal property regime to marriages before 2002.

In 2004, the Turkish women's movement focused its energies on extensive reform of the penal code. The law allowed women or third party witnesses to apply directly to police for protective orders. Domestic violence survivors could be protected up to six months without having to leave their home. An amendment made in 2007 expanded the protection to include not only married people, but all family members or partners living under the same roof. One of the persisting challenges is that the law omits unmarried and divorced women who are threatened by domestic violence.

What was unique was the fact that the women's movement engaged in the Turkey penal code reform. The penal code has enormous impact on women's right to life and personal security. As a result of very intensive campaigning and lobbying, the penal code was reformed in 2004, and the new code includes more than 30 amendments. Now women are individuals as women rather than being part of a family or society and patriarchal concepts such as chastity, morality, and honor are totally eliminated. Marital rape is criminalized, a new measure was introduced to prevent sentence reductions for perpetrators of honor killings, and there is no discrimination between virgin, non-virgin, married, and unmarried women. It was a real reform as far as gender equality is concerned.

A women's constitutional platform was initiated immediately after constitutional reform was announced. Within two days, over 200 women's groups had come together to work word by word on the draft and then began lobbying and street action. "Every day we follow up: as women, what are we doing and how are we going to deal with this," said Yilmaz. The revisions to the Equality clause call for equal representation in all elected bodies.

The Reform of the Child's Law in Egypt

Moushira Khattab, the intrepid reformer of Egypt's Children's Code. As the architect of 2007 revisions to the Children's Law, she brought the law in compliance with international human rights guarantees. This examination of the critical reformist movement is particularly salient at a time when religious fundamentalists are threatening hard won gains. The disruption of family stability is often used as a defense to roll back such achievements. Women and men at the grassroots level who helped to develop the law need to exercise their rights as watchdogs of these achievements.

The fundamental premise and legal imperative of the overhaul of children's law was to harmonize it with the CEDAW and to ensure its compliance with the letter and spirit of the standard-setting instruments of the CEDAW and CRC. The making of the Child's Law in Egypt was a model case study of the way in which women's and children's rights are interlinked in a holistic framework of rights and how one right cannot exist in isolation from the other.

Another cornerstone of the law was the bottom up approach to lawmaking in order to win the community ownership of the law. In order for laws to lead to transformation, change must be organic. In Khattab's words, "changing deep-rooted culture requires social movements that exclude no one, everybody is a crucial stakeholder." Khattab argues that men must be at the forefront, leading change to ensure women's rights. In order to reverse the traditional polarization between men and women, men were brought on board as allies and partnerships were built with powerful patriarchal and religious forces.

This all-inclusive strategy helped to galvanize men around equal rights for children. This ownership built support for an endogenous law reform agenda that would otherwise have been considered a western agenda. This carefully thought out process took over five years of awareness raising and foundation setting whereby nearly 100 articles of the law were revised in compliance with human rights norms.

In order to ensure that the reform of the child right's law would harmonize with other intersecting provisions of the legal system, the civil law and penal code were revised as well. The Criminalization of Female Genital Mutilation (FGM) crowned over ten years of advocacy and proved that FGM was not embedded in Islam. The child's law provides punitive elements and criminalizes such behavior. That is a very important part of strong, vibrant lawmaking: providing teeth for those laws.

The core concept of the entire law is based on non-discrimination, not only against the girl, but also against children born out of wedlock. A girl can take her father to court because he did not send her to school. Children who were once considered private property of the family are now heralded as rights bearers.

In a huge victory, women were granted the right to pass nationality to children, and the right to educational custody of children. Outlawing child marriage and raising the minimum age of marriage to 18, equal to boys, proved to be the most difficult task as it entailed transforming the idea of the girl as the property of her father.

The transformation of laws into action was imperative. Education was an important tool to advance the universal guarantees of human rights, and to teach that human rights are not superimposed or prerogatives of the West.

In order to transform de jure into de facto law reform, cases of violations must be documented and linkages to international conventions must be made. School curricula should be revised to include human rights education and to dismantle stereotypes of women. The implementation of laws and law enforcement is critical. Law reform must be complemented by gender sensitivity training for judges and law enforcement officials. Khattab's recommendations are important calls to action and provide concrete strategies for law and social reform.

Strong adjudicatory institutions, penalties for rights violations, monitoring and evaluation, legal aid and services, etc. must be put into place as well as securing critical resources and budgets to enforce laws.

Fundamentalism can be combated only through the translation of human rights into national idiom through media and education. Rights remain futile unless they can be claimed and defended in court: accountability is a central pillar of the Rule of Law.

Advancing Women's Political Participation

The presence of women in politics is critical to ensuring not just the advancement of women, but the prevention of roll back of equality for women. Despite the unprecedented reform of gender discriminatory laws in the Arab world, the region has one of the lowest rates of women's political and economic participation. Greater representation of women in politics is a determinant of gender equality in society and drives positive change on behalf of women. For example, in Morocco, a new quota system opened the doors for 35 women to enter the Moroccan parliament in 2002.

Dr. Eman Al Hussein, a well-known politician and trainer in Jordan argues that women's social, economic and political participation cannot be separated. Women's participation in political positions is a reflection of the progress that has occurred in social and political awareness in general. Despite the fact that Jordanian society has experienced social, political and educational transformation responding to the recommendations of international conferences, there still are many obstacles to women's political participation. One of the greatest challenges is Jordan's reservations on Articles 9, 15, and 16 of the CEDAW. Women's groups are struggling now to withdraw reservations. One of them is citizenship, that a woman cannot give citizenship to her children.

