

# WOMEN AND THE ARAB SPRING

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## JOINT HEARING

BEFORE THE

SUBCOMMITTEE ON INTERNATIONAL  
OPERATIONS AND ORGANIZATIONS,  
HUMAN RIGHTS, DEMOCRACY,  
AND GLOBAL WOMEN'S ISSUES

AND THE

SUBCOMMITTEE ON NEAR EASTERN AND  
SOUTH AND CENTRAL ASIAN AFFAIRS

OF THE

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UNITED STATES SENATE

ONE HUNDRED TWELFTH CONGRESS  
FIRST SESSION

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WEDNESDAY, NOVEMBER 2, 2011

U.S. SENATE, COMMITTEE ON FOREIGN RELATIONS, SUBCOMMITTEE ON INTERNATIONAL OPERATIONS AND ORGANIZATIONS, HUMAN RIGHTS, DEMOCRACY AND GLOBAL WOMEN'S ISSUES AND THE SUBCOMMITTEE ON NEAR EASTERN AND SOUTH AND CENTRAL ASIAN AFFAIRS,

*Washington, DC.*

The subcommittees met, pursuant to notice, at 2:33 p.m., in room SD-419, Dirksen Senate Office Building, Hon. Barbara Boxer and Hon. Robert P. Casey, Jr., presiding.

Present: Senators Boxer, Casey, Shaheen, Udall, and DeMint.

### **OPENING STATEMENT OF HON. BARBARA BOXER, U.S. SENATOR FROM CALIFORNIA**

Senator BOXER [presiding]. The hearing will come to order.

I want to say good afternoon to everyone, and I want to welcome all the participants in today's hearing on women and the Arab Spring.

This is a joint hearing of the Subcommittee on International Operations and Organizations, Democracy, Human Rights, and Global Women's Issues and the Subcommittee on Near Eastern and South and Central Asian Affairs.

In particular, I wanted to thank Senator Casey, who I understand will be joining us shortly, for agreeing to hold this hearing with me and our ranking members, Senators DeMint and Risch. All of these members have been very helpful in getting this organized.

I want to express a warm welcome to all of our distinguished witnesses and I will introduce our first panel: Ambassador Melanne Vermeer and Dr. Tamara Wittes. I will give them their due of a good introduction in a moment.

But I want to talk a little bit about why we thought this was a very timely and important hearing, and from the attendance here, I think we were right.

In December 2010, the world turned its attention to Tunisia after a young street vendor set himself on fire to protest the government's unjust treatment of the Tunisian people. His actions and his subsequent death sparked widespread protests, and within weeks that government fell.

Since then, we have seen dictators toppled in Egypt and Libya and antigovernment protests erupt from Syria to Yemen. And in each of these countries, we have seen women fighting for change,

whether it was the young female students marching in Tahrir Square or the women in Yemen who took to the streets to burn their veils in a sign of defiance.

These women have much at risk. And their courage has inspired women around the world. In a powerful statement of international support, a young Yemeni woman and mother of three was recently awarded the Nobel Peace Prize for her efforts to advance democracy and human rights, including rights for women, in her country.

In announcing the award, the Nobel Committee said, "we cannot achieve democracy and standing peace in the world unless women obtain the same opportunities as men to influence developments at all levels of society." I could not agree more. And historians on the liberal and the conservative side here in America agree with that as well.

As we watch the Arab Spring unfold, it is clear we are witnessing profound change. But what is not yet clear is what this change will mean for the women of the Middle East and North Africa. Will women be afforded the opportunity to play significant, meaningful roles in the futures of their respective countries? Or will they be marginalized or silenced?

How can the United States provide meaningful support to help ensure that women have a seat at the table? How can international tools be used to encourage governments to afford women full and equal rights?

Exploring these questions is the purpose of our hearing today.

Our first witness is the United States Ambassador at Large for Global Women's Issues, Melanne Verveer. As many of you know Ambassador Verveer is a tireless champion for women around the globe. For more than 17 years in both governmental and non-governmental roles, she has traveled to dozens of countries, first as an assistant to President Bill Clinton and chief of staff to First Lady Hillary Clinton, where she worked to make women's issues an integral part of American foreign policy and helped to create the President's Interagency Council on Women.

I know Ambassador Verveer cares very deeply about women in the Middle East and North Africa, having traveled to the region several times this year alone.

Our second witness is Dr. Tamara Wittes, the Deputy Assistant Secretary of State for Near Eastern Affairs and the Deputy Special Coordinator for Middle East Transitions. In her current role, she is responsible for coordinating Middle East human rights and democracy programming at the State Department, as well as running the Middle East Partnership Initiative, better known as MEPI.

So I want to thank you both for being here today.

And I am delighted to turn to my ranking member for any comments he may have.

**OPENING STATEMENT OF HON. JIM DEMINT,  
U.S. SENATOR FROM SOUTH CAROLINA**

Senator DEMINT. Thank you, Madam Chairman, and I thank our witnesses for being here today.

The Arab Spring has been rightly celebrated throughout the world as a beginning of a new day throughout much of the Middle

East. Although these events hold great promise for more equality, opportunity, and freedom for all, the United States must carefully monitor ongoing developments and work with women and minorities to ensure continued progress is made and not lost.

Among the protesters who have taken to the streets were thousands of women, minorities, and religious groups who have faced centuries of oppression. They have been deprived of basic freedoms such as equal protection under law, freedom of speech, the right to participate in elections, to receive proper educational and career opportunities, and freely and openly practice their faith.

Despite the progress being made in some areas, I continue to be concerned about religious minorities in this region. Coptic Christians, who make up 10 percent of the Egyptian population, are experiencing some of the worst religious violence in decades following the departure of President Mubarak. Their businesses and churches have been bombed and burned. Coptic Christians have been slain at the hands of the Egyptian Army and its supporters.

As Secretary of State Hillary Clinton once said, women's rights are human rights. Certainly if women cannot freely worship and are being threatened with murder, their human rights are not being duly respected.

While the Arab Spring is certainly presenting positive changes, there is much more to be done when it comes to supporting women's rights throughout the world. Within the region, women continue to face public and private discrimination on a daily basis. To use Saudi Arabia as an example, women are unable to obtain driver's licenses. Restaurants are segregated by gender, and there is unequal opportunity for education and employment. I applaud King Abdullah's announcement this year that women will be granted the right to participate in the 2015 local elections. However, this reform is only one in a line of necessary changes that Saudis can make to embrace equal rights for women.

I would also like to touch on events in Libya. On October 23, 2011, days after announcing the death of former dictator Qaddafi, the leader of the National Transition Council in Libya stated that as a Muslim country, we have adopted Islamic sharia as the main source of law. Accordingly, any law that contradicts Islamic principles with the Islamic sharia is ineffective legally is what he said. Effects of this change have been felt immediately as polygamy is now legal in Libya. The adoption of such principles that discriminate against and oppress women and non-Muslims should be of great concern to NATO nations that provided military assistance to and recognized this new government.

The Arab Spring presents many possibilities of peace-loving, inclusive democracies, but the United States must remain wary of elements that will seek to use this transition to create even more radical governments that abuse and restrict basic human rights, destroy longstanding international partnerships, and stymie the growth of key democratic ideals.

As new governments are formed and reforms across the region are enacted in the coming months, the United States must work with the transitioning governments to ensure the protection of all minorities. The early development of democratic cornerstones, such as freedom of speech and religion, a free and fair electoral process,

and equal opportunity, are vital to cementing the true spirit of the Arab Spring in these new governments.

Today our subcommittee will be examining the role of one of the minorities most affected, the role women have played in the Arab Spring, what these countries can do to protect their rights going forward, and what ways the U.S. involvement can be useful.

I thank my colleague, Chairwoman Boxer, for her longstanding leadership and commitment to these issues and commend all of my colleagues on the passage of Senate Resolution 216 calling for women's participation in the Saudi elections.

I also thank our distinguished witnesses for their participation and look forward to their testimony.

Senator BOXER. Thank you so much, Senator, for those words. I think you have laid out some of the things we have to watch for as developments proceed. Thank you for that.

So we are going to turn to the Honorable Melanne Vermeer, Ambassador at Large for Global Women's Issues. Please proceed, Ambassador.

**STATEMENT OF HON. MELANNE VERVEER, AMBASSADOR AT LARGE FOR GLOBAL WOMEN'S ISSUES, U.S. DEPARTMENT OF STATE, WASHINGTON, DC**

Ambassador VERVEER. Thanks very much, Senator Boxer, and thank you also to Senator DeMint for your comments, with which we wholeheartedly agree.

I am pleased to be here today with my colleague, Dr. Tamara Wittes, who holds important positions at the State Department for the Middle East transitions and the MEPI program.

In the interest of time, I ask that my testimony be placed in the record.

Senator BOXER. Without objection.

Ambassador VERVEER. I also want to thank the Senators are the outset for the support that you have provided for Resolution 109, for a series of other related actions to highlight the critical role of women in the Arab Spring countries' transitions to democracy. When I was last in Egypt, the women told me what it meant to have others like yourselves, individuals with powerful voices, speak out on behalf of their own full political participation in their country.

During the revolutions, women in Tunisia, Egypt, and Libya were on the front lines for freedom, dignity, democracy, and economic opportunity. They were on Tahrir Square. They were in the streets of Tunisia and across Libya standing shoulder to shoulder with the men as they struggled together to build a better future for all.

Now they confront an equally difficult challenge as they work both to move their countries forward and to ensure that their own rights will not be jeopardized, challenges in some instances made harder by elements in their societies who no longer want to see them in the public square, certainly want to keep them out of the political process, and away from the decisionmaking tables.

In her dealings with the transitional leaders, Secretary Clinton has consistently raised the essential role that women must play in the political and economic lives of their societies if the aspirations



of the Arab Spring are to be realized. That is why we have strategically focused our resources, limited as they are, on democratic and economic reforms and ensured women's full participation.

Moreover, we have met with members of the women's community in the post-revolutionary countries and listened to them. They are concerned and they want help in building their capacity to make a difference. We have made it possible for them to come together with other likeminded leaders in the region from the predominantly Muslim societies to learn from each other, and we have incorporated them into the community of democracies most recently bringing women leaders to Lithuania to the high-level special session during a ministerial that focused on women's political participation.

We are also reaching out to other partners in academia, the private sector, governments, multilateral organizations to join in collaborations to protect women's human rights and to promote political and economic progress.

We know from the experience of other societies in transition that when women play an active and inclusive role from participating in the drafting of new constitutions to engaging in government decisions to growing businesses, the whole country benefits. No country can get ahead if it leaves half of its people behind. This is not a favor to women. It is not simply a nice thing to do. Women's issues are everyone's issues. Democracy without the participation of women is a contradiction in terms, and economies without the inclusion of women will not prosper.

Moreover, stability and the flowering of democracy in MENA region will say a great deal about our own future security interests.

As the Nobel Peace Laureate from Yemen, Karmon told me recently because women are instrumental to a free country, it is in the interests of dictators to keep women excluded from politics.

Let me just add that each of Tunisia and Libya ratified or acceded to the Convention to Eliminate Discrimination Against Women. One can hope that in the days and months ahead, they will make genuine progress on achieving its goals. The women certainly will use it as a lever with their new governments, and I believe that our voices would be that much stronger if we too ratified this women's human rights treaty.

I look forward to discussing with you today some possible ways that we can continue to work together to support the brave women of the region, as well as the men who stand with them, for rights and freedoms. For instance, I would also suggest that when you travel to the region that you request that women leaders and local civil society activists be included in your discussions. Their perspectives will not only be invaluable but you will send a strong message about the central role that they can and must play.

In closing, let me thank you again for shining a spotlight on the critical role that women are playing in the ongoing transition to democracy.

[The prepared statement of Ambassador Verveer follows:]

PREPARED STATEMENT OF AMBASSADOR MELANNE VERVEER

Thank you. I am honored to be here this afternoon with my colleague, Dr. Tamara Wittes, to discuss the status of women in the Arab Spring and their participation in the political transitions in Tunisia, Egypt, and Libya. We also will talk about U.S.

Government efforts to empower and enable the women to continue and enhance their participation in the political, economic, and social lives of their societies. The people of post-revolutionary Tunisia, Egypt, and Libya have a real opportunity to consolidate their hard-fought democratic gains, but this will not be possible if their women do not participate fully in the political process leading to democracy.

I'd like to extend my thanks to Chairwoman Boxer and Chairman Casey as well as Senators DeMint and Risch for convening today's important hearing. I would also like to thank the Senate, particularly the women Senators on both sides of the aisle, as well as several male Senators, for your farsighted leadership on this issue. Senate Resolution 109 reaffirms the rights and roles of the women in the Middle East and North Africa by declaring, "The empowerment of women is inextricably linked to the potential of nations to generate economic growth and sustainable democracy."

It is those inextricable links that I would like to discuss here today. This year, the Nobel Peace Prize Committee highlighted these connections by recognizing three women who worked to bring peace and freedom to their countries. One of whom, Tawakkul Karman, is a leader in Yemen's struggle for democracy and human rights. When I met with her last week, she told me that Yemeni women, who used to be invisible in the public square, are now significantly engaged in the protest movement. She said that women are the solution for the myriad problems—political, social, and economic—facing the Arab world, and that the condition of a country is reflected in the condition of its women. Because she believes that women are instrumental to freedom and democracy, she stressed that "it is in the interests of dictators to keep women politically excluded from politics."

I believe that many women woke up with the Arab Spring, and they will not go back to sleep. In Tunisia, which held its first fully democratic election on October 23, women won around 25 percent of the seats in the new Constituent Assembly. Egypt has begun its election season, and women are plunging into the political fray. New constitutions will come from the assemblies constructed in these elections, and it is vital that gender equality be enshrined in the constitutions at the very beginning. In Libya, after four decades of brutal dictatorship and 8 months of struggle for liberation, in which women played a vital role, the Libyan people can celebrate their freedom and the beginning of a new era of promise.

Democracy is often messy. There are people who will advocate positions and policies for their countries with which we will disagree. All three North African countries are still works in progress. Most recently, when proclaiming Libya's liberation, National Transitional Council Chairman Mustafa Abdul-Jalil said that certain laws, such as those restricting polygamy, would be voided on the basis of Sharia. Libya's women reacted with outrage. As one noted, "these declarations created feelings of pain and bitterness among women who sacrificed so many martyrs." After the chairman's comments, rightly, triggered domestic and international uproar, the Transitional Council quickly clarified that there was "no chance" that Libya would become a theocracy. Across the region, these new governments are still learning the requirements of human rights and democracy while, at the same time, balancing the expressed desires of their progressive and conservative citizens. This is not only a critical moment to engage these emerging leaders in building sustainable new democracies but also the time to support women's human rights and to advance women's progress. Each country will evolve differently.

According to the Arab Development Report, "forging bonds of equal citizenship among all members of society, and establishing government by rule of law in Arab countries are prerequisites for addressing political, social, and personal insecurity." The report makes clear that the lack of women's political and economic participation is one of the key reasons for the region's underdevelopment. Different countries have heeded the recommendations of this report to varying degrees. In Tunisia, all the major political parties made pre- and post-election promises endorsing full citizenship and according rights and duties for all Tunisians. We will hold them to their word. In Egypt, the best-organized parties seem unconcerned about the need to include women as candidates, and party leaders have made almost no effort to champion women's rights. And in Libya, the transition authorities have yet to bring women into the political process in any significant way; however, we continue to press for their full participation.

When women are discriminated against in the political arena, their experiences, talents, and perspectives are shut out. This will affect the new democracies not just in the political arena but also economically and socially, diminishing the prospect for a free and secure future. The transitions will be both political and economic, and women in leadership positions can only help to overcome the disturbing economic legacies left by decades of dictatorship by improving productivity and increasing economic opportunities. Studies show that women-run small and growing businesses

are accelerants of economic growth and women's increased participation in the workforce grows economic prosperity.

Women in Tunisia, Egypt, and Libya played a frontline role in bringing down entrenched dictatorships. They were in Tahrir Square, in the streets of Tunisia, and across Libya standing shoulder to shoulder with the men, struggling for a better future. However, there are actors in these societies who clearly intend, and even often vocally express their desire, to push women back. Some claim the West is trying to impose its values on the Arab people by promoting women's rights, but this is neither a Western issue, nor an Arab issue, nor a religious issue. It is a matter of universal human rights. As Tawakkul reminded me, women across the region are fighting not just for women's rights, but for human rights and human dignity.

Shortly after the events unfolded in Egypt and Tunisia, I met there with women who had been on the front lines yet who were now struggling to take their rightful place in building their countries' futures. The Egyptian women worried about how the post-revolution process was unfolding and the Tunisian women had concerns about preserving their rights. More recently, I spoke to Libyan activists who had run supplies to the rebels and sold their homes for medical supplies. All these women told me they fought for freedom and democracy. The people's revolutions of Tunisia, Egypt, and Libya were and are struggles for the universal values of equality, freedom, and opportunity for all.

As these new democracies evolve, the United States and the wider international community must stand ready to help them build representative governments from the ruins of tyranny. As the new leaders emerge, we must clearly communicate that democracy without the full participation of half its population is a contradiction in terms and that an economy without the inclusion of women will not prosper. Women on the front lines of these transitioning countries themselves are sending this message, and they deserve our recognition and support for what they have done and are doing to strengthen their nascent democracies and to create more vibrant and equitable societies.

#### THE SITUATION OF WOMEN IN TUNISIA

Tunisians can be rightly proud of their recent elections. Women and men, young and old, voted in large numbers across the country. Results indicate that women won around 25 percent of the seats in the new Constituent Assembly. Tunisia has a long and storied history of women's rights. It was the first Arab state to abolish polygamy; the first to grant women professional rights; and it was at the forefront in establishing progressive family laws. Women took an active and visible role in administering the October election; many of the polling station workers were women, and some were station chiefs.

We do not know what direction Tunisia will take as the political parties begin coalition negotiations to form the country's first democratically elected government. All political parties who won significant seats responded to Human Rights Watch's pre-election survey indicating their support for the principles of gender equality and nondiscrimination. They all, including the moderate Islamist al-Nahda party, favored maintaining the country's progressive personal status codes which grant Tunisian women the same rights as Tunisian men. Since its election into the Constituent Assembly, al-Nahda has also publicly expressed its disinclination to impose a conservative dress code upon Tunisian women. These are all promising signs. Tunisian civil society is working to build the skills necessary to stay vigilant and to hold their government accountable. Support for Tunisian civil society coupled with diplomatic engagement will provide a concrete opportunity to positively affect the new government and help Tunisia join the community of democracies.