Jordan's women's movement has started lobbying for a quota, at least 20 percent of the seats. However, the percentage of women in municipal councils is currently 24, which means many women were elected without the quota. The hope is to increase the number of seats so women are not less than 30 percent of elected bodies. In order to reach this target, the women's movement hopes to request a 50 percent quota so that least a target of 25 percent will be met.

Hayat Arslan of Lebanon has an inside knowledge of the patriarchal forces in political dynasty. A member by marriage of one of Lebanon's political families, the Arslan family, who arrived

Lebanon 1,200 years ago with Islamic conquest, Hayat Arslan discusses her journey as a woman political candidate. Although she withdrew her candidacy in favor of her brother in law, she blazed a trail and opened doors for women in politics.

She argues passionately that patriarchal forces are born in the family, and reinforced by social concepts and the law. Challenging patriarchal forces is not an end in itself, but a means to achieving equality. Women often have the platform to instill values of equality in their families and children. In Lebanon, activists in the women's rights movement have been bringing women's issues to the forefront since 1950.

Most of the political leading families are originally feudal ones. Elections are used as shield to cover tribal, familial struggles and these struggles are defined in the narrative terms of the male hero. In Lebanon, family overshadows merit, thus trumping political development. This practice is a major hindrance to women's political power. Families in general give power to males over females; hence women are marginalized and endure social and political discrimination. Arslan's challenge at a personal level, when she ran as candidate for 2005 elections, was her family. Along her social-political march, she worked on awareness programs for both men and women to show that national roles compliment rather than conflict.

Arslan's own political campaign was a breakthrough in taboos and social norms but her family imposed its rules and Hayat had to make room for her brother in law. She advises women to seize the moment, and break new ground. There is a necessity for global cooperation if women are to succeed in gaining equal political power.

The most serious challenge lies in attracting new blood and in risking being disconnected with the aspirations of youth. Regional and international connections could provide the link to reaching out to young people.

Mada Arslan represents the younger generation of women in Lebanon. As a progeny of the politically prominent Arslan family she understands the feminist norm that the personal is often political. Her inspiration in political activism came from watching her mother campaign. Growing up she helped in a committee for women in politics and later on she would help in organizing sit-ins. Youth alienation from politics can be addressed through political role models and by forging an alliance between men and women in political participation.

Although youth tend to discriminate less based on gender, Mada is forever fighting stereotypes and patriarchal challenges including assumptions that her family's role in politics will be preserved by her brother. She argued that international conferences and roundtables like this are instrumental because they provide us with knowledge, exposure, backing and support.

Mutlu Alkan Kutukluoglu is one of the handful of women members of the executive board of the ruling party in Turkey, the AKP, and one of 16 women working with the Prime Minister. The AKP party has three levels of organization: the main board, a board for women, and board for youth. On the main board there is a minimum 25 percent quota for women.

Kutukluoglu asserts that a secular political system is more amenable to human rights than a theocratic state. In the upcoming election in June 2011, the AKP party is hoping to double the

number of women in the party lists. She concedes that it is easy to talk about the numbers, but in reality, it's of course quite a difficult struggle. The obstacles are often not men, but women themselves.

It's not so easy to attract women in politics. Kutukluoglu has helped place more than 1,000 women in different local positions but often women pull out at the last minute due to social pressures. She argues that women should not wait for offers but seize every opening and opportunity to serve in public life equally with men. Strong women role models over time will help transform the face of politics to include both men and women.

Despite the considerable gains made by the Turkish government to give women more rights, where rape inside marriage is now a criminal offense and penalties for honor crimes have been stiffened; women's groups continue to face various threats in Turkey and days before the June 12th election it was announced that the Ministry of Women will be scrapped.

Zahira Kamal has many firsts in her illustrious career. She is the first minister for Women's Affairs in Palestine and the first woman secretary of a political party. She reminded us that women in the political field must challenge the glass ceiling. Though quotas for women have traditionally been a highly contested topic, the quota can result in gender equilibrium. This positive measure would bridge the gap between de jure and de facto gender equality. The media is a powerful tool to showcase positive role models of women, and is particularly important considering that a majority of the Arab World is below the age of 35.

Women, Peace and Security

On October 31, 2000, the landmark Security Council Resolution 1325 was adopted by the United Nations. The resolution reaffirms the important role of women in the prevention and resolution of conflicts and in peace building. Security Council resolution 1325 places women at the center of the international agenda for peacemaking, peace-keeping, and peace-building. It reaffirms gender balance in negotiation processes for societal reconstruction and gender mainstreaming in the terms of the agreements reached and their implementation.

Security Council Resolution 1325 is a powerful example of the creative use of international law in order to advance women's participation in transitional contexts. Historically women were only considered as subjects or victims of conflict. The resolution is significant because it raised the role of women in prevention of conflict and peace building in the post-conflict era. Given its legally binding nature, Resolution 1325 has the potential to mobilize women and engage them in peace building. There is an ongoing struggle to realize the concrete potential of Resolution 1325. Women are still excluded from peace negotiations in the MENA region. Women's political participation is of central importance to building peace. Resolution 1325 urged as its starting point the need for states to ensure the increased representation of women in formal and informal processes related to the prevention, management and resolution of armed conflict. This involves women being represented in all democratic processes including Constitutional reform commissions, elections, judiciary and administrative bodies.

Resolution 1325 marks the first time the Security Council addressed the disproportionate and unique impact of armed conflict on women, recognized the under-valued and under-utilized

contributions women make to conflict prevention, peacekeeping, conflict resolution and peace-building, and stressed the importance of their equal and full participation as active agents in peace and security.” The Resolution urges “Member States to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict.” Peace agreements and reconstruction are more effective when women are at the peace table. A critical mass of women, and not merely a token representation, however is needed for this to work.

Both Yilmaz and Kamal reaffirmed UN Security Council Resolution 1325 as an important instrument to transform the marginalization of women in conflict resolution. In Palestine, despite the activism of women, very few women are present at the signing of peace accords. Women’s presence at the negotiating table is pivotal to fight discrimination, enhance egalitarian representation, and emphasize rights to equal citizenship, and rights of women in conflict situations. A focus on the gender dimensions of peace processes and conflict resolution, as well as reconstruction and rehabilitation processes is the critical need of the day.

The Role of Women in the Egyptian Revolution

Dr. Khattab’s keynote on the role of women in the Egyptian Revolution had renewed urgency in identifying the pivotal strengths of the revolution and in challenging post-revolution extremisms that threaten women’s human rights not just in Egypt, but all over. Khattab reinforced the fact that the January 25th revolution owed its success to both women and men. As in Tunisia, women and men stood side by side in their demands for democracy and freedom. This revolution was organized by youth from the upper-middle class. Social media played an enormously powerful role with Facebook users increasing from 4.5 to 5.5 million and Tweets from 360,000 to 450,000 in one month. The power of technology is that it is contagious and spreads across borders. The Tunisian revolution went viral and Egyptians were swept up by the power of a people’s revolution. Many women were at the heart of what is still an unfinished revolution. It is a very shaky transitional period and women who fought for the revolution are left out in the cold. As the nation lurches forward, women’s issues are not on the radar. This shows the fragility of women’s issues and the importance of protecting these rights that can be eroded quickly.

The struggle of Egyptian women over the past few decades was hampered by the rise of Islamic fundamentalism with a narrow interpretation of Islam. Although youth led the revolution, Islamic conservatives have taken over and they are now in the front lines. Women’s rights are pivotal to the democratic transition and must be seen to be an integral part of strengthening the rule of law in Egypt.

In a country that has a huge reservoir of female legal experts, women are excluded from the committee that was established to draft the Constitution. Although the Prime Minister announced the establishment of a council on women, three months later, he has done nothing.

Anti-women sentiments have stirred up heated discussion of the laws on behalf of women and children. These misogynist forces want to abolish family courts, custody laws, and reinstate child marriage. They say: ‘change the corrupt laws of Suzanne Mubarak’ and sweep aside the hard work that was done by civil society. Under the guise of repealing the initiatives of the former First Lady, extremist forces want to reverse the gains that were made. Women’s organizations

need to be vigilant about this backlash.

Women's civil society groups are under severe pressure to unite against these forces. The revolution's important focus on freedom of speech has given more space for conservative groups. However, these forces threaten to relapse into more traditional ways of thinking and call for an Islamic State. Recently, the current Minister of Justice has called Egypt 'a nation in danger,' commenting on the repeated clashes between Muslims and Christians.

Throughout the history of Islam, religion and the state have been separate. The very idea of an Islamic state is based on European ideas of state, not shari'a or Islamic relations. Dr. Khattab stressed the need for a civil state built on the equal protection guarantees of the Constitution and a strong rule of law. What happens to Egypt will have a ripple effect on the entire region.

Violence Against Women

Zahira Kamal discussed violence against women in the context of the occupation of Palestine, which amplifies the persecution of women by the male members of their family. Political violence is another form of violence against women. Violence against women in the home and the public sphere go hand in hand. The CEDAW definitions of violence encompass physical, sexual, and psychological violence including early marriage, deprivation of education and virginity exams. Sexual violence remains a taboo subject.

With sexual violence, often the focus is on community honor rather than the violation of the woman's bodily integrity. These crimes are settled by the murder of the girl at the altar of family honor. Given the light punishments and the exculpatory nature of the offense, these crimes are shrouded in a veil of impunity. Kamal discussed the recent case of a student at a university who had a suitor who came to the family asking for her hand in marriage. The family rejected him and the uncle of the girl sprayed her with gas and put her in the trunk of the car and then he lowered her in a well in a remote area.

The West Bank and Gaza are plagued by a lack of a unified legal system. The family law is based on the wife's subordination to her husband, including the husband's ability to bar her from education and work, or even traveling. He can also impose hijab or veil or ask her to remove it.

At the head of the Bangladesh National Women's Lawyers Association, Salma Ali has been in the vanguard of the women's movement in Bangladesh, and her name has been marked in every piece of recent legislation on behalf of women. Bangladesh has a number of laws pertaining to the rights of women, but these are still not sufficient. Advocacy in Bangladesh is both national and regional, spanning South Asia and the Middle East. The domestic violence law which came into force recently articulates important new provisions in the jurisprudence of domestic violence lawmaking in that it covers physical, verbal, psychological and economic violence but it suffers from a severe lack of resource allocation and rights awareness among women.