During the transition, Tunisia's Ministry for Women's Affairs, though small, was active in promoting voter education for women for the Constituent Assembly elections. This Ministry has also worked to assist businesswomen in rural, oft-neglected parts of Tunisia to start up enterprises through microcredit. Throughout Tunisia, several women's civil society groups have been established since the January 14 revolution, providing a range of social services, including civic and voter education. In this period of democratic transition, which has provided all Tunisians greater freedom of expression, these civil society groups are working tirelessly to maintain the strong role Tunisian women traditionally played in their society.

#### THE SITUATION OF WOMEN IN EGYPT

As Egypt's transition unfolds, there are fears that the previous gains made by Egyptian women will be reversed and that they will be increasingly excluded from the process. Although women played a significant role in the protests that brought down Hosni Mubarak, the role of women in Egypt's governance during the transi-

tion has been very limited. No women were included on the committee that drafted Egypt's transitional constitutional declaration, and only one female minister serves in the Cabinet. In the continuing protests after the fall of Mubarak, there have been several disturbing incidents. On March 8, hundreds of women were attacked when they gathered in Tahrir Square to call for a greater voice in Egypt's transition. In May, when the military cleared Tahrir Square, it arrested and detained dozens of female demonstrators, subjecting them to degrading and dehumanizing from Tahrir, it reportedly conducted "virginity tests." The transitional government promised it would not happen again, but it has not apologized.

In late July, during a reshuffle of provincial governors, the ruling Supreme Council of the Armed Forces did not appoint any female governors. The Minister of Local Development even claimed that women could not be appointed governors because they would not be able to go out into the streets in the current security environment to address social problems. The SCAF also removed the 64-seat parliamentary quota and dismantled the Ministry of Women's Affairs.

There is now no evident champion for women's rights in the Egyptian Government; compounding this challenge, some Egyptians are criticizing previous gains, like the progressive laws on divorce, and against female genital cutting and child marriage, as tainted because of Mrs. Mubarak's work on the issue. They refuse to recognize them as the decades-long work of Egyptian women leaders. Moreover, some conservative political and social forces are taking advantage of Egypt's more open political environment to call for a rollback in women's rights.

In spite of these setbacks, Egyptian civil society organizations have defended the role of women in the transition and are advocating for reforms that protect women's rights. In June 2011, the United States promoted a conference in Cairo, cosponsored by International IDEA and U.N. Women, to raise the profile of women's rights in democratic transitions. Egyptian participants at this conference produced a charter asserting their right to play a role in shaping the next Egyptian Constitution and to be treated equally by the government. Following the conference, Egyptian women's rights groups have continued to publicly raise their concerns about the exclusion of women from power. Even with all these hurdles, women will take part in the upcoming elections as voters, candidates, and political party members, and the U.S. Government is supporting such efforts.

#### THE SITUATION OF WOMEN IN LIBYA

Women played a determinative role in the liberation of Libya. Since the first days of the revolution, when Libyan women formed sewing circles to create the ubiquitous independence flags, Libyan women have been at the heart of the struggle. Women leaders founded some of the most promising and effective nonprofit initiatives. They are now asking for our help in developing the leadership skills they need to take a strong role in the new Libya. They will be crucial as a new Libyan state and society take shape.

I recently met with one of the women active in the revolution. At the end of 2010, she had just left Libya to take a lucrative position in Dubai when the revolution began on February 17, 2011. Within days, she went from frantically trying to stay in touch with her family in Libya, to setting up an antiregime media center in Dubai, to running a logistical cell for the rebellion in Malta. She has now returned to Tripoli to be a part of the new Libya. When I asked her if she had encountered resistance from revolutionaries on the ground, she told me that the liberation fighters not only wanted, but expected people like her "to rebuild our country as it should be."

There are small, but very active, groups of women across the country who expect to take their place in the leadership of the new Libya. For example, a Benghazi-based professional women's committee is supporting women's participation in the new democracy. Other women-dominated groups are working to restart the health and education sectors. Politically, the discourse regarding women's rights and the role of women is at a nascent stage and here the international community can help build the foundation for full and equal citizenship for all Libyans.

When Secretary Clinton met with leaders of the Transitional Council, she laid out clear expectations for the full and representative participation of women in the transition, and it will be the Libyan women themselves who will decide the roles they will play in the new Libya.

#### WOMEN, PEACE, AND SECURITY

What we know from other societies in transition is that when women play an active and inclusive role in societies—from participating in the drafting of new constitutions to rebuilding economies—the whole country benefits. As we saw in South

Africa, Rwanda, and elsewhere, women's full participation improves governance, reduces conflict, and increases economic prosperity. Eleven years ago, the U.N. Security Council unanimously adopted Resolution 1325, recognizing the importance of women's representation at all levels of conflict resolution, post-conflict peace-building, and governance. We have witnessed the capacity of women as peacemakers in each of these revolutions. In Tunisia, women have been vital in the push for fair representation and gender parity in constitution-building and the electoral process. In Egypt, women were essential in ensuring that acts of revolution and protest remained peaceful. Now in Libya, where women played critical roles in revolution, they stand ready to create a new and democratic society. The act of participation has irreversibly changed the role of women in these societies. It is imperative that the international community actively support these women to get the skills they need to play a representative role in the political transitions.

#### U.S. SUPPORT FOR WOMEN LEADERS

Just a few weeks ago, when Secretary Clinton was at the United Nations for the opening of the General Assembly, she attended a special meeting with female heads of state and Foreign Ministers on women's political participation and the Arab Spring. The leaders signed a joint resolution that stressed "the critical importance of women's political participation in all contexts, including in times of peace, conflict and in all stages of political transition." Later that week in addressing heads of state from around the world at the opening of the General Assembly, President Obama noted that "no country can realize its potential if half its population cannot reach theirs" and called on all nations "announce the steps we are taking to break down the economic and political barriers that stand in the way of women and girls" within the next year.

While visiting Egypt and Tunisia, in forums large and small, numerous women told me that leadership training programs enable them to be effective candidates for national and local offices. Moreover, because of the many obstacles to their obtaining political power, women need strong and broad alliances to enable them to surmount the various barriers.

Civil society activists require capacity-building support for the range of needs that they confront. One of the key ways that women have gained access to power is through their engagement with NGOs. Many have developed the leadership skills and relevant experience to run for office through their work with national and international NGOs. Another area of need is capacity-building for governance; it is not enough to be elected or to be appointed to government service without the ability to exercise that responsibility effectively. To address this need, the United States has invested in programs to strengthen the skills and leadership abilities of female parliamentarians and other elected officials.

Through our efforts to ensure that women are integral to all aspects of U.S. foreign policy, we have identified ways to increase women's opportunities for political empowerment, participation, and decisionmaking. Many U.S. trainings, exchanges, and small grants programs are aimed at improving women's political participation and leadership abilities.

We believe that a further step that would send a powerful and unequivocal message of support to the women in the region is for the United States to ratify the Convention on the Elimination of All Forms of Discrimination Against Women. This treaty reflects the fundamental principle that women's rights are human rights. U.S. ratification would lend much-needed validation and support to advocates around the world, including in the Middle East region, who seek to replicate in their own countries the strong protections against discrimination that we have in the United States. Some governments use the fact that the United States has not ratified the treaty as a pretext for not living up to their own obligations under it. We would eliminate this frequently heard excuse by opponents of women's rights in many countries by ratifying this important treaty. Tunisia and Egypt have signed and ratified the Convention while Libya has acceded to it. Women in these countries will continue to use their countries' ratification of the Convention as a lever to move their new governments to protect women's human rights.

I believe we have a responsibility to do everything we can to support these new democracies. In doing so, we contribute to their viability, peace, and security. And I believe that stable and prosperous democracies in the Arab world will directly contribute to our own national security.

#### CONCLUSION

Women's participation in civil society and government decisionmaking are key ingredients to building democracy. It is a simple fact that no country can progress or

prosper if half its citizens are left behind. Progress for women and progress for democracy go hand in hand. This is also true for the economy. One of the best indicators for the overall economic health of any country is the economic and educational attainment of women.

My distinguished colleague, Deputy Assistant Secretary Wittes, will go into more depth about U.S. specific efforts in Tunisia, Egypt, and Libya in her remarks. Let me reiterate the urgent need to support women at this critical juncture in history. We must support them publically and privately. We must empower them politically and economically.

Women everywhere continue to face challenges and barriers to productive participation in political engagement and government. But this is particularly acute as countries transition from decades under a dictatorial order to a new world of democratic possibility. Tunisia was a middle-income country with a long tradition of empowered women. Its needs are specific and limited. Egypt, on the other hand, has a wider range of more challenging obstacles; nonetheless, the potential for progress is there. Lastly, Libya is a rich country, but it is emerging from a brutal conflict that has traumatized thousands; so its future, while hopeful, is uncertain.

The message of support communicated by this hearing, which builds on the bipartisan actions taken by the Senate to support women's full and equal participation in the new democracies of the Arab world, is of great significance not only to the women and men of the region but to the entire world. We should not underestimate the power of our unified global voice for the rights and freedom of women and minorities.

The State Department and USAID are deeply committed to helping these new democracies. This means full citizenship for all citizens, regardless of gender, sect, or ethnicity. We embrace the opportunity to continue to promote women's empowerment and participation at all levels of society. We will work in partnership with our embassies overseas to identify and support emerging women leaders and defenders of democracy. This task requires collaboration and leadership at all levels of the U.S. Government and with the international community. And it also requires partnership with the Congress to ensure that women in the region know that the full weight of the American people support their pursuit of freedom. Through these efforts, more women will be able to take part in the democratic transition and serve as trailblazers for future generations.

Senator BOXER. Thank you so much.

And Dr. Wittes, Deputy Assistant Secretary for Near Eastern Affairs and Deputy Special Coordinator for Middle East Transitions. Welcome.

**STATEMENT OF DR. TAMARA WITTES, DEPUTY ASSISTANT SECRETARY FOR NEAR EASTERN AFFAIRS AND DEPUTY SPECIAL COORDINATOR FOR MIDDLE EAST TRANSITIONS, U.S. DEPARTMENT OF STATE, WASHINGTON, DC**

Dr. WITTES. Thank you very much, Chairwoman Boxer and Senator DeMint. I am very honored to be here and I want to commend you also for holding this very timely and very important hearing. And I would ask that my full statement be entered into the record.

Senator BOXER. Without objection.

Dr. WITTES. I am also very honored to be here with Ambassador Verveer who is a tenacious and invaluable partner in all of our efforts to advance women's empowerment and women's inclusion in the Middle East. She has already communicated the key point that Secretary Clinton has underscored throughout the Arab Spring, which is that the full participation of women is an essential ingredient for any democracy. Therefore, we are committed to championing women's full participation in the new democracies now emerging and in the reforms that are underway across the region.

There is no question that this period of transformative change carries with it some anxiety. The transitions that are underway are uncertain and in some places citizens are facing intense repression

from their own governments in response to their legitimate demands. It is crucial that the U.S. Government stays engaged to support these democratic transitions and democratic change across the region.

This moment of change presents a great strategic opportunity for the United States for three reasons.

The first is about stability. We have an opportunity now to help promote a lasting stability in the Middle East that will only come through democratic and economic reforms that will write a new social contract between governments and citizens.

The second reason is about democracy. Democracies give people a stake in their governance. They weaken the appeal of those who call for violence, and globally, democracies are stronger partners for us as well.

And finally, we see a strategic opportunity in these events because of the way they came about, because of the Arab world's rising generation of young men and women who have put forward a powerful repudiation to the narrative of extremists who preach violence and confrontation as the only means to achieve change.

Now, we have realigned our resources to promote democratic and economic change across the region and to strengthen those within Arab societies who are working for change. Many of those civil society leaders are women, and we want to support their efforts.

Let me speak briefly about some of the efforts we have underway in Tunisia, Egypt, and Libya specifically. My written testimony includes a number of examples, but I will focus in on just a few.

In Tunisia, we supported a campaign called "Get Out and Vote," which was designed to encourage women of all ages, backgrounds, and means to vote and participate in Tunisia's recent democratic elections and to work with the media to look at the way they cover women in the campaign.

We are also supporting the American Bar Association and their Tunisian partners in preparing a national forum in Tunisia that will take place soon on the role of women in democratic transitions, drawing lessons from other countries. Participants will include women jurists, rights groups, civil society organizations, political party representatives, and others.

In Egypt, the United States is working to ensure that women play a central role in the definition of rules and institutions for Egypt's new democracy. In the past several months, more than 200 women from a diverse array of political parties have taken advantage of U.S. Government-funded training programs which are offered on a nonpartisan basis. These trainings provide everything from lessons on how to confidently deliver a stump speech to skills that will help candidates build campaigns that resonate with voters.

In Libya, the end of Qaddafi's tyranny has unleashed the power of civil society, and some of the most promising and effective non-profit initiatives have been founded by women during the conflict. We are already offering our support to newly emerging NGO's in Libya, as well as to those who want to create new political parties to compete in Libya's planned elections. And we will continue to focus on ensuring that Libyan women are active beneficiaries of all our efforts there.

Our work in these three countries in transition is just one aspect of our regionwide focus on empowering women and girls. For the Middle East Partnership Initiative, which I supervise, women's empowerment has been a core focus since MEPI was founded in 2002. Right now, MEPI is supporting the International Republican Institute's new Arab Women's Leadership Institute. This is a project that is training women leaders, both elected officials and civil society leaders, across North Africa in coalition-building and advocacy skills.

Without a doubt, the final outcome of these democratic transitions is uncertain, but because we believe that this democratic transformation is profoundly in our interests, we are committed to remaining engaged and to providing the necessary long-term support for women in these countries who are already working as agents of positive change.

We look forward to working with you, our partners in Congress, to ensure that we can sustain our urgent support in the Middle East through this historic period.

Thank you. I look forward to your questions.

[The prepared statement of Dr. Wittes follows:]

PREPARED STATEMENT OF DR. TAMARA COFMAN WITTES

Thank you, Chairwoman Boxer, Chairman Casey, Senators DeMint and Risch and the other members of the subcommittees for inviting me to speak to you today. I am honored to be here, and commend you for holding this timely and important hearing.

I would like to acknowledge the achievements of the women you have invited to testify in the next panel. Women have been at the forefront of the revolutions across the region, and I am grateful to hear their perspectives.

I am also very honored to be here with Ambassador Melanne Verwee, who is a tenacious and invaluable partner in our efforts to advance women's empowerment and women's inclusion—globally and in the Middle East in particular. She has already communicated the key point that Secretary Clinton has underscored throughout the Arab Spring—that the full participation of women is an essential ingredient for any democracy.

Therefore, we are committed to championing women's full participation in the new democracies now emerging, and in the reforms that are underway across the region. The administration's whole-of-government approach demonstrates our belief that the women of Egypt, Tunisia, and Libya are essential partners in any successful transition.

The democratic transitions underway in Tunisia, Egypt, and Libya, and the pressures for democratic change across the region, present a great strategic opportunity for the United States, for three reasons.

The first reason is stability, which is crucial to the pursuit of all our longstanding interests in the Middle East. The dramatic events of this spring were driven by deep, underlying trends in Arab societies. As Secretary Clinton noted nearly a year ago, last January in Doha, the status quo in the region was not stable. We have an opportunity now to help promote lasting stability in the Middle East—stability that will only come through democratic and economic reforms that will write a new social contract between governments and citizens.

The second reason we see an opportunity in the events of the Arab Spring is about democracy. As you all know well, where democracy and democratic freedoms are valued, the world also gains in security. Democracies give people a stake in their governance and weaken the appeal of those who call for violence. We see the changes underway in Tunisia, Libya, and Egypt as an opportunity to support the emergence of more democratic states, which will be stronger partners for the United States in advancing our shared interests in security, stability, and prosperity for the region and the world.

Finally, we see a strategic opportunity in these events because of the way this change has come about, and who is driving it—the Arab world's rising generation of young people. The disciplined and determined young men and women who are driving the Arab Spring have put forward a powerful repudiation to the narrative



of extremists who preach violence and confrontation as the only means to achieve change. They have also put forward their own indigenously generated, positive vision for the future of the Middle East, a future defined by dignity, freedom, and opportunity. We have a keen interest in seeing that positive vision succeed.

The recent announcement of three courageous women receiving the Nobel Peace Prize is the latest affirmation of women's ability to advance human progress and human rights in the region and around the world. As Secretary Clinton noted, the three winners—including one from Yemen—"are shining examples of the difference that women can make and the progress they can help achieve when given the opportunity to make decisions about the future of their societies and countries." As you may know, one of those Nobel Prize winners, Tawakkul Karman from Yemen, is an alumna of the Department's Middle East Partnership Initiative (MEPI), and also participated in State Department exchange and visitor programs. I met with Tawakkul last week in the State Department, and we discussed the absolute determination of the Yemeni people to see a political transition that is not merely a change of leadership but that ushers in real participation, and real justice for the Yemeni people.

There is no question that this period of transformative change carries with it some anxiety. The fate of the region's democratic movements is uncertain, and in some countries citizens are facing brutality and repression from their governments in response to their legitimate demands. And the democratic transitions now beginning in Tunisia and Egypt and Libya are far from complete. So it's crucial that the United States Government stay engaged to support these democratic transitions and democratic reforms across the region. Let me tell you a little bit about what we are doing to further that goal.

The events unfolding in the Middle East are the foreign policy challenge of our time. In response to and in support of these transitions, the U.S. Government has rededicated its efforts to assist the people of the Middle East and North Africa as they create more participatory, prosperous and pluralistic societies. We have realigned our resources to promote democratic and economic reforms across the region and to strengthen those within Arab societies who are advancing change. Many of those civil society leaders, like Tawakkul, are women, and we want to support their efforts.

The Department of State has also created a new Office of Middle East Transitions with Ambassador Bill Taylor at the helm as Coordinator. This office is tasked with ensuring U.S. assistance to transition countries is coordinated and prioritized across all agencies and programs. We know that resources are limited, and that with so much at stake in the region, we need to be efficient and make every dollar count. In addition to my regular duties as the Deputy Assistant Secretary responsible for democratic reform in the Middle East, I now also have the privilege of serving as Deputy Coordinator for this office. So I come to you with a very clear view of the efforts we are undertaking to support successful democratic transitions in the region at this critical time.