The Bangladesh government should take urgent measures to make sure that religious *fatwas* or traditional dispute resolution methods do not result in extrajudicial punishments. These extrajudicial punishments imposed by *shalishes* - traditional dispute resolution methods - in the name of *fatwas*, opinions that are supposed to be issued by Islamic scholars.

The issue came to the fore when a *shalish* in Shariatpur district in the Dhaka division ordered 100 lashes in January 2011 for Hena Akhter, a young girl, for an alleged affair, though by most accounts she had reported being sexually abused instead. She collapsed during the lashing and ultimately died.

Dr. Eman Al Hussein was concerned that honor killings occur at a higher rate in Jordan than in any other Middle Eastern country. An examination of Jordan is extremely important to a discussion of honor killings.

Jordanian law regulates honor killings under Article 340 of the Jordanian Penal Code. Article 340(i) states, "[h]e who catches his wife, or one of his female ascendants or descendants in an unlawful bed committing adultery with another, and . . . kills, wounds, or injures one or both of them, is exempt from any penalty." Article 340(ii) further states, "[h]e who catches his wife, or one of his female ascendants or descendants or sisters with another in an unlawful bed, and he kills or wounds or injures one or both of them, benefits from a reduction of penalty." Currently, Jordan has one of the most lenient penal codes in the Middle East, as its scope is greater than most other Middle Eastern laws that regulate honor killings. Although Jordan's executive branch has introduced legislation to amend Article 340, conservative members of Parliament continuously block amendments to change. For the last two decades, the Court of Cassation has greatly expanded the scope of Article 340 by applying Article 98 of Jordan's Penal Code to honor killings. Article 98 is a general provocation rule that allows courts to provide lenient sentences for killings of passion. Unless the courts are prohibited from applying Article 98 to honor killings, or the use of Article 98 is restricted to extreme cases, the discriminatory treatment of female victims of honor crimes will not cease.

Dr. Eman asserts that domestic violence relies on the silence and protection of culture. The law is often times complicit with the perpetrator and the wife will withdraw the case. Even when you can to raise a legal case it is difficult because the law does not describe the problem. A male-dominated interpretation of Islamic law sustains the practice of honor crimes. Therefore there is an urgent need to train enforcers in the rehabilitation of victims as well as abusers, whose need for rehabilitation is often overlooked. We have to continuously review laws, and educate children, women and society in order to construct a culture conducive to the prevention of domestic violence, and harmonize national laws with human rights conventions. Only then can we eliminate discriminatory laws and guarantee equal protection for all citizens.

Constitutional Reform

The 21st century is the century for the implementation of human rights. The last century saw the formulation of basic human rights principles in national laws, but not the implementation of these laws. Dr. Khattab reaffirmed the historic moment in Egypt but forewarned of imminent threats to hard won gains.

Women should be adequately represented in the constitutional drafting process in Egypt. If women are not at the table, issues concerning child mortality, health, nutrition, education, etc. will be disregarded.

Egypt boasts a vast reservoir of female legal experts. There are 42 female judges where there were none before 2003 and these jurists have built an impressive body of jurisprudence in civil, criminal, family and economic cases across Egypt. Thus there was no excuse for women to be excluded from constitutional reform.

Article 2 of the Egyptian Constitution states that shari'a principles are the main source of legislation. There is a very heated debate over whether Egypt should be an Islamic state or not. In Khattab's opinion, it would be a betrayal to the ethics of Islamic law to create a theocracy. It is more in line with shari'a to have civil laws and legal accountability. A spokesperson for the transitional government has stated, 'Egypt will work towards a civil, democratic state which assures equal rights for everybody.' There is fear that if you apply shari'a and there is ambiguity as to what exactly shari'a says, it will lead to ambiguous interpretation and inconsistent enforcement.

Article 11 of the Constitution states that: "*A women can harmonize between her duties at home and in the workplace as long as it does not contradict shari'a.*" In a Constitution of so many Articles that speaks about different rights and different issues, the only Article that speaks about shari'a is the one that is about women. Such a caveat of shari'a on the rights of women could abolish all codes that protect women such as the abolition of child marriage, criminalization of FGM, custody, and divorce rights.

Dr. Eman Al Hussein stated that, following demands for constitutional reform, His Majesty King Abdullah II set up a committee to study the provisions that could be amended. Although the first woman judge was appointed in 1995, and now there are over 50 judges and one President of a Court, women are not present during constitutional reform. This means that women participate in the interpretation of the law but not in law reform.

Judge Monia Ammar reaffirmed that Tunisia has a long and illustrious Constitutional history and was one of the first countries to draft a Constitution. Although the Constitution enshrines equal protection of the law, many laws still discriminate against women. The head of household is still a man and the custody of children is awarded to men. Women are subject to medical examination to determine their virginity. The prevalence of moral policing also denigrates women's autonomy. For the first time in 2002, thirty-five women were actually elected to the parliament where in the past there were only two women.

Dr. Najat Zarrouk, the co-moderator of the Roundtable and the Governor of the Ministry of the Interior, Kingdom of Morocco asserted that "Women are not just mothers, but also the builders of civilization." The Beijing conference and the Millennium Summit on the MDGs to be achieved by 2015 show the interrelatedness of women's rights and development, the way in which poverty and starvation, reduction of child death, maternal reducing AIDS, etc. are all related. The issue of women is always present in national cultural conventions. In the 1960s there were no women elected officials but today Morocco has been able to ensure that about 12 percent of all elected officials are women. 33 percent of the local government councilors are less than 35 years old. Consolidating democracy at the local level while also integrating a gendered approach is one of the critical functions of strengthening democracy.

Rangita de Silva de Alwis, co-moderator and the Director of International Human Rights Policy at Wellesley Centers for Women discussed salient recommendations from Khawar Mumtaz's paper as a way to frame and reinforce some overarching themes that were discussed during the round table. First, what are the strategies that a woman's movement can use as an organizing tool? One is to galvanize around a particularly important issue such as Pakistan's Hudood Ordinance. The first conviction under this law galvanized urban women's organizations to form the Women's Action Forum. The Women's Action Forum became a powerful platform that publicly challenged the laws, defended autonomy, distanced itself from political parties, unions, etc. and united women's rights with the struggle for democracy.

Second, given the diversity and plurality among women, how do we build unity in the women's movement? Women's movement in Pakistan has centered round the urban middle class identity of women. Some of these women are labeled as Westernized and as pawns of western culture. Such stereotyping is done by media, religious groups, and even the government itself. In reality the grassroots women do not seem to have a problem working with urban women activists. The reality is that urban middle class women can take risks and they are protected by their class and access to systems. Poorer women desire similar changes but cannot always spare the time from their burden of daily life or risk the fallout of action.

Thirdly, how do we use the establishment to our advantage, without being co-opted by, the established system or government? Although there are certain political actors with whom the women's movement disagrees with, in some context it may seem to be a lesser evil to engage than to refuse. How can we achieve a widespread impact of women's groups and networks? How do we maintain the energy on women's rights in Pakistan, bearing in mind that we have not been able to attract younger women? That is the challenge we will face going forward. Building local to global networks is an important challenge. There is much debate in Pakistan among activists, whether we can afford to remain out of the international arena, though much time and energy has been spent around United Nations processes. Given time and money there is debate over whether that investment is worth it. However, the women's movement has found that we cannot delink ourselves from global processes. In an increasingly globalized world, global processes have far reaching effects. In this context we have a responsibility, as women, to share experience, link learning with in-country realities and actors just as much as we are doing today with this local to global initiative. Shirin Ebadi, the Iranian Nobel Laureate has stated that: "there is a feminist in every Iranian home, and probably in every home around the world." We need to invoke that spirit and that is why we are here today.

A Progressive Interpretation of the Koran: Giving Voice to Women

Ferdous Ara Begum is a renowned champion of women's rights both in her country, Bangladesh and internationally. As a former CEDAW Committee member she was the architect of the CEDAW General Recommendation on the Rights of Elder Women. She called for a cross-cultural dialogue between the Islamic community and the international human rights community is important for a shared basis for human rights and towards advancing the connection between universal human rights norms and Islamic tenets of justice and equality.

Begum reaffirmed the danger of imposing reservations on international conventions, and noted that a majority of Muslim countries hold reservations on the CEDAW on the basis of Islamic

shari'a law, usually on Articles 2, 9 and 16. Article 16 raises the most debated legal positions, dealing with equal rights in marriage and guardianship that often conflict with patriarchal interpretations of the shari'a. She also outlined some of the major reforms being undertaken in the Muslim world in order to withdraw such reservations and bring national legislation, particularly family law, in line with international norms.

These efforts are critical to bridging the conflict between those championing reform and those seeking to oppress women in the name of religious tradition. The members of our network are on the frontlines leading reform in their countries and are among the most influential feminist thinkers in the Islamic world.

Despite some ideological differences between Islamic feminists and secular feminists in Islamic countries, both groups agree on the need to reclaim Islam from chauvinist interpretations. Although secular feminists urge a reinterpretation of women's rights in their countries in line with international human rights norms and Islamic feminists want to bring their laws in harmony with a progressive interpretation of the *shari'a*, most often both schools agree on the need for a gender friendly interpretation of the *shari'a* law that embodies the spirit of the international human rights framework

One of the overarching themes has been the transformative power of the human rights agenda and how it can be translated into action in our countries, as well as the compatibility between the nexus of Islamic injunction and human rights framework.

Divine laws are unchangeable in character but the interpretation of Islam that has pushed Muslim countries to maintain reservations on CEDAW on the basis of Shari'a law is a patriarchal one. The philosophy of Islamic law is that it should reflect equality and mutual respect, consistent with universal human rights.

Musdah Mulia insists that the rights of women are not confrontational to the values of Islam. Islam has accorded women civil and property rights and she has been granted complete control over what she earns. A Muslim husband is required to pay his wife a sum of money and she receives property from three different sources including from the father, husband and son. At a particular time in history it made sense that women inherited less than men, but in modern times, women often make more than men and control family budgets.

Inequalities and gender discrimination exist in family matters and can be manifested by polygamy, unequal marriage relations, the consideration of the husband as natural guardian, FGM, early marriage, or the fact that men's testimony is worth two of women's. These texts must be read in a non-literal manner.

A more dynamic interpretation of the Quran gives space for egalitarian women's rights, respecting CEDAW and Islam. The Quran states men and women are equal, created from a single self. Interpretation of the Quran must be guided by social and political realities of the age.

In Mulia's clarion call to action she stated: "For me the Quran is truth, but interpretation of this truth is variable. We cannot make conclusions from one verse; we have to dare to propose new interpretations. Some may paint me as an infidel, and agent of the West, but in this new era, we

have to struggle to create an interpretation compatible with the principles of human rights, our society, and the modernity of this age.”