As you know, I supervise the Middle East Partnership Initiative (MEPI), which is located in the State Department's Bureau of Near Eastern Affairs. MEPI has had women's empowerment as one of its key priorities since it was first founded in 2002. I'm delighted to have this fantastic program as one of the key tools we are using to support women during the political transitions across the region. Let me speak briefly about some of the efforts we have underway in Tunisia, Egypt, and Libya specifically.

#### TUNISIA

As Ambassador Verveer noted, Tunisia's women have a proud history as active participants in their country's political, social, and economic life. When Ben Ali fled Tunisia in January, MEPI mobilized the bulk of our initial U.S. Government response to support civil society and election preparation in Tunisia—and in all of that work, women's inclusion and women's participation is a constant theme. Indeed, some of MEPI's longstanding partners in Tunisia, who operated under significant constraints previously, became crucial players in the work of voter education this year. A singular example is CAWTAR, the Center for Arab Women Training and Research. With MEPI support, they are promoting women's rights in Tunisia through media, trainings, and public debates.

The American Bar Association is another important MEPI partner in Tunisia advancing women's political inclusion. Later this year, they will be hosting, with their Tunisian colleagues, a national forum on the role of women in transitional processes focusing on comparative experiences; women's rights in law and constitutional reform; and advocacy for law reform. Participants will include women jurists,

rights groups, civil society organizations, and political party representatives, among others.

MEPI is just one program undertaking efforts to support the political, economic, and social participation of women in Tunisia. USAID's Office of Transition Initiatives supported a "Get Out and Vote" campaign designed to encourage women of all ages, backgrounds, and means, through mainstream and new media channels, to vote and participate in Tunisia's democratic reform process.

The Bureau for Democracy, Human Rights, and Labor (DRL) is supporting programming in Tunisia, on transitional justice and independent journalism, including a project to empower women in civil society and media.

#### EGYPT

In Egypt, the United States is working with international as well as Egyptian organizations to ensure that the gains made in women's legal rights before the revolution are not lost, and that women play a central role in the definition of rules and institutions for Egypt's new democracy.

USAID is focusing on women's issues across all its programs in Egypt. USAID is bringing together women-led civil society organizations from all governorates in Egypt to strategize on ways they can improve women's participation in elections and political parties. These conversations are specifically focused on increasing the participation of women candidates before the upcoming parliamentary elections. During this time of transition, USAID is continuing its crucial work to improve maternal and child health, combat violence against women, and extend equal access to justice and education for women and girls. On the economic front, USAID partners will provide 1,000 new business loans within the next 12 months in Qena, one of the poorest, least served areas of Egypt, to spur job creation and to increase employment opportunities for the poor. Women are slated to receive about 60 percent of these loans.

MEPI is working with Vital Voices to create a network of women activists across the region, and to help Egyptian women's groups develop their priorities for legislative change. MEPI's local Egyptian partner, the Egyptian Association for Community Participation Enhancement, is training younger women as future leaders, and encouraging women to vote in the upcoming parliamentary elections.

Other State Department programs assist women who want to compete in the newly open political process. In the past several months, more than 200 women from a diverse array of political parties have taken advantage of U.S. Government-funded training programs, which are offered on a nonpartisan basis, and which provide everything from training on how to confidently deliver a stump speech—to organizational skills that will help them sharpen their party platforms and build campaigns that resonate with voters.

The Bureau of Democracy, Human Rights and Labor is working with the International Labor Organization to strengthen women's participation in key labor market institutions. This project will help women and employers, along with government institutions, become more practiced in fundamental labor rights and procedures, giving more women the chance to enter the labor market, and building the capacity of Egyptian businesses to offer decent work to women.

#### LIBYA

Since the first days of the revolution, when Libyan women formed sewing circles to create the ubiquitous independence flags, Libyan women have been at the heart of the revolution. Some of the most promising and effective nonprofit initiatives have been founded by women leaders. Wafa and Hana Gusbi, twin sisters and previous U.S. Embassy Public Affairs grant recipients, cofounded Wafa Charity Organization. The Gusbis left for Tunis in May 2011 and, utilizing the skills they learned through managing their earlier USG-funded project, they have organized social programs for Libyans living in exile—serving up to 20,000 hot meals per day to refugees during Ramadan. Now is the time to demonstrate to these women our support for their efforts.

In Libya, we are working through the United Nations Special Mission in Libya to target our assistance to priorities identified by the Libyans themselves. But we have already begun to offer our support to the newly emerging NGOs in Libya and to support those who want to create new political parties to compete in Libya's planned elections. We will continue to focus on ensuring that Libyan women are active beneficiaries of our efforts.

## REGIONAL

Our work in these three countries in transition is just one element of our regional focus on empowering women and girls.

Through MEPI, and working with democratic partners around the globe, we continue to promote further progress in women's political, economic, and social participation. Through the Community of Democracies' Working Group on Gender Equality, which Ambassador Verveer cochairs with the Lithuanians, the United States is taking a leadership role in promoting gender equality and good governance, with a particular focus on the Middle East and North Africa. Under the auspices of the working group, the United States is partnering with the Dutch Government to conduct dialogues with civil society leaders and academics from across the region to better understand the priorities of women in transitioning societies and how the United States and the international community can best assist them.

Working with the International Republican Institute, MEPI is supporting the Arab Women's Leadership Institute, which assists women leaders across North Africa to maximize their political gains during periods of transition. In countries undergoing reform or transition, the Leadership Institute is providing female officials currently in office, candidates for office, and civil society leaders with models of good governance and coalition-building to help them realize the reforms their constituents are demanding. In addition, the Institute is giving women civic leaders advocacy skills so they can fight for equal social and political rights for women as their countries define new rules of the road in politics.

The U.S. Government is also supporting the Middle East and North Africa Women's Business Forum of the Organization for Economic Cooperation and Development (OECD). This group accelerates the development of women's entrepreneurship in the region.

Without a doubt, the final outcome of the region's democratic transition is uncertain. But because we believe that democratic transformation in the Middle East is profoundly in our interests, we are committed to remaining engaged and to providing the necessary long-term support for women in these countries who are already working as agents of positive change. In his May 2011 speech, President Obama said, "History shows that countries are more prosperous and more peaceful when women are empowered." This is a guiding principle for us as we support democratic transitions in the Middle East.

We look forward to working with you, our partners in Congress, to ensure that we can sustain our urgent support the Middle East in this historic moment.

Senator BOXER. Thank you. I will get it started.

This is to both of you, if you wish to comment. I hope you will. It is clear from your comments and those from my colleague and myself that women are playing a significant role in the protest movements that have swept across the Middle East and North Africa. And they have stood side by side with their husbands, their fathers, their brothers, and their sons to demand a better future. But we, as you point out, Dr. Wittes, do not know exactly what that future is. So all of us want to make sure that it is a positive future.

How can we be that prodding presence, if you will, that is a constant echo in these countries because there are some really good things happening and some very troubling things. Senator DeMint went through a couple of the troubling things. In Egypt, Tunisia, and Libya, we can talk about some of the positive signs.

Tunisia required that female candidates account for half of all candidates running for election in the constituent assembly; 4,000 women ran for the first time.

An Egyptian woman announced she will be the country's first-ever female candidate for President.

In September, the president of the Libyan Transitional Council applauded the role of women and proclaimed, "that women will be ambassadors and ministers."

But there are troubling events.

In Egypt, a new election plan was put forth that may result in very few seats for women. And in March, a group of Egyptian women protesters were rounded up, arrested, and subjected to invasive “virginity tests.”

Only one woman currently sits on the National Transitional Council in Libya, and recently Libya’s transitional leader indicated that a law banning polygamy will be overturned. Senator DeMint talked about that. So there is a deep cause of concern in the international community, and some are even suggesting a dark future for women.

So what I want to get at is—what are the levers that we have? For example, if you look at Egypt, in March Amnesty International reported that Egyptian army officers brutally abused 18 women protesters. According to Amnesty, the women were beaten, given electric shocks, subjected to strip searches while being photographed by male soldiers, forced to submit to virginity checks, and threatened with prostitution charges. The torture and abuse of Egyptian women by officers who should have been protecting them is deplorable. That is putting it mildly. I could really go on and on about how I feel about this, but I will not in the interest of time.

The United States is looked to as a leader in human rights, and the subcommittee I chair is dedicated to, for the first time ever, the status of women worldwide. The Obama administration has requested \$1.3 billion in military assistance for Egypt in 2012, and we know that we are going to be giving aid to these countries. How can we leverage our financial role in Egypt to ensure that the Egyptian military is meeting benchmarks, including respect for women’s rights? How can we leverage any funding we give to these other nations? Because I can tell you right now I am not going to give a blank check to some of these countries that are doing these things. So how can we work together to make sure that they take the right path, and what are our leverage points?

We will start with you, Ambassador Verveer. We will move to Dr. Wittes next.

Ambassador VERVEER. Well, you know, Senator Boxer, you just laid out so starkly how even though there is a sense of great possibility, that there is a sense that life will be better for the people who were part of the uprisings that took place, there is much that is unclear about the future. We do not have a sense of where this is headed. But we can, as you said, take advantage of those leveraging opportunities to really engage in ways that hopefully will have a positive impact because we cannot direct the outcomes of elections. We cannot select the candidates. We have very little role that we can play as an outside power, though we are, that in the end will not be decided but by the very people who live and care about their futures in those countries.

So to reiterate, I would say first and foremost to constantly raise these issues, as we have been raising them, from the highest levels of our own Government on through the regularity of visits and conversations and meetings that are taking place at all levels, that these issues of human rights, women’s rights, freedom of speech, religion, assembly, the values that are core democratic principles, that they be stated time and time again because an election does

not create a democracy. One election does not create the new future. So this is going to be a series of steps.

So I think, first and foremost, to be out there constantly and not to lower our voices when it comes to matters that are of such great importance.

Second, to be very strategic about how we do provide the assistance that we provide. As you heard from Dr. Wittes, we are trying to steward our resources in a way that can have the greatest impact.

What I hear, when I meet with the women, over and over is a recognition that we cannot wave a magic wand, but we can help them be much more resourced, capacitized, abled, skilled to be the leaders that they know they need to be, to be strategic, to be present, whether it is use of the media or it is being active in the political process because the doors are opened and closed by varying degrees in all of these countries. None is exactly the same in its situation, generally speaking and specifically, about the state of its women. So we believe that being able to provide resources that are directed in these ways will have a positive impact.

And frankly, while what happened in the Arab Spring was definitely organic and domestic, uniquely brought about by the people of the region, we have made investments over the years in building civil society, and I think in the end it is civil society that will either enable these countries to move forward in a significant way or have them push back in ways that we will all feel have not turned out.

You know, I was talking to one of our panelists who is coming up on the second panel, Mahnaz Afkhami, who was the Minister for Women in Iran at the time of the revolution, and as she was mentioning, nobody thought that revolution was going to create the theocracy and the kind of Iran that exists today. So I think we have to figure out how best to engage certainly in terms of our leadership, certainly in terms of capacity-building.

And I would add that a great deal of this was about economic opportunity. And if lives are not made better in the process, that will make it a lot harder for the kind of positive outcomes I think everybody wants to see. So we also see economic reforms, and I would say particularly giving women opportunities. We know from all of the data that exists today that women who run small and medium-sized businesses are accelerators of GDP, that women have to be part of the economic process. And more often than not, they frankly do not appear in the discussions about what to do in terms of economic reforms. But we have made them a significant part of our efforts.

So there are no perfect solutions, but as you said, to utilize the levers that we have, to utilize them wisely, to utilize them with commitment.

Senator BOXER. The leverage that we have here is the funding, and that is something that I feel we are going to have to look at—we just cannot turn our eye away from what is happening.

I have run out of time. So if you do not mind, Doctor, I am going to turn it over to my colleague.

Senator DEMINT. Thank you, Madam Chairman.

It is a complex opportunity that we have in the Middle East. I wish it were so simple as to remove a dictator, let people vote, and we would be moving ahead.

I think it is convenient for us sometimes to try to separate the political issues with the economic issues and the religious issues, but as we know in the Middle East, much of the oppression of women is derived from the religious beliefs. And it appears that in some cases we are in danger of these new democracies just legitimizing a power grab by another oppressive regime which would establish an Islamic state which would, in effect, codify the rules against women. And so somehow in dealing with this we have to understand the root causes of the oppression and the lack of freedom and deal with the issues of religious freedom, of human rights, of political freedom, and economic freedom. And that is a complex array for us to try to support from the outside.

I would just like to hear a comment maybe from both of you of how do we deal with that complexity. We want religious freedom. It is particularly important if we do not want a particular religion driving a status quo in those regions. How do we deal with that without interfering in their religious freedoms? And I will start with you, Dr. Wittes.

Dr. WITTES. Well, thank you, Senator. I think that you have raised an absolutely critical point which is that having a consolidated democracy means more than having elections to choose your rulers. It means having democratic values that are inherent within your society that are embedded within your institutions. And I think in all our engagement with these new political actors that are emerging in these transition countries, we emphasize that democracy is not just about elections. It is about being committed to nonviolence, not using violence to achieve your political goals. It is about being committed to the rules of the game even if you lose, not just before the election is held. And it is also, very importantly, a commitment to equality for everybody under the law, including women, including minorities, people regardless of their faith, regardless of their ideology. And that commitment to pluralism and toleration is part and parcel of what makes a successful democracy. Those core democratic values are a part of every conversation that we are having with these new political actors.

And I think what we see in these countries that are in transition now is that, of course, the political landscape is changing very quickly. A lot of new actors are coming forward and saying that they want to participate in the process. And the more diverse, the more competitive that political landscape can be, the more those actors are challenged to say what they really want to do, what their vision is for the future, and very importantly, how they are going to respond to the aspirations of the citizens who made these revolutions.

And I think what I have really been struck by and I think the thing that gives me a lot of hope for the future is the determination, the pure determination of citizens, especially young people, in these societies to shape their own future. They are skeptical of ideologies. They are skeptical of slogans. They want to know the details, and they are going to be looking to their new leaders to deliver for them, to deliver opportunity, to deliver freedom, to

deliver jobs and dignity. And so I think that even parties that are coming from a religious perspective have to be prepared in a truly competitive environment, which we are trying to cultivate with our programming and with our diplomacy. They are going to have to be prepared to answer those questions.

Senator DEMINT. Thank you.

Ambassador Verveer.

Ambassador VERVEER. I think additionally, Senators, you pointed out in your opening remarks about the comments by Mr. Jalil in Libya when he was making this declaration about the new Libya. In the context, he talked about removing the restrictions on polygamy. And that statement created such an outcry both within Libya and outside of Libya from international leaders, as well as from the civil society that has been growing throughout this period of revolution. And within 24 hours, he was saying he had no intention to set up a theocracy. We do not know what steps are going to occur in the future. Actions speak louder than words.

But I think it was a very small indication of what has to happen. Vigilance is critical. Speaking out against violations is critical. Upholding the democratic principles that were articulated by my colleague is critical. So there are so many things we have to be doing at the same time to ensure that the rights of women, the rights of minorities, the kinds of freedoms that we hold so dear that are universal freedoms and not unique to the West by any stretch of the imagination need to be protected every place. So I think that that is part of the way we have to act and go forward.

Senator DEMINT. Thank you.

Senator BOXER. Senator Udall.

Senator UDALL. Thank you, Chairman Boxer and Ranking Member DeMint. Thank you very much.

We have seen in the Arab Spring in the Arab countries women participating and coming out into the open places in pretty significant percentages. And I am wondering in seeing that—and I think all of us have observed it in different countries in the Arab world—which country do you think is the most promising in terms of looking at the expansion of women's rights. And then which country in the transition may prove to be the most challenging?

Ambassador VERVEER. Well, Senator, those are difficult judgments to make since we do not have that mirror that is going to show us where all of this is going to end up. But I would say that certainly Tunisia has a very long history of women's rights that have been chiseled into their constitution. Women there have participated significantly in the economy. It is one of the few countries that had a middle class. Women hold many of the faculty positions. They are large numbers of students in the universities. And they have enjoyed full rights unlike many of the women in the neighboring Arab countries.

When I was there, I heard from so many women over and over, we do not want to be pushed back. We are where we are. They want to move forward, if anything, but they do not want to be pushed back.

And I think the extraordinary outpouring, upward of 80 percent of people standing in line for hours to vote, large numbers of women for sure—about a quarter of the seats have been won by

women in the election. There was no majority won by any party. Although the An-Nahda party with the plurality will now put together a coalition government.

But I think it is going to be really important to see how women, with the rights they have long held, with the economic and educational levels that many of them have, will be able to bring an outcome that is one what grows rights and does not push them back.

In Libya, it is all at a much more nascent stage in my view. Although women have been instrumental from the earliest hours of the uprising in Libya, they have forged some of the most helpful humanitarian organizations. They are proving themselves to be vital members of civil society, but they are coming into a new world in many ways after having been locked out, not just the women but the men too. But it is always harder for women in these societies.

I have great hope, having met so many of them, that they are more than capable, but I think that these next weeks and months and longer, for sure, will be telling about whether or not they are going to embrace the new future. But they are in many ways out of this box the last but with enormous potential. And what they are asking for very specifically is for the skills-building opportunities, the capacity-building to enable them not just to get to the table but to be effective at the table, to be good strategists to be able to make a difference.

In Egypt, the situation is extremely complicated and worrisome. And I think the earliest signs of what happened in Egypt from women being cut out completely from the transitional apparatus that was set up, the ministry for women disbanded, other structures for women marginalized, the quota for women in the Parliament done away with—there have been any number of actions that have sort of raised that caution light.

And women understand that they have to be fully engaged, and they are a remarkable people and with the right opportunities—and I think in the conversation we have been having constantly raising these issues and providing them with the kind of supports that we are across the board and particularly focusing also on the economic situation, which I think is so terribly important, will hopefully enable them to have the place that they should have. But they are different in many ways from the points at which they are starting.

Also in Egypt, while the reforms for women have been limited, there have been significant reforms in divorce, in outlawing child marriage, FGM, in other kinds of benefits to women. But the previous first lady, Suzanne Mubarak, enabled some of that to happen even though it was women in the trenches for an awfully long time who worked to pioneer much of that work. Today, because of the action of the former First Lady in those reforms, there are those who are saying, well, they are tainted. We do not need them anymore. And it will be a severe loss to the kinds of progressive steps that have been made there if the baby is thrown out with the bath water. So there is lots of reason to be engaged, lots to watch, and lots to try to make a difference on.

Senator UDALL. Doctor, do you have any additional thoughts?

Dr. WITTES. I do not think I can add anything to that.



Senator UDALL. OK. Thank you very much. Thank you both for your service.

Senator BOXER. Thanks, Senator.

Senator Shaheen, welcome. Do you have some questions for the panel?

Senator SHAHEEN. Yes.

Thank you very much, Senator Boxer and Senator Casey and Ranking Member DeMint for holding the hearing today on what is obviously a very important topic not only to the countries involved across the Middle East but also to the United States and to all of us who care about human rights and the rights of women around the world.

Thank you very much, both of you, for what you are doing and for being here today.

I am sorry. I know that Senator DeMint may have raised this to some extent, but I wonder if you could talk about the role of Islam as we are looking at the countries in the Middle East and how Islam affects the evolving debate around women's rights. Either one of you.

Ambassador VERVEER. Well, I will start and say that sharia is thrown around a lot and so much has to do with whose interpretation. And I think a lot about women in other predominantly Muslim societies who have, within the context of their values, been able to promote critical reforms.

Morocco is a case in point which has made enormous strides on family law reform, perhaps the most difficult area in these societies to have reforms. And as they went through the process over many, many years and many were jailed and there were efforts made to prevent them from the course they were on, they realized that as many of them, the great majority, as good Muslims, they were not about to sacrifice their values to the voices of those who said you are being anti-Islamic because you are supporting personal status law reforms. They said no, and they steeped their reform effort in the very values of their religion. And when the family law reforms were promulgated by the king, it would say women have a right to custody of their children, and then there would be a Koranic verse legitimizing this reform in the context of values that the society held dear.

There are others who want to take their most narrow interpretation of sharia, or Islamic law as it is called, and basically take away women's rights in the most horrific ways. And this is what I think we have to understand. As my colleague said earlier, in societies the rights of women, minorities have to be respected. There has got to be tolerance and pluralism. You cannot impose somebody's religious law and say it is for everybody. And Iran is a great model for that.

But this is not to neglect the fact that the values that the religion represents and that so many women are a part of in a very significant way infuses the kinds of reforms they want to see for themselves. So I think we need a better understanding of some of what is going on.

Senator SHAHEEN. And how much sharing is there among women leaders across the Middle East?

Ambassador VERVEER. You know, Senator, I think that is one of the most important things that we can do. When I was in Tunisia last, I brought together a group of women, part of the MEPI efforts over the years, from Yemen, from Jordan, from Egypt, from other places, Morocco, and it is amazing what happens in that kind of conversation because they are all from predominantly Muslim societies. They are all reform-minded. They all want to see a better life. And what one is able to do that another is striving to do, to learn what those lessons and best practices are, and the support mechanism that they represent for each other, the mentoring that they represent for each other I think is a very low-cost, significant investment that we need to keep making.

Senator SHAHEEN. So some of the women who have been involved in the reforms in Morocco can talk about what worked there in a way that allows women in some of the other countries to build that foundation in Islamic law.

Ambassador VERVEER. Exactly. And you know, it was so interesting in this discussion that I referred to to hear women from other countries quiz the Moroccans on how they were able to do this and to take copious notes and certainly set out strategies and possibilities for themselves.

Senator SHAHEEN. Did you want to add something?

Dr. WITTES. Just very briefly. I think that Ambassador Verveer's point about the need to help them create solidarity and learn lessons across borders is absolutely crucial because they all want the same things. They all want equality, equality under the law, equal opportunity. And we have a relatively new program with Vital Voices that is designed to help cultivate and support exactly these cross-regional coalitions, bringing together women officials and women civil society leaders from across the region to build advocacy coalitions so that they can support one another in their work.

Senator SHAHEEN. And obviously Vital Voices is important to this effort. What you are doing, Ambassador Verveer, through the State Department is important. Are there other examples that you can point to that have been effective? Are there organizations within the Middle East who are working on this kind of sharing and cooperative effort?

Dr. WITTES. I think there are some wonderful organizations; some that are women-focused organizations, some that are human rights organizations but that are women-led or that have a heavy women focus that work across borders and that help to train their colleagues. One of the things that we have tried to do is help build coalitions even within countries. So, for example, in Lebanon where we funded a number of smaller women's NGO's across the country, we are trying to bring them together as a group, help them grow their organizations, and also help them work together as a team to achieve their goals in legislation.

Senator SHAHEEN. Thank you. I am almost out of time, but I would like to raise one other issue which may have come up earlier, and that is what kind of buy-in you are seeing from men in various countries across the Middle East.

Ambassador VERVEER. Well, it is checkered. But I think we know that no good cause for women happens without the good men, and so working very closely with those who understand that, as I said

at the outset in my remarks, these really are uniquely about women—these issues—but they really are about society. And women's issues in some ways always marginalizes them because we are not doing women a favor so much as we are understanding and appreciating that unless women are part of the political process, unless they are fully engaged in the economics of their country, the countries are not going to be better off. In fact, they are going to be worse off. And so the enlightened men who are a part of that understanding really have an extraordinarily important role to play in making all of that go forward.

Senator SHAHEEN. Thank you. Thank you, Madam Chair.

Senator BOXER. Thank you.

We have been joined by our esteemed colleague, Senator Casey, who is, by the way, going to introduce the next panel, but before he does, he has a question or two for this panel.

Senator CASEY. Thank you, Madam Chair. I appreciate this opportunity.

First of all, I want to apologize to the Ambassador and, Doctor, to you as well, because I was running late. So my question may be redundant and your responses may be redundant. But once in a while, it is not a bad idea to repeat ourselves around here.

I am particularly grateful for your public service, and especially for your presence here today and your testimony.

The one fundamental question I wanted to ask—and I will not use all of my time in the interest of moving forward because I know we are a bit over time—but what is the best thing we can do here in the United States? I know the administration is undertaking a number of initiatives to further advance the gains that have been made by women in various places in the aftermath of the Arab Spring. But, as for the administration, and also Congress, what do you hope that we will do in the next year or two both to solidify gains already made and to advance the cause further?

Ambassador VERVEER. Senator, we have talked about, as Senator Boxer put it, what are those levers that we can push to be able to have greater impact, realizing in the end it is the decisions of the people in the countries that will be dispositive. But certainly using our limited resources in ways that are focused in the most effective, important ways that we can make a difference—and for us, that is certainly in the realm of building capacity and political participation and in civil society enhancements in ways that—you know, we often forget.

And I remember lessons from the past in many countries. In the former Soviet Union, for example, where women were well educated, but there was no experience in market economies. There was no experience in democracy. And they needed everything, and they came and they said train us in communications skills and how you strategize and how you get things done and how you are effective.

And it is building that capacity, much of what we have done over the years, but now in a very concerted, targeted way that I think is the best use of our resources and elevating our voices within the international community and within our own country about why this is important and standing up for the rights of the people involved there is critical.

And then at a time when we have our own issues here at home and we certainly have budgetary constraints—we are all going to have to do a lot more with less, which is easier to say than it is to live with. But to make our own people understand better just what is at stake. We have an extraordinary opportunity—we and the world—to take this historic moment and nudge it, push it, do whatever we can to have it move in the right direction of a flowering of democracy. It may not come around again. And the outcome, if it is a negative one, will have a great deal to say about instability in that region and our own security. So I think much is at stake and investments in prevention we always talk about, we never really do as well as we should. But I think this is one of those times where those kinds of investments could have the single biggest payoffs for the future.

Senator CASEY. Thank you.

Doctor.

Dr. WITTES. Thank you. I will just add one thing which is to refer back to something Ambassador Verveer said before you joined us, which is how important it is for the women activists and the aspiring women leaders that we meet with, when they have the opportunity to engage with colleagues from outside, and that when you are traveling in the region, when your staffs are traveling in the region, to help build that sense of solidarity by getting together with them, hearing from them about the work that they are trying to do and offering them your own experience as an elected official, as somebody in public service about what it takes to be effective. I think that breaking the sense of isolation, especially in places like Libya, that many of these women have suffered from over many years is perhaps one of the most important contributions we can make to giving them the motivation to keep going.

Senator CASEY. I would note parenthetically that we were in Kabul, Afghanistan, in August. We met a number of women who were Members of Parliament. And to a person, they had extraordinary stories, inspirational stories of overcoming all kinds of danger, threats, and violence to participate, to run, and to serve. So it was particularly inspiring.

Thank you very much.

Senator BOXER. Well, I want to thank our panel. I am going to take a point of personal privilege and ask one question, and then we are going to let you go. Then I am going to turn the gavel over to Subcommittee Chair Casey to run the next and last panel.

As you know, the Senate has taken a number of steps to support women's rights in the Middle East and North Africa. In April 2011, the Senate unanimously approved a resolution honoring the courage of women involved in the Arab Spring and acknowledging that the empowerment of women is inextricably linked to the potential of nations to generate economic growth and sustainable democracy. I think that is a message we all agree with.

Now, that resolution garnered the support of all 17 women Senators, and the women of the Senate followed this effort with a letter to the Supreme Council of the Armed Forces of Egypt, urging the inclusion of women in shaping a new government. Unfortunately, it looks like they might have tossed that one out. That is

not good. Next time we will add our male friends to the letter and maybe they will give it a little more consideration.

On July 29, the Senate unanimously approved a resolution that I authored with my colleague, Senator DeMint. And he and I—when we go on something together, it sends a pretty good message I think that we are covering all the bases. The resolution encouraged the full participation of women in the political process in Saudi Arabia.

So I am going to turn to a little more controversial issue now for a moment. I don't think it should be controversial, but I want to get your answer on the record. I will address it to Ambassador Verveer.

How would the United States ability to support women's participation in the Arab Spring and emerging reform governments in the region be enhanced if the United States ratified the Convention on the Elimination of All Forms of Discrimination Against Women? Do you think that would give us more standing?

Ambassador VERVEER. Well, you know, Senator, as I travel around the world, there is one question I get consistently, particularly from women who have been on the front lines of their own struggle in their countries, and that question is why has the United States not ratified the Convention for the Elimination of Discrimination Against Women and why do we stand with a few pariah countries like Somalia and Iran in not having done that. And it is not that we are lousy on these issues when it comes to women's rights. We have a phenomenal record to stand on. But we, frankly, have raised a lot of questions in key circles about why it is that we are not standing with everybody else.

And I really do believe what the women told me in so many countries. I know one of the criticisms of CEDAW which I prefer to refer to as the women's rights amendment—human rights amendment—one of the criticisms is, well, a lot of countries that have ratified it, frankly, are not good at all on women's issues. But it is used as that lever. It is used as that prong to really hold governments accountable, and sometimes the women succeed and sometimes they fail. But it is something they hold onto because their governments have ratified these international agreements.

And in the cases of Egypt and Libya and Tunisia, all have stated that they will abide by their international agreements. So I think we will see more and more an effort as some of these intensive discussions go forward in the political process and governments are organized where women will fall back on what these conventions represent for them. And it would be nice to stand with them on the basis of having ratified it. We will certainly stand with them in every other way, but I think it would give us that added standing, if you will.

Senator BOXER. Well, let me say I know why some of my colleagues do not want to ratify this Convention. But I am going to do everything I can as chairman of this new subcommittee because we have never had a subcommittee that dealt with the status of women before. And I am so proud and I thank Senator Kerry and Senator Lugar for allowing me to take this on. I am going to do everything I can to figure out a way for us to get this done because

I think we can address those concerns together. So that is what I am going to try to do.

So at this time——

[Applause.]

Senator BOXER [continuing]. Thank you. You are not supposed to do that. But that was very nice. I did not expect that, and I have to say it is not allowed. So it is not allowed. [Laughter.]

There was a comedian once who, when he got applauded in the middle of a show, he would go like this. And then he would go like this. [Laughter.]

But I am not doing that. [Laughter.]

I just want to say to both of you thank you for your eloquence and thank you for your work on the ground every single day. And, yes, there will be some areas you will see disagreement between Senators, but in most areas we are in total agreement that women are key to success of these nations. I was telling Senator DeMint about one of the things the very conservative historian, Bernard Lewis, said before the Arab Spring. When they asked him why do you think this portion of the world just has not developed economically, he said it very clearly. He said, you know, when you say that 50 percent of your people do not have opportunity, you will never catch up.

So, you know, from the left to the right, we have common ground here, and the two of you are just key. And we are so grateful that you are out there. All of us are. So thank you very, very much. I know you have other things to do, and I am going to turn the gavel over to my friend and colleague to introduce the next panel.

**OPENING STATEMENT OF HON. ROBERT P. CASEY, JR.,  
U.S. SENATOR FROM PENNSYLVANIA**

Senator CASEY [presiding]. Well, thanks very much. First of all, let me thank both Senator Boxer and Senator DeMint for their leadership in having our first panel. We will move to our second panel. And I want to restate our gratitude to the distinguished witnesses before us now and those who preceded you on panel one. I missed a lot of panel one, so I have to try to make up for it right now. I am grateful for this opportunity.

I do want to say how much we appreciate the time that our witnesses have spent to travel here and to prepare their testimony.

We will hear in our second panel from the perspective of civil society on women in the Arab Spring.

I am also thinking today about Secretary Clinton and the loss that she and her family just suffered with the death of her mother, a great example to women not just here in the United States but beyond our borders, and we are thinking of her today as we talk about these issues.

We are here to discuss today the fate of women who are in many instances halfway around the world. I want to take this opportunity to reiterate that it is not only the Arab world that will benefit from including women in the political process. The United States will also benefit, as we have already heard our early witnesses talk about. Countries that encourage women's participation in civil society are generally healthier, more stable, and more prosperous. Through trade and partnership, a more prosperous Middle

East will lead to more global and U.S. prosperity. A stable Middle East means a safer United States.

While we are right to be encouraged by the historic political opportunities for women in the aftermath of the Arab Spring, there remain many significant obstacles to their full participation. While Tunisian and Egyptian women succeeded in helping to effect democratic change, the new governments in these countries must ensure that women are included in the political process and afforded protections under the new system.

In other countries like Syria and Yemen, women are still fighting at great personal risk, and I would like to highlight just a few of the stories that these heroic Arab women who have faced, and continue to face, persecution for their outspokenness and their gender.

In Syria, women activists have organized women-only protests in towns across the country. The Assad government is now targeting them with swift brutality. Women who participate are killed, beaten, and arrested. A 34-year-old attorney and journalist, Razan Zaitouneh, has documented the human rights situation since the beginning of the protests. In April, Razan was forced into hiding. Her husband was arrested, tortured, and kept in solitary confinement for nearly 4 months. Razan has been banned from travel outside of Syria since 2003. Similar stories are unfortunately too numerous to mention and outline here today, but we will all be examining these in the near term when we have a subcommittee hearing on Syria next week.

There are stories of hardship and brutality but also stories of inspiration. Tawakul Karman, chairwoman of the Women Journalists Without Chains, mother of three, and now a Nobel Peace Prize laureate, led protests across Yemen and was instrumental in freeing jailed protesters. She promotes nonviolent methods, and she is reportedly known among Yemenis as “the iron woman” and “the mother of the revolution.” Her arrest last January moved hundreds of thousands of Yemenis to protest the Saleh regime itself and demand democratic rights. She is championing her causes worldwide and has met with U.N. Secretary General Ban Ki-moon, as well as our U.S. Secretary of State, Hillary Clinton.

As the people of this region seek to grow their futures from the seeds of the Arab Spring, they will face many challenges. The question of who shall rule and how is centuries old and societies will strive to perfect the response for centuries yet to come. But what we have seen this year in the Middle East is a triumph of the democratic process over authoritarianism. It is a triumph of freedom over repression, and it is a triumph of justice over tyranny.

Arab men and women fought for these freedoms. Arab men and women have the responsibility to build their governments and political systems. And both Arab men and Arab women should benefit from the changes that they helped bring about.

Our witnesses today have impressive backgrounds in humanitarian work, women’s issues, and challenges in the region. Manal Omar—and I am told that you flew from Tripoli to be here with us and that you are an advisor to the TNC. We appreciate that work and we appreciate you traveling to be with us in that capacity. She is the Director of Iraq, Iran, and North Africa Programs at the United States Institute of Peace. Manal has previously man-

aged programs for Oxfam, responding to humanitarian crises in the Middle East, and she most recently published a book entitled “Barefoot in Baghdad: A Story of Identity—My Own and What it Means to be a Woman in Chaos.” Thank you very much for that work and that publication.

Next we have the President of Women’s Learning Partnership, Mahnaz Afkhami. She is also the executive director of the Foundation for Iranian Studies and was the first Minister of Women’s Affairs in Iran. She has helped enact legislation that gave women equal rights to divorce and raised the minimum age of marriage for girls. She has coauthored a manual to develop women’s leadership skills that has been adapted into 17 languages. Thank you very much for that.

Dr. Sandra Bunn-Livingstone is the President and CEO of Freedom Cubed, is an expert in international human rights law, and received her Ph.D. in international law from Cambridge University. She has worked in China, the U.K., and South Africa and most recently wrote a book on cultural influences on states’ practice of international human rights law.

I want to thank all three of our witnesses for your presence, for the testimony you will give, and for your work in all of these areas that are so critical to women not just in the Middle East but around the world. And I want to thank each of the panelists for taking the time to actually be with us here today to share your expertise on the role that women have played and will continue to play in the Arab Spring and the aftermath of the Arab Spring.

We will start, unless Chairwoman Boxer or Senator DeMint has any comments to make, with Manal Omar. We will go right to left.

**STATEMENT OF MANAL OMAR, DIRECTOR OF IRAQ, IRAN, AND NORTH AFRICA PROGRAMS, U.S. INSTITUTE OF PEACE, WASHINGTON, DC**

Ms. OMAR. Thank you, Chairman Casey, Chairwoman Boxer, Senator DeMint, and Senator Shaheen. It is an honor to appear before you today to present my views on the role of women in the Arab Spring, and I will specifically be talking about Libya. The views I express today are my own and not necessarily those of the U.S. Institute of Peace which does not take policy positions.

I currently direct USIP’s programs on Iraq, Iran, and North Africa. My views are informed by my work through USIP which conducts training and field operations and provides tools to help prevent, manage, and end violent international conflicts. USIP has been working on the ground in Libya since early spring, particularly engaging with local civil society groups that have emerged and in an advisory role to the Libya stabilization team, which was formed by the National Transitional Council.

The hearing, as many people have stated, is very timely and critically important for those concerned about ensuring that women have a role in their country’s development. With the fall of Qaddafi, the different cities and towns across Libya are struggling to agree on a unified narrative for what happened with the revolution. There is one part of that narrative that all the different parties do agree on, which is that women were a crucial motivating factor in the midst of the struggle for freedom. Few would dispute



women's role in the revolution. The question on women's minds now is whether that will be sustainable.