The Rabat Roundtable closed with the adoption of the Rabat Declaration (Appendix Two), a statement of principles adopted to advance the spirit of the Rabat Roundtable at the turning point of the political transformations in the Arab World. The Rabat Platform of Action (Appendix Two) maps the core recommendations and the way forward in each area of discussion. This platform will help inform legal, policy and programmatic reforms in the critical process of gender equality in transitional justice.

Rabat Declaration as Adopted by the Participants

At this historic time, as the Arab and Muslim world is facing profound change, leading women advocates have decided to meet in Morocco to acknowledge the essential role that women have played in such transformation and their continuing role in guiding their nations forward. The distinguished experts who have come to Rabat to present their own visions add to the richness of the reservoir of knowledge that women, not only in this part of the world, but globally, will join hands to continue to lead change and to ensure that new developments will bring about equality for women. Together they have discussed important topics such as legal frameworks, women's political participation, violence against women, women's role in constitutional reform, and Islam as a religion based on equality and in opposition to all forms of discrimination and violence. They have shared challenges, success stories and strategies for seizing the opportunities presented by this historic moment. Women expect men to partner with them in making the equal rights of women a reality. Rabat participants pledge to remain connected and to share experiences and knowledge as they return to their own countries and continue their important work.

Platform of Action

Rabat Roundtable Platform of Action Women Leading Change in the Arab and Muslim world

Organized by the Ministry of the Interior, Kingdom of Morocco

In partnership with the Wellesley Centers for Women

Wellesley College

In collaboration with the Ministry of Social Development, Family and Solidarity

“We are stronger when we listen and smarter when we share”

- Queen Rania of Jordan

Women’s Critical Role in Leading Change

Challenges

- The historic transformations in the Arab world have great potential, but also open the door to the rise of fundamentalist currents.
- Some of the hard won gains that have been made are under threat
- Women’s voices must be amplified in the reform processes sweeping the region
- Deeply entrenched cultural norms create barriers to progress in politics, law and civil society.

Recommendations

Increase women’s presence in decision-making

- At a crucial time of political reform, ensure that women have a place at the table so that women’s concerns are taken into account and transform fundamentalist perceptions and stereotypical gender roles.

Engage all stakeholders

- Develop partnerships and alliances at every level of society, between men and women, political leaders and non-governmental organizations, urban and rural communities, older generations and youth, and the media for far reaching change.
- Women were a critical part of political revolutions, now they must be a part of legal, economic and social revolutions.

Use law as an engine for change

- Harness the transformative power of law for progress rather than as a reflection of society’s current values.
- Women’s rights must be secured in a context of political reform that guarantees the Rule of Law and equality before the law.
- Use legal system reform as a way to catalyze social change.

Use the CEDAW and other human rights conventions as standard setting instruments to guide law, policy and practice reform

- Fight reservations to the CEDAW made by Muslim countries.

Some Reformist Efforts, Past and Present: Opportunities and Challenges

Morocco has embraced equality as one of the fundamental components of democracy and has launched several initiatives since 2003 to turn back the tide of radical Islamist contestation and violence. In March 2011, the King promised to “promote the participation of women in the management of regional affairs in particular, and the exercise of political rights in general and to ensure equal access by women and men to elected office.”

On July 1st, Morocco voted to approve a referendum on Constitutional reform. The new Constitution. The Preamble to the Constitution calls for national laws to be aligned with international conventions ratified by Morocco. Article 19 of the Constitution calls for the Creation of an Authority for equality and the Fight Against All Forms of Discrimination that will work towards achieving parity between men and women. Article 30 requires equal access of women and men to elected office.

In Egypt the revisions to the Child Rights Law in 2007 criminalized Female Genital Mutilation and abolished child marriage. These advances are in danger of being eroded and must be safeguarded. The Ministry of State for Family and Population in Egypt was scrapped soon after the Revolution.

In 2006, women’s groups in Iran worked to collect 1,000,000 signatures to end discriminatory laws. The success of the campaign in Morocco was an impetus for Iranian women’s activists who are campaigning for a million signatures to revise the family code including the right of a woman to pass citizenship to her child.

A Call for an Egalitarian Civil Code

Challenges

- Gender equal civil and family law are always in danger of being overturned and face even greater threats with the rise of fundamentalism.
- Even with legislation in place, there are still barriers and restrictions to achieving full equal rights for women in practice. The struggle to eliminate discriminatory laws on the books and laws in practice continues.
- Entrenched cultural paradigms discriminate against women and make legal reform a challenging process.

Recommendations

Adopt a Rights-Based Approach to Law Reform

- Delink the civil code from religious discourse, and combat the Islamization of laws, particularly when it comes to family law.
- Universal human rights enshrined in international conventions must be the bedrock of the civil code.
- Clear-cut legal stipulations should specify the role of religion and the role of the state.

Advance a Humanist vision of Islam

- Champion women's equality as an Islamic ethic so as to deter objections from conservative elements and help forge alliances with the clerical community.

Promote Education as Tool of Social Change

- Education on human rights begins in the family and in school and will confirm that they are not an imposed agenda, but common values, and an intrinsic part of Islamic culture.
- Use the media and community to lobby and educate the public so as to bring about a shift in discussion and rally support from all sectors, galvanizing both men and women.