Libyan women openly admitted that they had suppressed the alarm bells which began to ring when the NTC was formed, when out of 40 members, only one was appointed and one chairwoman of a committee. Women decided that the unity was more important than their own individual needs and that as soon as Libya was truly free, that they would then speak out. During my trip to Tripoli last week, women told me that that time had come.

I wanted to make sure to note that Libyan women are not starting from a blank slate. They have had the legal right to vote since 1964 and also have a very long history of organizing. The first women's group in Libya dates back to 1955 in Benghazi.

As in most dictatorships in the region, citizens were not discriminated solely by gender but rather by loyalty to the party. So you did see a few women rise in the Libyan regime under Qaddafi. In fact, Qaddafi dedicated a lot of rhetoric in terms of support of women. Article 21 in the Human Rights Charter acknowledges discrimination against women, calling it a grave injustice. In 1997, the Charter on the Rights and Duties of Women in Libya provided several safeguards for women, including integration into national security, rights in marriage and divorce, social security rights, and financial independence. Qaddafi's regime went as far as to mandate equal pay for equal work for men and women.

Libyan women see those rights as guaranteed and anticipate that this opportunity will present them a way forward. However, with the recent statement, as some people have discussed, by the NTC Chairman Mustafa Abdel Jalil, they were worried about what it would mean for women's liberation, especially with the mention of polygamy. Many women expressed that they have confidence in the President but were concerned about the pressures that led to that statement. There is a strong emphasis on the ground that women do not generally oppose Islamic law. In fact, many are arguing that Islamic law is the best framework for protecting their rights. However, their concern is with its turn toward a very patriarchal and monolithic interpretation of Islamic law, which has been the case in the region and which has led to less women's rights.

I think it is important for us to understand why the women's participation is lacking, particularly on a leadership level.

First, there is a desire to have representation from different parts of Libya, and particularly those which are more tribal, yet some of these tend to harbor biases against the political participation of women.

Second, Libyan women themselves, even the qualified ones, are very hesitant to join the political process without a guaranteed safe and enabling environment. Although the Qaddafi regime was open to women, it was not necessarily safe for women, with sexual harassment being part and parcel of any promotion within the political system.

One of the common arguments among Libyan decisionmakers is that there are no qualified women. This should be challenged. In Benghazi alone, which is more conservative than Tripoli, 40 percent of the lawyers are women. Libyan women have higher access

in secondary schools than their male counterparts and with higher rates of graduation.

This is not to say that there are not challenges. There are many challenges, one of which is the absence of women from the labor market. Only 25 percent of females are part of the labor market, and with a large number of detainees and a large number of single female heads of household, this will be a problem for the stabilization of Libya in the future.

Just a quick note on recommendations. The recommendations I would make is for us to really look at supporting the NTC in terms of a quota system that would guarantee women introducing a sunset clause because Libyan women are sensitive about it being there permanently. Also the application of Resolution 1325 which outlines clear recommendations and building the support for cross-country learning particularly on the issue of nation-building and personal status laws. Such was mentioned, the case of Morocco. And finally, encouraging to create specialized funds to promote the expansion of employment opportunities for female-headed households within Libya.

Thank you.

[The prepared statement of Ms. Omar follows:]

#### PREPARED STATEMENT OF MANAL OMAR

Chairwoman Boxer, Chairman Casey, and members of the two subcommittees, it is an honor to appear before you today to present my views on the role of women in the Arab Spring, specifically in Libya. The views I express today are my own and not necessarily those of the U.S. Institute of Peace (USIP), which does not take policy positions.

I currently direct USIP's programs on Iraq, Iran, and North Africa. My views are informed by my work at USIP which conducts training and field operations and provides tools to help prevent, manage, and end violent international conflicts. USIP has been working on the ground in Libya since early this spring, engaging with the burgeoning civil society sector and serving in an advisory role to the Libya Stabilization Team formed by the National Transitional Council (NTC). USIP is also training Libyan civil society leaders in conflict management skills to build local capacity to manage the transition out of conflict and the difficult task of national reconciliation. USIP knows that this is an essential activity following conflict.

#### WOMEN IN THE REVOLUTION

This hearing is very timely and critically important for those concerned about ensuring that women have a role in their country's development. With the fall of Qaddafi, the different cities and towns across Libya are struggling to agree on a unified narrative of the revolution. There is one part of the narrative that everyone seems to agree on: women were a crucial motivating factor in the midst of the struggle for freedom. Whether it was the hundreds of Libyan women who traveled with the men to the frontlines to form makeshift kitchens or the women positioned inside Qaddafi strongholds who smuggled guns and information, women carved out a space for their participation. Women across Libya nursed the injured, while Libyan women in the diaspora returned to provide technical assistance to the newly formed NTC. Libyan women were able to gain access and they played both traditional and nontraditional roles that earned them a clear chapter in Libyan history.

Women such as Najla Elmangoush, a lawyer who quickly volunteered to chair the Public Engagement Unit within the Executive Office to create a link with the newly emerging civil society organizations and the transitional council.

Or Amina Mogherbi, who formed an organization to provide humanitarian aid to the internally displaced fleeing fighting from the northern and western provinces.

In Tripoli, several women created a network to sew and distribute the new Libyan flag during the siege. Women like Amira Jalayde, from Sarman, just an hour outside Tripoli, worked to help link religious leaders with civil society and the NTC, recognizing that to build a prosperous and inclusive Libya, everyone will need to play their part.

Few would dispute women's role in the revolution. The question on women's minds today is whether it is sustainable or not. Libyan women openly admitted they had suppressed the alarm bells that rang when the NTC was formed, when out of 40 members, only two were women. Women decided that unity was more important than their individual needs, and that as soon as Libya was truly free (i.e., after Qaddafi's capture) then they would speak out. During my trip to Tripoli last week, women told me that the time had come. They openly recognize that if they do not demand a place at the decision making table as the future of their country is being developed, then they will miss a crucial opportunity. One civil society activist in Tripoli gave voice to these women's fears when she explained that the current trend was to restrict women to the humanitarian space, and away from the political process. During a conflict resolution training USIP conducted which included women from Benghazi, Misrata, the Nufusa Mountains, Zawiyah, and many other areas across Libya, the Libyan women all had the same message: they would not let this happen.

#### A SEAT AT THE TABLE

Libyan women are not starting from a blank slate. Libyan women have had the legal right to vote since 1964, a right some countries in the region have only recently gained. Women also have a long history of organizing; the first women's group dates back to 1955 in Benghazi. As in most dictatorships in the region, citizens were not discriminated against by gender, but rather, by loyalty to the party.

In fact, under Qaddafi, a lot of rhetoric was in support of women. Article 21 in the Human Rights Charter acknowledges that discrimination against women is "a gross and unwarranted injustice." In 1997, the Charter on the Rights and Duties of Women in Libya provided several safeguards for women, including integration into national security, rights in marriage, divorce, and custody, and nationality of children. It also safeguarded their right to work, social security, and financial independence. Qaddafi's regime mandated equal pay for equal work for men and women. In 2007, the Libyan Government in coordination with UNDP launched a project to address the legal ramifications of divorce and property rights, two crucial sectors that have great impact on economic empowerment of women.

Libyan women see these rights as guaranteed, and anticipate that there will be opportunities under the NTC for advancement. NTC president Mustafa Abdel Jalil worried many women with his liberation speech in which he declared that Libya's future legal system would be based on Islamic law. Most women claim to trust in the President's leadership, but admit that his recent speech had them concerned. There is a strong emphasis that women do not generally oppose Islamic law, and in fact many feel Islamic law is the best framework for protecting their rights. Their concern, however, is with the trend toward imposing a monolithic interpretation of Islamic law. Despite the most recent speech, the NTC leadership, and particularly the Executive Committee, has verbally committed to supporting women on several occasions.

There are several reasons for the lack of women's participation at the leadership level. First, there is desire to have area representation from different parts of Libya, and particularly tribal representation, some of which harbor biases against the political participation of women. Libyan women are hesitant to become part of the political process without a guaranteed safe and enabling environment. Although the Qaddafi regime was open to women, it was not necessarily safe for them. Several Libyan women I spoke with emphasized under Qaddafi's regime that sexual harassment was part and parcel of any promotion in the political system.

One of the common arguments among Libyan decisionmakers is that there are no qualified women. I think it is important that the international community challenge this argument. Libyan women are active in the key respected professions—doctors, engineers, lawyers, and university professors. In Benghazi, which is considered to be a more conservative city by comparison to Tripoli, 40 percent of the lawyers are women. If qualifications are tied to education, Libyan women have the advantage once more. At the primary education level, women and men have equal access to education, and girls have higher attendance rates than their male counterparts in secondary school, according to the World Bank 2011 Data Book on Gender.

That is not to say that Libyan women do not face certain challenges. Although women are highly educated, they are acutely missing from the labor market. Women across the country account for only 25 percent of the labor market. With the large number of detainees and missing persons due to the Qaddafi regime and the recent fighting, there are many female heads of households. Expansion of employment opportunities for women will be a key factor in the stabilization of the country. At the same time, the issue of sexual violence and the use of rape as a tool of war in Libya

is one that cannot be emphasized enough. In addition to the trauma this has created for the victims and their family, it has added another layer to the already complex need for reconciliation across the country. Libyan women will struggle with these challenges for a long time to come.

As far as USIP's response, USIP was the only non-Libyan participant invited to sit on the Libya Stabilization Team, which was formed by NTC Presidential decree. The first request was to share lessons learned from Iraq and Afghanistan. Naturally, protecting politically marginalized groups such as women and minorities was an essential part of that presentation. The Chair of Libya Stabilization Team responded positively to the recommendations on women, and demonstrated an openness to women's inclusivity. However, the reality is that this can only be accomplished if international allies continue to keep it on the agenda. The United States recognition of the Libyan NTC was with certain conditions. With the liberation of Tripoli and the death of Gaddafi, now is the time to revisit those conditions and ensure they are being addressed. Ensuring the role of women in post conflict reconstruction and the nation-building process is an essential component of those conditions.

#### RECOMMENDATIONS

- The Libyan National Transitional Council should be encouraged to implement a quota to bolster the representation of women for current transitional government formation as well as for future parliamentary elections. Strong results have been achieved in countries that have recently emerged from conflict by using quotas to ensure the participation of women in newly created political institutions. In fact, countries recovering from conflict have managed to exceed stable nations in terms of female representation, and are within the top 30 countries for the number of women serving in Parliament; Rwanda is number one. Libyan women recognize the limitations of quotas as well as the need for the most qualified individuals to fill posts. However, with the imbalance of power, they are calling for a quota as a temporary solution with a sunset clause to be included.
- The Libyan National Transitional Council should be encouraged to abide by international standards, with a particular focus on U.N. Resolution 1325. This can be a first step for the United States to support Libyan women to develop a national action plan for women. This can be done through programs aimed at cross-country learning. This process has been successful in other post-conflict environments where women developed a National Action Plan on women's peace and security. In 2009, Liberia, Burundi, and Sierra Leone convened in Freetown to learn from one another about the process of developing a National Action Plan. The process has also been helpful in more developed and stable environments. Civil society representatives from more than 15 European countries came together in Brussels in September 2009 to exchange experiences of the development of National Action Plans and to share recommendations. USIP is leading the U.S. civil society effort to develop a U.S. National Action Plan and is well positioned to support the Libyan women.
- Building on the need to develop programs focused on cross-country learning, U.S. funds dedicated to Libya should also focus on supporting the exchange of lessons learned between neighboring countries on personal status laws. Due to the policies in the Gaddafi regime and the current fighting, there are a large number of missing people. This leads to an increased number of female heads of households, and the laws governing divorce, marriage, inheritance, and property will be part of the much needed distribution of resources for women.
- The NTC should be encouraged to create specialized funds to promote the expansion of employment opportunities for Libyan female-headed households. This would not only serve to benefit women, but will contribute to economic growth and stability for the country as a whole.

#### CONCLUSION

In closing, I want to reiterate the crucial role of Libyan women in the success of the revolution, and likewise, in securing a successful outcome for the country's future. While women have successfully paved a path for themselves during the revolution, trends in post conflict countries demonstrate a strong probability of them being left out of the formal reconstruction and nation-building process. The United States and the international community more broadly should support Libyan women during the transition as a way of investing in the welfare of Libya as a whole. Women in Libya have the educational capacity, but they need to be engaged in the economy, security, and other vital elements in the country's reconstruction.

I want to once again express my appreciation for the opportunity to address the two subcommittees. Thank you for holding this hearing today on such an important topic.

Senator CASEY. Thank you very much.  
Ms. Afkhami.

**STATEMENT OF MAHNAZ AFKHAMI, PRESIDENT, WOMEN'S  
LEARNING PARTNERSHIP, BETHESDA, MD**

Ms. AFKHAMI. Thank you very much for this opportunity.

My organization, Women's Learning Partnership, represents 20 independent, autonomous organizations, mostly in Muslim-majority countries. They have been working 11 years preparing curricula and conducting research, symposia, and workshops on how to change from autocratic cultures, which most of these societies share, to cultures of democracy and democratic activism.

After the Arab Spring, these women have been engaged in national and regional brainstorming sessions. Last night I returned from Stockholm where many representatives of our partner organizations were meeting to discuss the use of technology for advocacy and social networking for democracy. Earlier, in Brussels, some of our partner organizations met with people from Eastern Europe, Latin America, and South Africa to share knowledge about developing specific instruments of democracy, such as constitutions and legislation.

In recent months, many Muslim-majority countries have seen a historic and unprecedented movement toward democracy. Each of the countries in transition has offered both risk and opportunity for democratic voices and activists who are speaking out for women's equality and full participation in the reform process. Now more than ever, it is crucial that the United States help these groups gain the tools they need for political leadership and advocacy.

To ensure that democracy movements result in truly equitable societies with equal rights for all, political authorities and those seeking elected office need to guarantee that all opportunities are at the disposal of all citizens. This means enshrining in laws and constitutions the principles of equal access to education, employment, and political participation, and unfettered access to communications technology and free expression. Most of all, it requires full support and solidarity from the United States in embracing models of democracy and equal opportunity.

The grim truth is that women who are struggling to advance human rights and create secular, pluralistic, democratic societies face grave challenges rooted in tradition and history. Traditional social and cultural norms have relegated Middle Eastern women and girls to a private space, and they often lack the social, economic, and political power they need to overcome antagonistic groups and regressive policy. It is, therefore, of utmost importance for women's equality in these countries that the United States give its explicit support for women's full and equal participation in national reform processes.

Egypt and Tunisia are prime examples of countries where progress toward women's equality may be undone without America's firm and increased commitment. Before the Arab Spring, as has been mentioned, Tunisia stood out in the region for its more

equitable family laws, along with Morocco. In Tunisia, the October 23 elections resulted in a majority vote for An-Nahda, considered by some to be a moderate Islamic Party. While party leaders have said they will uphold women's rights achieved under Ben Ali, women's rights and democracy activists are seriously concerned that the party will act differently once in power.

A similar challenge now faces women candidates in Egypt. Despite the rhetoric of democracy that drove the reform movement in Egypt, the large numbers of women who played key roles during the Tahrir Square protests and the longstanding networks of women's civil society organizations in the country, no women were included on the country's constitutional reform committee, not even a well-respected female judge on the constitutional court. This and the announcement of sharia law as the basis of legislation in Libya are stark reminders of the need to ensure that political revolution indeed, leads to a fundamental transformation toward democracy and equality for all members of society.

To address this risk, we recommend that the United States focus on development of democratic practices and norms at both the social and political level through the following five actions.

A clear commitment to the development of information and communications infrastructures that are widely available, secure, and free from censorship.

Investment in training women, young people, and grassroots civil society members who are key actors in building cultures of democratic participation, to use new technology in support of this process.

Funding and empowerment of institutions such as the National Endowment for Democracy that have long-term experience with supporting democratic transition.

Engagement with local and regional media as key outlets to promote voices for democracy and equality at the national, community, and family levels.

And support for international norms for women's equality at all levels of social interaction through the ratification of CEDAW, thus reinforcing the efforts of women's rights activists in the region. Our partners in the region have made clear to us that U.S. ratification of CEDAW would reinforce their own efforts to fully institutionalize and implement the treaty provisions for gender equality within their national legislation and constitutional reforms.

This is a time of critical opportunity in the Middle East, but it is also a time of serious risk for women's rights. There is a very real possibility that women will not only be marginalized but also lose ground here unless we provide increased emphasis, training, and resources for women and civil society throughout the region. I urge you not to underestimate the power of your endorsement of those structures that are requisite to women's equality and the establishment of a deeply rooted culture of democracy both at the grassroots and through international frameworks. Through these paths, we can achieve true reform.

Thank you.

[The prepared statement of Ms. Afkhami follows:]

## PREPARED STATEMENT OF MAHNAZ AFKHAM

Thank you for the opportunity to submit this testimony on the state of women's rights in the Middle East and North Africa during this critical time of transition.

I am President and CEO of Women's Learning Partnership, a partnership of women's rights activists and NGOs from 20 countries,<sup>1</sup> primarily in the Middle East and North Africa. We currently have longstanding relationships with organizations in Bahrain, Egypt, Jordan, Lebanon, and Morocco, who regularly convene with activists from across the region to discuss how to best advance women's rights and political participation. I would like to share with you some of the challenges, successes, and recommendations that have emerged from our partners' experiences during the past year.

In recent months, this region has seen historic and unprecedented movement toward democracy. In Tunisia and Egypt, peaceful pro-democracy activists have overthrown long-time dictators. In Morocco and Jordan, activists have instigated major changes toward democracy. In Bahrain, Libya, Syria, and Yemen, the protestors have been met with violent resistance. In all these charged situations, women have been active participants, and in some cases leaders and spokespersons in the movements for democracy and human rights.

Each of these countries in transition has offered both risk and opportunity for democratic voices and activists who are speaking out for women's equality and full participation in the reform process. Now more than ever, it is crucial that the United States help these groups gain the tools they need for political leadership and advocacy.

To ensure that democracy movements result in truly equitable societies with equal rights for all, political authorities and those seeking elected office need to guarantee that all opportunities are at the disposal of all citizens. This means enshrining in laws and constitutions the principles of equal access to education, employment, and political participation; and unfettered access to communications technology and free expression. Most of all it requires full support and solidarity from the United States in embracing models of democracy and equal opportunity. That can best happen through an unequivocal endorsement of international mechanisms that support those values.

The grim truth is that women who are struggling to advance human rights and create secular, pluralistic, democratic societies, face grave challenges rooted in tradition and history. Traditional social and cultural norms have relegated Middle Eastern women and girls to a private space, and they often lack the social, economic, and political power they need to overcome antagonistic groups and regressive policy.

It is also true that in recent decades, far greater numbers of women in the Middle East have gained access to higher education and are intellectually and emotionally well prepared to manage and to lead. But the Arab world still ranks last among regions in women's political participation<sup>2</sup> and third-lowest in gender equality.<sup>3</sup> In fact the gap is widening in that region between women's potential to serve as political actors and agents of change and their actual participation in decision-making processes.

It is therefore of utmost importance for women's equality in these countries undergoing radical transformation that the United States give its explicit support for women's full and equal participation in national reform processes. The endorsement of international conventions that hold states accountable for enforcing women's human rights is central to this reform. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), is a key such instrument.

CEDAW has now been ratified by all the world's countries except for six, including the United States, Somalia, and Sudan. U.S. ratification would strengthen the efforts of activists for democracy and women's equality throughout the Middle East. Our partners in the region have made clear to us that U.S. ratification of CEDAW would reinforce their own efforts to fully institutionalize and implement the treaty provisions for gender equality within their national legislation and constitutional reforms.

Egypt and Tunisia are prime examples of countries where progress toward women's equality may be undone without America's firm and increased commitment. Before the Arab Spring, Tunisia stood out in the region for its more equitable family laws, along with Morocco, and Tunisia's historic election last week was heralded as a model of transparency. There was even a provision that women be equally rep-

<sup>1</sup> WLP partner list appended.

<sup>2</sup> "Women Making a Difference in Parliament," Information Document, Inter-Parliamentary Union, 2007, <http://www.ipu.org/splz-e/abudhabi07/information.pdf>.

<sup>3</sup> [http://hdr.undp.org/en/media/HDR\\_2010\\_EN\\_Tables\\_reprint.pdf](http://hdr.undp.org/en/media/HDR_2010_EN_Tables_reprint.pdf) at page 160.

resented on electoral lists. But in most instances their names were placed below those of men on those lists, so that true electoral parity likely will remain elusive. Additionally, the October 23 elections resulted in a majority vote for An-Nahda, considered by some to be a moderate Islamic party. While party leaders have said they will uphold women's rights achieved under Ben Ali, women's rights and democracy activists are seriously concerned that the party will act differently once in power.

A similar challenge now faces women candidates in Egypt, where the need is critical for all policymakers to support women's equality, in order to minimize the association of past progress with the vestiges of the ousted autocratic regime. Despite the rhetoric of democracy that drove the reform movement in Egypt, the large numbers of women who played key roles during the Tahrir Square protests, and the longstanding networks of women's civil society organizations in the country, no women were included on the country's constitutional reform committee, not even a well-respected female judge on the constitutional court. Confronting this challenge, our partners and other women activists in Egypt have increased their efforts to train grassroots women, youth, and civil society organizations on political participation and ethical engagement in the electoral process.

Beyond electoral representation, a legislative framework that mandates protection of minorities and religious freedoms is key not just for women's equality, but also to achieving democracy and security throughout the region. In Libya, for example, prospects for women's rights and democracy seem bleak at the moment, as the chair of the country's Transitional National Council recently announced that Islamic law, not secular law, will be the basis for Libya's new constitution, and indicated specifically that practices such as polygamy would be fully legalized. This raises immediate concern that women's rights will be further rolled back during Libya's reconstruction process. These dangers are stark reminders of the need to ensure that political revolution indeed leads to a fundamental transformation, not merely a cosmetic one, toward democracy and equality for all members of society.

To address this risk, we recommend that the United States focus on long-term development of democratic practices and norms at both the social and political level through the following five actions:

- A clear commitment through foreign assistance to the development of information and communications infrastructures that are widely available, secure, and free from censorship;
- Investment in training women, young people and grassroots civil society members who are key actors in building cultures of democratic participation, to use new technology in support of this process;
- Funding and empowering institutions such as the National Endowment for Democracy that have long-term experience with supporting democratic transition;
- Engagement with local and regional media as key outlets to promote voices for democracy and equality at the national, community, and family levels; and
- Support for international norms for women's equality at all levels of social interaction through the ratification of CEDAW, the Convention on the Elimination of All Forms of Discrimination Against Women, thus reinforcing the efforts of women's rights activists in the region.

This is a time of critical opportunity in the Middle East—but it is also a time of serious risk for women's rights. There is a very real possibility that women will not only be marginalized but also lose ground there, unless we provide increased emphasis, training, and resources for women and civil society throughout the region. I urge you not to underestimate the power of your endorsement of those structures that are requisite to women's equality and the establishment of a deeply rooted culture of democracy both at the grassroots and through international frameworks. Through these paths, we can achieve true reform.

A factsheet on women's rights and the Arab Spring, created in collaboration with The Leadership Conference on Civil and Human Rights, is appended in support of this testimony.

[EDITOR'S NOTE.—The factsheet can be found in the "Additional Material Submitted for the Record" section of this hearing.]

#### WLP PARTNER ORGANIZATIONS

Afghanistan—Afghan Institute of Learning (AIL)  
 Bahrain—Bahrain Women Association  
 Brazil—Cidadania, Estudo, Pesquisa, Informacao e Acao (CEPIA)  
 Egypt—Forum for Women in Development (FWID)  
 Indonesia—Women and Youth Development Institute for Indonesia (WYDII)



Indonesia—Koalisi Perempuan Indonesia/Indonesian Women Coalition (KPI)  
 Jordan—Sisterhood Is Global Institute-Jordan (SIGI/J)  
 Kazakhstan—Shymkent Women's Resource Center  
 Kyrgyzstan—Citizens Against Corruption  
 Lebanon—Collective for Research & Training on Development-Action (CRTD-A)  
 Malaysia—All Women's Action Society (AWAM)  
 Mauritania—Association des Femmes Chefs de Famille (AFCF)  
 Morocco—Association Democratique des Femmes du Maroc (ADFM)  
 Nigeria—BAOBAB for Women's Human Rights  
 Pakistan—Aurat Foundation  
 Palestinian Territories—Women's Affairs Technical Committee (WATC)  
 Turkey—Kadin Emegini Degerlendirme Vakfi/ Foundation for the Support of Women's Work (KEDV/FSSW)  
 Zimbabwe—Women's Self-Promotion Movement (WSPM)

Senator CASEY. Thank you very much.  
 Dr. Bunn-Livingstone.

**STATEMENT OF PROF. SANDRA BUNN-LIVINGSTONE, ESQ.,  
 PRESIDENT AND CEO, FREEDOM CUBED, WASHINGTON, DC**

Dr. BUNN-LIVINGSTONE. Chairman Casey, Chairwoman Boxer, and Ranking Members DeMint and Risch, and distinguished members of the subcommittee, it is an honor to be invited to address you and to represent Freedom Cubed. Thank you for your efforts to advance women's rights.

I ask that my full statement be entered into the record in the interest of time.

Senator CASEY. Without objection.

Dr. BUNN-LIVINGSTONE. Thank you.

Freedom Cubed is an international nonprofit committed to supporting human rights for each and every human being, including freedom of thought, conscience, and religion or belief. We work extensively in the Middle East and North Africa.

Where human rights are fettered, women are often the most vulnerable victims. It is for this reason that so many women took part in the Arab Spring and were, in fact, central actors in the revolutions with Tunisia, Egypt, and Libya. Yet, given recent events, the focus of this testimony will be twofold. I will let Egyptian, Tunisian, and Libyan women's voices of concern speak and will then make recommendations.

First, I would like to look at Egypt. Irini from Cairo states the subjection of women to open physical, sexual, and verbal harassment during their post-revolution march on International Women's Day was a telltale sign of where we are as a society. These are the same women who only weeks earlier stood side by side with men to demand the end of an oppressive regime. They were called names, shoved around, groped, and yelled at to go home and cook. What they were calling for were basic rights to engage in Egypt's political future.

Muslim commentator, Khaled Montasser, premised the three targets for persecution in Egypt as women, the poor, the Christians. "I believe both Muslim and Christian women will face a tough time with the looming fundamentalist Islamic majority in the upcoming parliamentary elections."

On October 9, 2011, peaceful protests in Cairo were met with military vehicles driving through crowds, leaving at least 27 people dead and 300 injured, mostly from Egypt's Coptic Orthodox Chris-

tian community which represents 10 percent of the Egyptian population.

Juxtaposed against these horrific events is a cause for hope, the recently signed Cannes Peace Accord and Plan of Action affirming the Egyptian Bill of Rights and Freedoms. Egyptian leaders from the House of the Family, Muslim and Christian, along with human rights activists renowned scholars and youth leaders of the social media revolution vowed their support at a Freedom Cubed-sponsored meeting in Cannes praised by Nobel Laureate Emeritus Archbishop Desmond Tutu as “a fabulous step toward freedom.”

Freedom Cubed’s recommendations for Egypt are that the U.S. Government should be publicly supportive of equality for women and minorities and other human rights provisions of the Egyptian Bill of Rights and Freedoms, as well as the Cannes Peace Accord and Plan of Action; second, to encourage all efforts to hold free, fair, and transparent democratic elections; and third, to reaffirm article 18 in both the Universal Declaration of Human Rights and the International Covenant for Civil and Political Rights as fundamental for every human being in the world.

Second, moving to Tunisia, women in Tunisia have had rights in political, social, and religious spheres prior to the revolution. Polygamy was outlawed. The government required parents to send girls to school. And today more than 50 percent of university students are women and 66 percent of judges and lawyers are women.

October 23 elections were won by An-Nahda and longtime head Rached El Ghanouchi. He has pledged to support women’s rights, but Dr. Khadija Moalla and other Tunisian women expressed concern that An-Nahda could decrease women’s rights in Tunisia.

Dr. Fatima of Medina tells her story. “I am a Professor at Zaytouna University and I teach Islamic studies. I am an unveiled woman and I believe that it has to be a free choice of a woman to decide whether or not she wants to be veiled. In Tunis, it has always been the free choice of women. I believe that free will is crucial in the Muslim faith. Yet, to my shock, after the revolution, I came to campus to give my class lectures and was confronted by students and professors who demanded that I veil myself on campus. They banned me from teaching unless I wore the veil. Unfortunately, I now begin to wear the veil as I teach my classes so I can keep my job and continue to educate my students.”

Recommendations for the committee concerning Tunisia are firstly to strongly support statements made by An-Nahda and its leader Ghanouchi which endorse women’s rights, minority rights, and fundamental freedoms, then keep the new Tunisian Government accountable for such statements. Second, support a new constitution which reflects the cries of the Tunisian people for freedom. Third, condition U.S. economic support for Tunisia on women’s rights, human rights, democracy, and the rule of law.

Third, I turn toward Libya. Women, of course, played a big role in Libya’s revolution. An advocate from Voices of Libyan Women lamented recently, “I am quite disappointed in the liberation speech yesterday by Mustafa Abdel Jalil. He had so many more important issues to address. However, he focused on polygamy, and not only that but he thanked women for their role as mothers, sisters, and wives. Need we remind him of the countless women who

got arrested, killed, and raped during this revolution, who fed and clothed our troops, smuggled weapons in their cars, hid soldiers in their homes, allowed and encouraged their sons, husbands, brothers, and even fathers to go and fight? Women make up more than half of the Libyan population. Would it not make sense then on liberation day to have a woman speak? We are completely shocked and unimpressed by the NTC and believe it is time for them to understand that simply because women did not have the same job as men in this revolution, it was not a lesser job. This was a Libyan revolution made by Libyan men and women.”

Jalil has said Libya will be a moderate sharia country. Libya has been advocating freedom. So how that looks with the declaration of polygamy and sharia and what interpretation of sharia remains to be seen. The first indications give legitimate cause for concern to women and women’s rights activists.

Freedom Three gives the following recommendations for the committee on the situation for women’s rights and freedom in Libya. One, seek clarification from the new leaders what will the legal system in Libya be based on. Second, determine whether other unpalatable forces are involved with this new leadership and encourage transparency, rule of law, and women’s and human rights as the basis for the new constitution. Three, work to build a new infrastructure based on good governance, unity, equality, and non-discrimination. And finally, to work multilaterally to encourage Tunisian adherence to international legal standards of human rights, women’s rights, and fundamental freedoms.

[The prepared statement of Dr. Bunn-Livingstone follows:]

PREPARED STATEMENT OF DR. SANDRA L. BUNN-LIVINGSTONE, ESQ.

Chairman Boxer, Ranking Member DeMint, and distinguished members of the subcommittee, it is an honour to be invited to address you and to represent Freedom<sup>3</sup>. I would like to thank you and your staff for all your efforts to advance the cause of human rights, democracy, and global women’s issues.

Freedom<sup>3</sup> is an international nonprofit committed to supporting human rights for each and every human being across the globe. Its mission is to mobilize leaders in government, industry, law and education to promote freedom of thought, conscience, and religion or belief for each and every human being in the world. Its vision is to see that every human being in the world is able to exercise their fundamental right of freedom of thought, conscience, and religion or belief. Across the globe, where human rights are fettered, women and children are often the most vulnerable members of this disadvantaged subgroup of discrimination, hostility, and obloquy. And it is for this reason that so many women took part in the Arab Spring across the Middle East and North Africa, and were in fact, central actors in the revolutions of Tunisia, Egypt, and Libya. Yet, given the events of the recent fortnight, this subcommittee is to be commended for examining the issue, “Women in the Arab Spring.”

This focus of this testimony will be twofold: First, recent events in Egypt, Tunisia, and Libya provide us with reason to pause and ask whether the Arab Spring for women, and indeed vulnerable minorities will give rise to an Arab Summer, or if an Arab Winter seems far more likely? This portion of the testimony includes concerned voices from each country; and, second, what should the United States Government be doing to support true women’s rights, human rights, and religious freedom in Egypt, Tunisia, and Libya?

#### I. RECENT EVENTS

##### A. *Egypt*

On October 9, 2011, riots in Cairo led to the death of at least 27 people and the injury of over 300, mostly from Egypt’s Coptic Christian community. The conflict followed a peaceful march from the neighborhood of Shubra, with its high percentage of Coptic residents, to the Radio and TV Building in Maspero, which has become

the location of choice for Coptic protests following the revolution. Early on in the coverage state media announced Coptic protestors had assaulted the army assigned to guard the Maspero building with stones, Molotov cocktails, and live ammunition, killing at least three. Yet after the violence, nearly all the dead were Copts, with many witnesses laying blame upon the military for the entire event. Since then, speculation has posited the presence of a third party, which may have set the two sides upon each other. The investigation is still ongoing, undertaken by the military prosecution.<sup>1</sup> The events at Maspero represent a terrible devolution of relations between Coptic Christians and the army, the de facto government of Egypt. The common cries in Tahrir Square not so long ago of “Muslims and Christians are all Egyptians,” as well as calls for equality of men and women, freedom, opportunity, and solidarity became imperceptible on that Sunday 3 weeks ago.

And yet, juxtaposed against these tensions, just 3 days later, Egyptian leaders from the House of the Family,<sup>2</sup> Muslim and Christian, along with human rights activists, renowned scholars, and youth leaders of the Social Media revolution, gathered in Cannes, France, at the invitation of Freedom<sup>3</sup>, and signed the Cannes Peace Accord and Plan of Action (Appendix B) which vowed to support the Egyptian Bill of Rights and Freedoms<sup>3</sup> (Appendix A) as a normative, guiding legal and policy structure for Egypt. This Bill of Rights, the first of its kind in the Arab world, provides 11 principles including, equality for women and men, prohibition of discrimination based on religion, gender, ethnicity, language or belief, freedom of religion, popular sovereignty, rule of law, separation of powers, independence of the judiciary, and human dignity. Nobel Laureate Emeritus Archbishop Desmond Tutu praised the Cannes Peace Accord, stating: “My Dearest Egyptian Leaders, Muslim and Christian, young and old, women and men: I would like to congratulate you all on your outstanding commitment to peace, unity, and a bright future for Egypt. Always go forward, never look back, and build upon every positive step you take. The Bill of Rights and Freedoms which you have constructed and committed yourselves to is the first of its kind in the Arab world, and a fabulous step toward freedom. The Cannes Peace Accord and Plan of Action is a huge achievement, and I congratulate you, your host Freedom<sup>3</sup>, and its President, Professor Dr. Sandra Bunn-Livingstone for your joint commitment to the Egyptian people. God Bless you.”

Although attempts have been made by proponents of the Bill of Rights and Freedoms to get the Military Government to put this document in place ahead of parliamentary and presidential elections, in order to ensure the long-standing nature of these legal and policy structures, opposition from the Muslim Brotherhood and Salafist Groups have prevented this. Likewise, the international community has stayed largely silent on the matter.

Irini, an Egyptian woman from Cairo, recently described her concerns with the future given recent events:<sup>4</sup> “I believe both Muslim and Christian women will face a tough time with the looming fundamentalist Islamic (Muslim Brotherhood and, to a lesser extent, Salafi) majority or near-majority in the upcoming parliamentary elections in Egypt. The promotion of the rights of women was a pet project of Mrs. Mubarak’s. Now, everything that she promoted is being rejected and discredited—

<sup>1</sup> See Video testimony. Accounts filmed by eyewitnesses, television channels, and State TV. In all, the following report has collected 37 videos, beginning with initial march from Shubra, the onset of violence, the ensuing chaos, media coverage, and death.

<<http://click.icptrack.com/icp/relay.php?r=13505088&msgid=402427&act=T1JM&c=196810&destination=http%3A%2F%2Fwww.arabwestreport.info%2Fsites%2Fdefault%2Ffiles%2Fpdfs%2Fpaper34.pdf>>

<<http://click.icptrack.com/icp/relay.php?r=13505088&msgid=402427&act=T1JM&c=196810&destination=http%3A%2F%2Farabwestreport.info%2Fyear-2011%2Fweek-34%2F14-hulsman-internal-and-external-pressures-make-it-hard-egypt-regain-stability>>

<sup>2</sup> The House of the Family is a group formed after the Egyptian Revolution to represent all the people of Egypt. It includes such notable religious leaders as Grand Imam, Sheikh Al-Azhar, Ahmed Mohamed el-Tayyeb, Grand Mufti, Sheikh Ali Gomaa, Professor Dr. Hamdi Zakzouk, Secretary General House of the Family, Former Minister of Endowments, Pope Shenoudah III of Alexandria, President of the Protestant Evangelical Churches of Egypt, Pastor Professor Dr. Safwat El-Baiady, and Archbishop Antonious Nagueib, Patriarch of the Coptic Catholic Church of Alexandria.