Mobilize Community participation

- Engage with the community at all levels and reach out to all potential allies to help foster a sense of ownership and widespread support for civil code reforms.
- Family law and other laws regarding women penetrate all levels of society; ensure that all stakeholders have a voice.
- Promote an awareness of urgent issues so that and when legislation faces challenges, it will prove harder to overturn if it has deep roots in the larger community.

Monitor results

- Laws must be implemented in order to guarantee their success; legal reforms are only the beginning of social change
- Legal assistance must be provided to operationalize laws impacting women and their families and so that women can claim their rights in court.
- Judges and law enforcement officials must be trained to implement and enforce gender sensitive laws.

Some Reformist Efforts, Past and Present: Challenges and Opportunities

Dr. Siti Musdah Mulia launched Indonesia's Counter Legal Draft (CLD) in 2004 as an alternative statement of family law principles in keeping with the spirit of the Koran. The CLD's counterpoint to Indonesia's Islamic Code created much debate and is a pluralistic and humanistic model that can be used in prohibiting child marriage, outlawing polygamy, allowing interfaith marriage, reclaiming gender equality in marriage, making marriage registration mandatory and prohibiting gender discrimination in inheritance laws. The egalitarian proposals are now informing new law reform in Indonesia.

The Turkish Civil Code of 2001 takes a new approach to the family. Rather than assigning women a legislatively subordinate position, Article 41 of the Constitution reads, "The family is the foundation of Turkish society and is based on equality between spouses." This is reflected in other civil code changes including equal rights for spouses over the family home and property acquired during marriage, equal representative powers, and the abolition of the concept of "illegitimate children." However, the legal code is still deficient in many ways, including in distinguishing between married, unmarried and divorced women when it comes to protection from violence.

In 1979 the once progressive laws of the Iranian Family Protection Act were overturned in favor of a family law governed by shari'a. Though parts of the act have since been reintroduced, largely due to the efforts of women, there are still many legislative changes necessary to ensure women's equality under the law.

In Morocco, the shari'a-based family code has been reformed to grant women more civil rights than they had hitherto been accorded. Another royal initiative was the establishment of a special graduate program to train women as spiritual guides.

Efforts are underway to revise citizenship law in Jordan that denies the right of women to pass on citizenship to their children. All countries in the MENA region are demanding equal rights of women to pass on citizenship to their children.

Lebanese Parliamentary committees have recently passed a number of legal amendments ensuring greater gender equality under the law. If passed in the next legislative session, these changes would equalize punishments for adultery, increase maternity pay to 100 percent of a women's income from only two thirds, and standardize tax laws which currently accord men an allowance for their wives and children while requiring women to pay taxes on all of their income.

Women's Political Participation

Challenges

- Women running for office face many structural barriers including election laws, weak party systems and economic disadvantages.
- Cultural barriers can be even more difficult to overcome. Tribalism, patriarchy, and entrenched social norms that do not recognize women as potential leaders cause women to be passed over in favor of male candidates.
- Even if women are allocated seats, there are often not enough qualified women in the pipeline.
- Women are not educated to become political leaders, and usually do not have the political experience of their male counterparts. This is often used as an excuse by patriarchal elements to shut women out of politics.

Recommendations

Increase the number of seats allocated to women

- Based on the gender distribution in the wider population, women deserve equal representation in all legislative bodies, but at the very least institutions should ensure a critical mass of women

Train women leaders

- Provide training for women to assume leadership roles and to be able to lead more effectively.
- Increase the number of qualified women in the pipeline so as to eliminate criticisms that they are only elected because of the quota system.
- Increase awareness of effective role models of women leaders so as to inspire younger women and to transform entrenched stereotypical conceptions about women.

Combat Gender Stereotypes through Education

- Educate both women and men to change preconceptions about women's role in society.
- Education should begin in childhood, and boys and girls should be raised to see women as leaders and equal with men.

Empower youth

- Amplify the voices of youth; engage them in politics and ensure their participation in decision making.
- Address youth alienation and disaffection from politics

Reform Election laws

- Reform structural aspects of country-specific political systems and break down obstacles to women's leadership.

Some Reformist Efforts, Past and Present: Opportunities and Challenges

Article 6 of the Jordanian Constitution promises equality to Jordanian citizens, but should include the word 'sex' or 'gender' in order to ensure that women are not overlooked in this clause. Additionally, the 20% seat allocation for women is insufficient, and should be raised, at least to a critical mass level of 30%.

In Jordan too, efforts are being made to institutionalize a quota for women in political participation.

Violence Against Women

Challenges

- Violence against women is often *kept silent* because of societal taboos,
- Victims of violence, particularly sexual violence, are *stigmatized*.
- Domestic violence is considered a private issue, and law enforcement officers are unwilling to intervene, even in dangerous situations, or resort to informal measures of resolution.
- Claims of honor and morality are often pretexts to cover up gender violence and perpetrators are protected by pervasive culture impunity.
- Without a clearly defined uniform definition of violence it is difficult to prosecute crimes of violence against women.
- In the face of social and legislative barriers, victims of violence lack significant support.

Recommendations

Call for a Broader and institutionalized definition of violence

- Violence must be defined broadly to include physical, psychological, and economic and in terms of the Convention on the Elimination of Discrimination against Women and the Declaration on Elimination of Violence against Women.
- Violence against women feeds on the silence and tacit protection of law enforcement officers.

Capacity building

- Train law enforcement and judges on how to address gendered violence and how to address violence in the private sphere.