<sup>3</sup> The Egyptian Bill of Rights and Freedoms is a document that took 90 days and nearly 100 people to draft, negotiate, and agree upon (the committee represented every facet of Egyptian society, including Religious Leaders, civil society leaders, youth activists, community representatives, women, minorities, etc.). This Bill of Rights is the first of its kind in the Arab world, and includes principles of human dignity, human rights, women’s rights, equality, civil and political rights, separation of powers, democracy and governmental transparency.

<sup>4</sup> See Appendix C for testimonies submitted to Freedom<sup>3</sup> from Egyptian women.

a classic throwing out of the baby with the bath water, so no one with a high level of influence will pick up the cause for a while.

"The subjection of women to open physical, sexual and verbal harassment during their post-revolution march on International Women's Day was a telltale sign of where we are as a society. These are the same women who, only weeks earlier, stood side by side with men to demand the end of an oppressive regime. They were called names, shoved around, groped and yelled at to 'go home and cook.' What they were calling for were basic rights to engage in Egypt's political future.<sup>5</sup> The fact that some women in Tahrir Square were rounded up and subjected to virginity tests is frightening.<sup>6</sup> This is criminal, and it happened with impunity.

"A recent article by Khaled Montasser, a prominent Muslim commentator in El Masry El Youm centered around the premise that the three targets for persecution in Egypt are: Women, the poor, the Christians. And a woman who is poor and Christian embodies that trifecta of doom.

"The most serious problem facing Egypt right now is lawlessness and the incapacity to bring criminal offenders to justice. This is why so many churches have been burned and Christians killed without retribution. The growing trend of declaring that someone is an infidel or not observant enough (moderate Muslims) puts Christians first in the line of fire. The fundamentalist rhetoric is unlike anything we've seen in the past, same with the hatred and intolerance. Combine that with an absence of due process and you have a mixture that is very dangerous to Christians, especially Christian women."<sup>7</sup>

The other testimonies appended to this one clearly show two facets of concern for women: lawlessness and uncontested violence against them, and discrimination, be it gender or religion-based. It is also obvious that extremist policies, sectarian strife, and lack of human rights protection put all individuals and minorities at risk in the "new Egypt."

Irini's account, coupled with the past difficulties with Egypt's tremendous need for religious freedom, as outlined in Article 18 of both the 1948 Universal Declaration of Human Rights and the 1966 International Covenant on Civil and Political Rights is highlighted by this sectarian strife. Egypt has ratified the Covenant and is of course bound by the Universal Declaration in customary international law. As House of the Family Member, Grand Mufti Ali Gomaa states, "The recent wave of sectarian violence . . . made my heart ache in a country where Christians and Muslims have lived together in peace for centuries. It is vital for the peace of the region and wider world that the place of all religious communities and their full participation in society should continue to be fully protected and assured . . . we feel duty-bound to stress that any group must not claim to monopolize the interpretation of Islam as if they hold the unquestionable and divine truth, thereby precluding other interpretations and understanding of the role Islam is to play in the new Egypt."<sup>8</sup>

### *B. Tunisia*

The Tunisian revolution resulted in widespread calls for political reform, including the demand for a new constitution, to be drafted by an elected Constituent Assembly. The previous Parliament was suspended in late January 2011 following the fall on January 14, 2011, of former President Zine El Abidine Ben Ali (a secularist regime) and a decision by the Supreme Council which broke up and outlawed the Democratic Constitutional Rally (RCD). The Elections of October 23, 2011, led to a big win for Islamist party, An-Nahda and long-time head, Rached El Ghanouchi. During the Ben Ali era Islamist opposition party Nahda was deemed a "terrorist organization" and outlawed in 1991. Nahda operated in exile in London until it was legalized by the post-Ben Ali government. The 218-seat Constituent Assembly will draft a new constitution and name a new interim government. Current provisions will most likely change in the new constitution.

According to the Department of State, since January 14, the U.S. Government has contributed close to \$40 million in assistance to help Tunisians prepare for elections; develop a pluralistic, competitive political culture; promote transparency and accountability; support indigenous transitional justice processes; support youth employment initiatives; and advance private-sector development.

<sup>5</sup> See <http://blog.amnestyusa.org/iar/egyptian-revolution-sidelining-women/> and [http://voices.washingtonpost.com/blog-post/2011/03/international\\_womens\\_day\\_march.html](http://voices.washingtonpost.com/blog-post/2011/03/international_womens_day_march.html).

<sup>6</sup> See <http://www.amnesty.org/en/news-and-updates/egyptian-women-protesters-forced-take-virginity-tests-2011-03-23>.

<sup>7</sup> See also: <http://www.catholicnewsagency.com/news/christian-women-in-egypt-increasingly-converted-to-islam-by-force-witness-says/>.

<sup>8</sup> "What Role Will Islam Play in the New Egypt?" Grand Mufti Sheik Ali Gomaa, [http://www.washingtonpost.com/blogs/guest-voices/post/what-role-will-islam-play-in-the-new-egypt/2011/05/AFz3nrgG\\_blog.html](http://www.washingtonpost.com/blogs/guest-voices/post/what-role-will-islam-play-in-the-new-egypt/2011/05/AFz3nrgG_blog.html).

Despite broad opposition to the Ben Ali government, Tunisia under his regime had legal equality for women and outlawed polygamy (the only Arab government to do so). Tunisia had also had an enlightened and tolerant education system which was one of the best in the Arab world. Ghannouchi has pledged to support women's rights, even though in his past, he threatened to hang Raja bin Salama for her criticism of Islamic extremism and the subjugation of women. She had also called for Tunisian law to be based on the Universal Declaration. Likewise, Ghannouchi also stated that he wanted Lafif Lakhdar to be hanged with Salama for her Tunisian reform suggestions. Allegations have also been made of his condemnation of the United States, support for Hamas, and condemnation of Israel.

An-Nahda, however, has said that it is not seeking to monopolize power nor to impose a fundamentalist agenda. And the largely outstanding nature of its free and fair elections has been lauded.<sup>9</sup>

#### *Concerns for Women's Rights*

Tunisia became the first Arab state to formally abolish polygamy in 1956. Although in current times, Tunisia is still one of the very few predominately Islamic nations that have legally banned polygamy, An-Nahda has made statements concerning the legalization of polygamy. In comparison to many Arab countries, prior to the revolution, women in Tunisia are considered to have had major victories in obtaining rights in political, social, and religious spheres for themselves. Thus, it was expected that after the revolution, the rights of women would advance and not be hindered. Yet, An-Nahda has also influenced many young males and females to force unveiled women to be veiled.

Dr. Khadija Moalla, a Tunisian woman and U.N. worker on HIV-Aids in the Middle East and North Africa, expressed her concern with the division and friction among Tunisian citizens. She has found that although the aspirations of starting the revolution are admirable, unity and solidarity among citizens does not exist any longer. In fact, the majority of constituencies are headed by self-interest and power. Such a deficit of unity is what brought the gulf-funded group, "Nahda" a victory as the October 23, 2011, elections gave 41 percent of all votes to the Nahda group. As a result, the well-organized extremist group may very well contribute to the decrease of women's rights in Tunisia.

Tunisian women have submitted testimonies (Appendix D) to Freedom<sup>3</sup>, which include the following account:

Dr. Fatima of Medina, in the city center of Tunis, Tunisia in Zaytouna Mosque University states: "I am a Professor at Zaytouna University which is the sharia (Islamic law) school of the university of Tunis and I teach Islamic studies. I am an unveiled woman and I believe that it has to be a free choice of a woman to decide whether or not she wants to be veiled. It should never be forced upon her. In Tunis, it has always been the free choice of a woman and, in fact, the teaching on the veil is left open to much interpretation and discussion. I taught this to many of my students and I believed that free will is crucial in the Muslim faith. Yet, to my shock, after the revolution, I came to campus to give my class lectures and was confronted by students and professors who demanded that I veil myself on campus. I refused to submit to their requests. As a result, they banned me from teaching unless I wore the veil. It was a battle everyday as I walk on campus. Unfortunately, due to the ridicule and discrimination I have suffered on this issue, I have now begun to wear the veil as I teach my classes so I can keep my job and continue to educate my students."

Some may say this is a relatively mild step against women's rights in Tunisia, and that legalizing polygamy still gives individuals a choice of whether or not to be polygamous. But remember that choice is not a woman's choice, and certainly being forced to wear the veil when your own Muslim beliefs do not require the same, is a violation of both freedom of religion and freedom of expression. These small hints of what Tunisia could be like under Islamist rule are harbingers of the future Constitution, legal, and policy structure the world and women in Tunisia await.

#### *C. Libya*

The death of Muammar Qaddafi, and the fall of his four-plus decade repressive regime led to the declaration of polygamy and Sharia law by the leader of the Transitional Council.

<sup>9</sup> [http://www.washingtonpost.com/opinions/tunisia-again-points-the-way-for-arab-democracy/2011/10/24/gIQAyubeDM\\_story.html](http://www.washingtonpost.com/opinions/tunisia-again-points-the-way-for-arab-democracy/2011/10/24/gIQAyubeDM_story.html).

As was shown in the media women played a big role in Libya's revolution. Out of this several women's advocacy groups have sprung up. This is how one such woman advocate lamented over recent events: "I am quite disappointed in the Liberation speech yesterday by Mustafa Abdel Jalil. He had so many more important issues to address however he focused on polygamy, and not only that but thanked women for their role as 'mothers, sisters, and wives'—need we remind him of the countless women who got arrested, killed, and raped during this revolution? The women who fed and clothed our troops? The women who smuggled weapons in their cars? The women who hid soldiers in their homes? The women who allowed and encouraged their sons, husbands, brothers and even fathers to go and fight? Women make up more than half of the Libyan population—would it not make sense then, on Liberation day, to have a woman speak? We are completely shocked and unimpressed by the NTC and believe it is time for them to understand that simply because women did not have the same job as men in this revolution, it was not a lesser job. This was a Libyan revolution—made by the Libyan men and women, and trying to define it as anything less is a joke."<sup>10</sup>

Jalil has said Libya will be a moderate Sharia country. What that looks like remains to be seen. But under Gaddafi, fundamentalism was held down. Very few were mosque-going Muslims under Gaddafi. It was illegal to go to mosque too many times a week, and men could not have beards. That is why all the men had beards during the revolution. But Libya has also been advocating freedom, so how that looks with a declaration of polygamy and Sharia—and what interpretation of Sharia, remains to be seen. The first indications give legitimate cause for concern to women and women's rights' activists.

## II. RECOMMENDATIONS

### A. Egypt

Egypt is the most populous country in the Arab world and the second-most populous on the African Continent. Its central importance therefore to U.S. Foreign Policy is obvious.

Assistant Secretary of State Posner (Bureau of Human Rights, Democracy, and Labor) has stated, concerning the Arab Spring, "The Obama administration believes that democratic transitions must be home grown. The challenge falls to the people and the leaders of the region to achieve the brighter future they desire—a future in which governments respond to the aspirations of their people and view it as their duty to protect human rights, fundamental freedoms and the dignity that all people desire and deserve. But the United States has a keen interest in their success, and we can play a key supporting role. We have done and will do this by acknowledging, supporting, and empowering the democratic and reformist voices from the region. And we will continue to do this by speaking honestly about the need to respect human rights and shun violence."

Now is the time for the U.S. Government, who gives some \$1.3 billion in foreign aid to Egypt, to closely assess human rights compliance, including the protection of women's rights, minorities, and all Egyptian citizens vis-a-vis the current military government, and to encourage adherence to rule of law, free and fair elections, and accountability for its actions. But there is another step our government can take:

- (1) In its "key supporting role," the U.S. Government should be supportive of human rights provisions of the Bill of Rights and Freedoms drafted, negotiated, and agreed-upon by a broad swathe of Egyptian leaders, representing an overwhelming majority of Egyptian people;
- (2) Strongly support women's rights and the rights of the minorities in Egypt, and speak out against violations of women and minorities in the name of the majority, political party, or nonstate actors;
- (3) Review and support the Cannes Peace Accord and Plan of Action;
- (4) Do everything in its power to encourage both the current military government, and future parliamentary and presidential leaders to respect, uphold, enshrine, and protect the human rights of women, minorities and the poor;
- (5) Encourage all efforts to hold free, fair, and transparent democratic elections;
- (6) Support inclusion of Article 18 in both the UDHR and ICCPR in Egypt's Constitution, in order to provide religious freedom for all Egyptians, and to halt sectarian violence based on religion.

<sup>10</sup>The Voice of Libyan Women (VLW).

### *B. Tunisia*

Lack of political freedom characterized the Tunisian landscape under the former regime, and governmental insensitivity to economic equality led in part to the revolution which began in December 2010. Yet, at the same time, Tunisia has been a leader in the Arab world in promoting the legal and social status of women. A Personal Status Code was adopted shortly after independence in 1956, which, among other things, gave women full legal status (allowing them to run and own businesses, have bank accounts, and seek passports under their own authority). It also, for the first time in the Arab world, outlawed polygamy. The government required parents to send girls to school, and today more than 50 percent of university students are women and 66 percent of judges and lawyers are women.

Tunisia has also long been a voice for moderation and realism in the Middle East. Yet, post-revolution developments have raised questions about An-Nahda's commitment to women's rights, human rights, and nondiscrimination in the new Tunisia.

Recommendations for this committee concerning Tunisia are:

1. Strongly support statements made by An-Nahda and its leader, Ghannouchi which endorse, women's rights, minority rights, and fundamental freedoms—then keep the new Tunisian Government accountable for such statements.

2. Support a new Constitution which reflects the cries of the Tunisian people who sacrificed so much for their future.

3. Engage in Multilateral Efforts to assist Tunisia in its new nation-building capacity, focusing particularly on women and all economic infrastructures to increase potential for prosperity.

4. Condition U.S. economic support for Tunisia on women's rights, human rights, democracy and the rule of law.

### *C. Libya*

The U.S. and NATO have invested a tremendous amount in working with the Libyan Transitional Council to liberate the country. Gadaffi is dead. The new leaders are in place. But the messages coming out of Libya give us cause for concern. Freedom<sup>3</sup> gives the following recommendations to the committee on the situation for women's rights, human rights, and freedom in Libya:

1. Seek clarification from the new leaders what the legal system in the new Libya will be based on.

2. Determine whether other unpalatable forces are involved with this new leadership, and encourage transparency, rule of law, and women's/human rights as the basis for the new Constitution.

3. Work to build new infrastructure based on good governance, unity, equality, and nondiscrimination.

4. Help to assist with the establishment of security forces who are able to keep violence at a minimum and provide stability in what has been a very unstable environment.

5. Work multilaterally to encourage adherence to international legal standards of human rights and fundamental freedoms.

## III. CONCLUSION

At this point at the juncture of Arab Spring and its aftermath, Egypt, Tunisia, and Libya, their people and the (in two cases transitional) governments need encouragement in their efforts toward human rights, including of course women's rights and protection of extremely vulnerable minorities.

At the 12th Annual Center for Islam and Democracy Conference former U.S. Ambassador to Iraq, Afghanistan, and the United Nations. Zalmay Khalilzad stated, "as much as would like to see multilateral responses to these things, we also have to recognize that sometimes effectiveness in carrying out the mission in a timely manner has to be the criterion."<sup>11</sup> While multilateral support for human rights, including women's rights, and those of minorities and the poor in these three countries should be pursued and is in the best interests of those who should be protected, the U.S. Government also needs to act strongly, if needs be unilaterally, to support international human rights, including women's rights, minority rights, and religious freedom in Egypt, Tunisia, and Libya in its foreign aid decisions, diplomatic relations, and at the Executive level so that our own actions lend credence to those many brave men and women who risked everything for Spring—and whose expectations, like nature, look to Summer next—not Winter as the logical next step in their

<sup>11</sup> [https://www.csidonline.org/pdf/CSID\\_12th\\_Annual\\_conference\\_report.pdf](https://www.csidonline.org/pdf/CSID_12th_Annual_conference_report.pdf). Pg.19. CSID's Conference was entitled, "Tunisia's and Egypt's Revolutions and Transitions to Democracy: What is the impact on the Arab World? What Lessons can we learn?" Friday, April 15, 2011.



quest for equality, dignity, freedom, human rights, and the potential for holistic prosperity.

[EDITOR'S NOTE.—The appendices attachment to Dr. Bunn-Livingstone's prepared statement can be found in the "Additional Material Submitted for the Record" section of this printed hearing.]

Senator CASEY. Well, thank you very much.

What I should have said earlier—and Doctor, you gave me a reminder—was that all three of your statements in full will be made a part of the record.

I will start. We will do about 7 minutes and see where we get with our time, but we are grateful for your testimony. And each of you was over your time by only about a minute. That is a record for this place. You have already set some kind of a record.

I wanted to ask a broader question, but I want to start with a more specific question. And that pertains to the impact or the interplay between a number of these countries that have a strong Islamic tradition and will have Islamic parties and leaders trying to move forward their agendas. At the same time, we have the beginnings of more democracy, more human rights, and obviously more rights for women. I want to get your sense of whether there will be different gradations or different approaches that Islamist parties will take in a particular country. Will it vary within a country, or will it vary country by country?

We want to get a sense because sometimes in the United States when we look from a distance at another country, especially one undergoing seismic change, we do not have a strong sense of how it will work or a full understanding of how religion and culture play into this. I am guessing that there could be differences depending on which country you are in or maybe some Islamist parties will have a different approach than others. And I just want to get your sense, even if you can go country by country, or provide a broader analytic framework.

We can start in any order. Ms. Omar, thank you.

Ms. OMAR. I will just start by taking you maybe a step back from the religion and culture argument and looking at the institution-building. And what is really missing in a lot of these countries is the ability to build institutions. Since we are looking at a very quick process, whether it is Egypt, whether it is Tunisia. Tunisia has already done their elections and the roadmap that has been defined by Libya is 8 months after liberation. And so what that does is it gives an added advantage to institutions that already exist. And this situation is primarily Islamic institutions, and that is giving an added advantage to that particular group. Whereas you have from the people a lot of pluralism, a lot of liberal views, a lot of desire to do political parties, but not enough time to actually catch up because the advantage will go to preexisting institutions.