Strengthen support systems

- Make psychological and legal counsel available to help victims in seeking justice.
- Create transnational support and innovative methods of reaching victims of trafficking.

Strengthen penalties for perpetrators of violence against women

- Criminalize violence against women and trafficking of women. Dismantle exculpatory defense in case of honor crimes.

Educate women about their rights

- Provide rights education in order to deconstruct a culture that protects perpetrators of violence.

Some Reformist Efforts, Past and Present

The “Defense of Honor” statute in the Jordanian Penal Code, Article 340, exempts men from penalty for murder if they killed or wounded their wives after having caught them committing adultery. A man can also benefit from a reduced sentence if he caught his wife in “an unlawful bed,” but no such provisions exist for women.

In 2002, thanks in part to the advocacy of the Bangladesh National Women Lawyer’s Association (BNWLA), Bangladesh passed two groundbreaking laws to combat acid violence: The Acid Control Act and the Acid Crime Control Act. Together, these acts aim to monitor the production, sale, transportation and use of acid, and to prosecute acid crimes. Though data shows acid attacks have decreased, there is still a lack of enforcement of these laws.

In Bangladesh, due to the efforts of women’s groups, including BNWLA the Domestic Violence Prevention and Protection Act of 2010 came into force. The law for the first time provides a clear definition of domestic violence and provides both civil and criminal sanctions. A highlight of the law is that it focuses on prevention and protection rather than on punishment. Despite these strengths the law suffers from weak institutional mechanisms such as counselors, shelters and budgetary allocations.

In order to ensure that women have legal protection from violence and avenues through which to seek justice, the Palestinian Penal Code must be unified, and be made to include a definition of violence in line with that proposed by international conventions.

Morocco has established local disciplinary centers to support victims of violence and create an association of research into violence against women.

In Lebanon, recently, the Justice and Administrative Committee voted to repeal Lebanon’s honor killing law which provides exculpatory sanctions if a defendant is proved to be acting “in a state of anger.”

Women in Constitution Making and Reform

Challenges

- Women are being excluded from constitutional making and in decision making, even after participating in struggles for reform.
- During an historic moment of constitutional reform across the Arab world, women’s concerns are in danger of being forgotten.

Recommendations

Greater participation of women in decision-making bodies

- Establish affirmative action and temporary special measures as called for under the CEDAW to ensure women a place at the table.
- Ensure that women's voices are heard at critical moments of political transformation.

Rights-based approach

- The Constitution is the supreme law of the land and gender equality under law must be clearly guaranteed. International conventions that the State is party to must be enshrined in the constitution.
- A rights based approach based on the international human rights framework must inform Constitutional and other law reform initiatives.
- A rights based approach must replace Shari'a law and animate all laws governing women.

Education

- Seize the window of opportunity at times of political transition and Constitutional making to raise awareness on democratic and rights-based reform, and the role of women in a changing society.

Ensure explicit recognition of women's rights in the legal system

- Ensure a clear articulation of women's human rights in the Constitution and all other laws.

Some Reformist Efforts, Past and Present: Challenge and Opportunities

Article 75 of the draft Egyptian Constitution presumes the Egyptian president is male. The language should be changed so as to be gender-neutral, specifically the phrase "[Egypt's president] cannot be married to a non-Egyptian woman." Additionally, references to shari'a law with regard to women and the family should be eliminated from Article 2 and Article 11.

Women were excluded from Constitution making in Egypt. Safeguards should be set in place to ensure that women are integral to all forms of decision making.

Promoting Leadership and Networking

Challenges

- There is no homogeneity among women or single identity that defines women. Women are divided by race, ethnicity, age, sexual identity, religion, class and caste. Thus building common cause among women can sometimes be a challenge.
- In the face of increasing fundamentalism that threatens gains, how can women's movements maintain energy and find new support systems.
- How can we harness the power of women's movements and campaigns in reformist processes?

Recommendations

Create global to local exchanges

- International and transnational networks must provide important support to national causes.
- Women's rights have far reaching implications on all women. In an increasingly globalized world national movements must link to global processes and must engage with regional and global alliances.

Continue formal and informal networking at all levels among women

- Combat the stereotypes that women's movements are elite or "westernized" by mining the common aspirations that link women which are stronger than the divisions of class or politics.

Provide a platform for exchange

- Seize the political moment of reformist initiatives to mobilize platforms to share ideas and amplify the voice of women in decision-making bodies.

Gender and Religion

Challenges

- Shari'a is often seen as infallible, and those who challenge it are accused of challenging God's law.
- Despite modernization in all other areas, with regards to women and family law, Islam is used as an excuse for orthodoxy.
- Though the true ethics and values of Islam are based on equality and justice, it is often co-opted by conservative fundamentalists.
- Classical jurists were guided by the realities of their times, and reflect the patriarchal values of their social and political culture, and not of Islam.

Recommendations

Support a humanist interpretation of the Quran

- Use *Ijtihad* to open up space for new readings of the Quran.
- A new interpretation compatible with modern context would also be consistent with the principles of human rights in international conventions.
- Reforming family law in compliance with CEDAW.

Question sources and classical interpretations

- Reveal the sources of outdated interpretations so as to unmask the myth that shari'a is based on the ideas of God and not man.

Examine many verses of the Quran

- Though opponents of women's rights point to individual Quranic verses to prove their conservative ideas, the Quran and Sunnah include many more teachings regarding gender. Considering all of them together, a holistic approach provides a much truer understanding.