Senator CASEY. Let me just interrupt there for one quick second. In which country or countries do you think those Islamic institutions are most fully developed? If you can rank them.

Ms. OMAR. Well, it would definitely be Egypt. I mean, Egypt is where you have the added advantage both within the Islamic institutions, particularly the Muslim Brotherhood, but a rising trend of

Salifism within Egypt as well. And again, they have a much longer ability to and a wider network to get to the grassroots.

I think that Libya would be second, but Libya is generally a religious country but sees the division between politics and religion, although again what has been happening with President Mustafa Abdel Jalil has worried a lot of Libyans within the country.

And then I would say Tunisia is the third and maybe even a far third.

However, again, going back to the dictatorship and the style of the dictatorship, because religious institutions were not allowed as part of the political process and actually targeted as the opposition voice, there is a lot of identity issues in terms of identifying themselves within the Islamic context as a way of protesting the previous regime's stand.

I think in many countries and particularly Tunisia, there was an outward opposition toward women who wear the veil. Under Qaddafi people who attended the mosque were targeted. So, you know, there is this juxtaposition of being able to once more practice freely and then what does that mean in terms of translating it to a political process, and with such a fast process, that temptation of actually building other institutions is being skipped. And I think that that is a crucial element that needs to be explored when we are looking at the religious and cultural dynamics involved in these countries.

Senator CASEY. Ms. Afkhami.

Ms. AFKHAMI. I would go so far as to say that all of the Muslim-majority societies have a tradition of strong networking and strong civic development. There is a strong appeal within their populations for Islamic organizations because of the fact that, for the most part, they are the ones who have been free to express themselves and to organize. The Islamic organizations have had resources. There is no tradition of philanthropy in these countries except for religious charity, and the religious charities have often offered services that the governments have not. Also, these organizations have strong, simple, appealing messages, and usually their messages are said to come directly from God. And so they are placed in a position of prominence right now.

The more democratic forces, mostly among the young and the more educated and the more connected, have not had an opportunity to do civic organizing. There are no political parties in the way we know them. Unions are not strong. The necessary infrastructure for democracy is not there. And then, of course, the young who have been pushing for change have very high expectations. They are very urgent in their needs and demands, and there is just not enough time to really organize while building the infrastructure.

So, this is a dangerous situation.

Just briefly, I would look at the example of Iran. People do not remember, especially the populations in these countries who are 70 percent under the age of 30, that when Iran's revolution happened, it was all about democracy, all about freedom. Take Mr. Khomeini for instance. I have quotes from him before and after the revolution talking about freedom, talking about the fact that he did not want to take part in governing the country, talking about women being

free to dress as they like and so forth. And at first he was very inclusive. Marxists, nationalists, all groups were included. And then gradually they were eliminated and a theocracy was put in place.

I think it is important to remember that most of the organizations that self-identify as Islamists are the ones whose goals and whose aspirations do not necessarily match those of the progressives, the democrats, and the rest of the democratic world. I think caution is extremely important. Even the definition of “moderate” should be looked at carefully when we characterize political movements in these countries. And it is not just women who are threatened. It is other religions. There is the risk to the freedoms and liberties of the people in the country and the danger to the rest of the world if these countries turn into some facsimile of Iran.

Senator CASEY. Doctor, I will turn to Senator DeMint. I will allow your response during my next round.

Senator DEMINT. Thank you, Senator Casey.

I thank all of you for being here. This has been very helpful. I will direct my first question to Dr. Bunn-Livingstone.

Just simply how important is religious freedom to protecting women’s rights, solving sectarian violence, and providing unity in Egypt and other places in the Middle East?

Dr. BUNN-LIVINGSTONE. Well, it is incredibly crucial in Egypt because you have a 10-percent Coptic Christian minority which has certainly been subjected to a lot of attacks recently which belie the purpose of the revolution in the first place.

I think as the United States it is really crucial that we state religious freedom correctly, not as freedom to worship, but as the freedom that is outlined in the Universal Declaration of Human Rights in article 18. It is the freedom of thought, conscience, and religion or belief, the freedom to change your religion which, of course, does not coincide with apostasy and blasphemy laws in some versions of fundamental Islam, and the right to manifest your religion or belief in public or private alone, with a community of others in worship, practice, teaching, and observance. All of those aspects of religious freedom really need to be stated and restated by not just the United States but the EU, the international community, and others.

And it is really crucial for women’s rights when we look at kind of the trifecta that was described by Irini, the Egyptian woman in Cairo, where she said and even Muslims have said the real targets, if we get a radical Islamic government in Egypt, will be the poor, women, and Christians. So I think it is incredibly important.

To answer the previous question in light of this question, what type of Islamic government we may have in these three countries, I think we have to look at what the Grand Mufti said. And the Grand Mufti of Egypt is one of the more moderate Islamic leaders, and he, of course, issues fatwas for all schools of Islam, both Sunni and Shia. He has said that he feels duty-bound to alert Islamist parties in Egypt they must not claim to monopolize Islam as if they hold the unquestionable and divine truth, thereby precluding other interpretations and understandings of the role Islam is to play in politics. This is really important. It is important for us to support those Islamic leaders in Egypt such as the Grand Mufti, the Sheik al-Azhar, Mohamed el-Tayeb, and other leaders in women’s rights,

human rights, religious freedom. We see this in the Bill of Rights and Freedoms that was drawn up by some of those members of the House of the Family and also by other people in civil society.

In Tunisia, I think it is really crucial to look at what Ghanouchi did in the past. It may not be completely reflective of his position in Islamic law, but in the past, he threatened to hang Raja bin Salama for her criticism of Islamic extremism and the subjugation of women. She also called for Tunisian law to be based on the Universal Declaration of Human Rights. He also stated he wanted Lafif Lakhdar to be hanged with Salama for her Tunisian reform suggestions. So there have also been allegations made of his condemnation of the United States, support for Hamas, and condemnation of Israel. So I think the worry with Tunisia is not that it has had one of the most progressive women's rights regimes for quite some time. It is that the new regime may undo that very quickly, and I think we have to be quite supportive of the opposite.

Senator DEMINT. I will ask this really to all three of you. We want to help here in Congress, but just making speeches on the floor or passing resolutions may not be what is needed or creating some new Federal program that has unintended consequences. What would you suggest we do—any of you can volunteer here—if anything? Do we need to do anything?

Ms. AFKHAMI. I would suggest one general principle that would be helpful. Keep in mind the young population which I mentioned, and refrain from considering the people of Muslim-majority societies as somehow exceptional or different than people in other parts of the world. These young people are primarily concerned with economic well-being, with education, with jobs, with culture, not only their own but the culture of other countries. They want progress. And they are not really all that different from young people anywhere else. So there are some very vocal people in these countries who are well organized and who keep expounding religious principles as the base for politics, but the general population is sympathetic to all the values that are held here and elsewhere in the world. And so, if we address our programs to this audience, the values of the United States, and the infrastructure of this country and what it stands for, will resonate. The culture of the United States resonates. The issue is how to help these groups to organize and to learn the nitty-gritty of what it takes to create a democratic society.

And I think that the best way to do this is to encourage their efforts to develop civic organizations using local and regional tools and strategies, instead of coming from the West and trying to directly build the capacities in those countries. The kind of thing, for instance, that has been done with our partners, that is peer to peer, south to south exchanges. Ambassador Verveer mentioned that that is part of what is being done. Expand that type of activity. Make accessible the experience of other countries that have undergone democratic transition so that there are diverse models and samples to follow. Some of the companies in this country such as Google, Facebook, and so forth can help a great deal to make communication faster, easier, and more extensive. For instance, making material in the appropriate language available, creating platforms and spaces for discussion, brainstorming, and for coming

to some kind of an agreement or shared vision. These types of activities, if supported and funded and valued, as well as messages of support, are extraordinarily important for growing the civic society that democracy needs.

An overemphasis on religion, I think, is something that will lead us to a uniformity of religious law, which excludes other religions automatically, and also will hamper the development of authentic civic organizations.

Thank you.

Senator DEMINT. I think I am out of time. Well, Senator, just the point there. Maybe you and I can work on something in this regard. The idea of sharing information that other countries have been through is analogous to best practice type organizations in industry, and that is probably sorely lacking for a lot of these countries going through things for the first time. And perhaps that is something that we could help facilitate through some of the groups represented here today not only to collect the information, to keep it updated, but some of the social networks to make that available to those who are making the decisions. There are probably some things that we could do to be helpful in addition to passing resolutions and making speeches.

Thank you, Senator.

Senator CASEY. Thank you, Senator DeMint.

I know we only have limited time, but I want to ask a broader question. Can you assess what the Arab Spring means to women in a broad sense? I hate to narrow it down to an either/or choice, but do you think what has happened and what is likely to happen in the near term offers substantial opportunities, or is it something that we should not have high expectations about? It may be difficult to answer, but I wanted to get your sense of that.

Ms. OMAR. I think I would start off in terms of what we are hearing on the ground often is a lot of excitement, particularly in Libya but also the time that I spent in Egypt. And most of my time in Egypt was outside Cairo in the countryside, particularly in Minea, which has 25 percent Coptic population. So there is an incredible amount of excitement. In countries like Libya, people are saying it cannot get worse. The regime that it was under was the absolute worst. Even the liberations for women was very rhetorical, but the actual day-to-day living was unbearable.

The reality is after conflict, a window of opportunity does open for women. It is not every day that you are negotiating a new social contract. It is not every day that you are putting a constitution together.

I go back to the element of process. If the process is fast-forwarded, women, minorities, other groups who are marginalized politically will be missing from the decisionmaking table. When we recognized the Libyan NTC, we said it is with conditions. I think it is time for us to come back and say these are the conditions. Women are a part of it.

I think an important element and what we need to do from learning from experiences in Iraq and Afghanistan is not ignore the issue of religion and not either overexceptionalize religion and particularly the role of Islamic law but not marginalize it as well. We need to put it at the center of the discussion, putting the rule of

law above everything else. But the more we try to avoid that discussion, the more we feed the rhetoric on the ground which then empowers it. But if we focus on process, if we focus on rule of law, the women on the ground see that as their main protection, and that is what they are calling for over and over in all the countries I visited.

Senator CASEY. I guess the choice is substantial or more limited opportunity?

Dr. BUNN-LIVINGSTONE. From the people that I know across the Arab world, Arab Spring for women means one thing in common across those three countries, which is overthrowing a dictator who is deeply corrupt and repression, and second, a new tomorrow, that things will not be the same, first in equality, in participation, and participation is a big part of what women had hoped for through the Arab Spring. And third, which is very crucial, is economic process and progress and prosperity.

Ms. AFKHAMI. I would say it is sort of 50/50 right now whether we go toward realizing the hopes and aspirations of the people in these countries. It depends a whole lot on the interaction with the outside world. We sometimes underestimate the power of international public opinion, especially around what happens in the United States and the attitude of the United States. It may very well be that one cannot change events in these countries, but the perception of power and prestige of the United States is way over what may be in reality possible.

In supporting democratic forces, of course, various opinions have to be included. Inclusiveness is one of the pillars of a successful democracy. But it is important for the United States not to be perceived as supporting groups no matter how they posit themselves, if their infrastructure or their basic beliefs are not in tune with democracy.

I believe the support of the international community, both for development and economic programs and also for democratic ideals, makes a lot of difference in helping the people to build the kind of societies that they have worked for.

Senator CASEY. Well, thank you very much. Unless Senator DeMint has any more questions, I will ask for consent that the statements submitted by Human Rights First, the Leadership Conference on Civil and Human Rights, and Amnesty International be included in the record.

We will, of course, keep the record open for 24 hours in case any of our Senate colleagues would like to submit additional questions in writing.

We want to thank the panel. There is lots more to talk about, but you have given us some good guidance on how to assess the changes we have seen to date, and I am sure we will be calling upon you for further insight and further guidance and advice on how to proceed. But we are grateful for your testimony and for your presence here.

We are adjourned.

[Whereupon, at 4:25 p.m., the hearing was adjourned.]

## ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

### PREPARED STATEMENT OF HUMAN RIGHTS FIRST

To the Honorable Barbara Boxer and Robert Casey: We welcome today's hearing on the Arab Spring and the role of—and impact on—women in these historic transitions. The Subcommittees, under the leadership of Senators Casey and Boxer, are to be commended, as is the U.S. Department of State, for their consistent focus on women's rights that has resulted in significant strides for women's groups and individuals throughout the world.

Human Rights First has had a longstanding program in Egypt, and the opportunities available in the post-Mubarak era are ample.

However, in Egypt, women are still being targeted by the security forces in ways similar to that of the old regime. Local activists from Nazra and elsewhere have reported to Human Rights First that the "virginity tests" inflicted on women arrested in Tahrir Square in March were a far from exceptional incident of gender violence committed by the army.

The 17 women subjected to the virginity tests by soldiers were threatened with prostitution charges if they were found not to be virgins, and such threats to women's privacy remain common.

A pattern of targeting politically active women has emerged. Women at a political meeting in June to honor those killed in the January revolution were arrested and beaten by security forces. Female Muslim activists are threatened with rumours—that stories will be spread about them being romantically active with Christians.

In May, a female journalist was attacked by the police. When she asked a passerby for help, the police told the bystanders that "she's been committing adultery."

Local activists report being assaulted, stripped, sexually baited, threatened with charges of prostitution and virginity tests. There appears to be a policy of trying to intimidate women out of the political sphere through this gender violence.

Human Rights First supports human rights defenders. In recent months, we have been approached by Egyptian women's groups about the challenges of organizing a movement with so many complexities. This week, a Human Rights First delegation is traveling to Egypt and Indonesia to coordinate a peer-to-peer exchange for women activists from many countries undergoing transitions and have experienced similar harassment by officials. Women in Bahrain, Indonesia and elsewhere can share valuable and practical advice to help overcome this intimidation.

In Egypt there is a particularly large group of what are called "First Time Activists"—stereotypically those who joined the revolution protests this year—but who were not very active or vocal before. Like many activists who are newly engaged in Egypt, they need to be assured that the public space is safe for them to venture into without fear or harassment.

In Bahrain there are First Time Activists as well, many of whom are women. These range from doctors and nurses to teachers, like Jaleela Al Salman, who, although a civilian, was put on trial in a military court and sentenced to three years in prison, where she was subjected to torture and harassment. She was initially released on bail pending her appeal on December 11, then re-arrested last week, and just released yesterday.

HRF has also received testimony from activists about gender-based violations. For instance, female digital activists covering Bahrain are subject to organized online campaigns to discredit them for drinking alcohol or being promiscuous.

U.S. policy prioritizes women's rights as human rights. We urge the witnesses at today's hearing to be specific about the achievements of women in the revolutions and ongoing protests, the threats they face for their courage, and the actions the U.S. government and NGO's can take to support this movement.

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### PREPARED STATEMENT OF THE LEADERSHIP CONFERENCE ON CIVIL AND HUMAN RIGHTS ON BEHALF OF 37 ORGANIZATIONS

We are pleased to submit this statement on behalf of 37 organizations, to support the many local efforts to advance women's equality as part of the democratization taking place in countries in the Middle East and North Africa. We thank Senator Barbara Boxer, chair, and Senator Jim DeMint, ranking member of the Senate Foreign Relations Subcommittee on International Operations and Organizations, Human Rights, Democracy and Global Women's Issues, and Senator Bob Casey, chair, and Senator Jim Risch, ranking member of the Subcommittee on Near Eastern and South Central Asian Affairs, for convening this hearing. We are pleased that this hearing will shine a spotlight on the importance of ensuring women's

rights as these new democracies begin to take shape and urge that the committee consider the importance of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in supporting these efforts.

We are members of a broad-based, diverse coalition of more than 180 national organizations coordinated by The Leadership Conference on Civil and Human Rights, and are seeking U.S. ratification of CEDAW, the most comprehensive women's human rights treaty. Our organizations have come together to increase the understanding and visibility of CEDAW and to build a greater awareness among policymakers and the public about the need, importance and impact of ratification of CEDAW by the United States, now one of only six countries in the world that has not ratified this treaty.

Since the start of the Arab Spring in Tunisia, some countries in the region, including Egypt and Libya, have toppled former dictators, while other sitting governments, such as Jordan and Morocco, have begun their own reform processes. In each of these countries, women have been important leaders and active participants in the "revolutions" and are determined to continue to press for equal participation in the democratization process and to enshrine women's equality in their new laws and constitutions.

This September, Secretary of State Hillary Rodham Clinton, speaking at the United Nations just before the start of the General Assembly, noted:

We are in an age of participation. Social networking and connective technology has made that a fact. And every party in any democracy should recognize the rights of women and make room for women to play roles in the political process. As the Arab Awakening enters a new chapter, we all have a stake in ensuring that the potential of all citizens—men and women, boys and girls—have a chance to be realized.

It is no coincidence that this year the Nobel Peace Prize went to three women, including Tawakkul Kaman from Yemen, "for their non-violent struggle for the safety of women and for women's rights to full participation in peace building work."

It is now well-recognized that empowerment of women is central to building democratic, peaceful and prosperous societies. On numerous occasions, both President Barack Obama and Secretary Hillary Clinton have reiterated that a society can be neither democratic nor prosperous without the full participation of women, and that no nation can thrive when it fails to tap the potential of half its population. In September, when the World Bank released its "World Development Report: Gender Equality and Development," Robert Zoellick, president of the World Bank, explained the need for the full participation of women in a Politico op-ed entitled "Empowering Women Empowers Nations." He said, "Equality is not just the right thing to do. It's smart economics. How can an economy achieve full potential if it ignores sidelines or fails to invest in half its population?"

The Senate has already gone on record expressing bipartisan support for women's rights and political participation as leaders in North Africa and the Middle East undertake constitutional reforms to shape new governments. In April 2011, the Senate unanimously approved a resolution emphasizing the critical importance of women's rights and political participation in these transitional periods. This resolution (S.Res.109), initiated by Senator Olympia Snowe, was co-sponsored by the 16 other women senators of both parties, among others. It was followed by a letter initiated by Senators Barbara Mikulski and Kay Bailey Hutchison, co-signed by all the women senators and others, to the Supreme Council of the Armed Forces of Egypt, urging the inclusion of women in shaping the government. On July 29, the Senate again unanimously approved a resolution (S.Res. 216) sponsored by Senator Boxer encouraging women's political participation in Saudi Arabia.

We believe another important step that the United States should take to demonstrate its leadership and support for the efforts of women in the Middle East and North Africa is for the U.S. to ratify CEDAW and formally join with the rest of the world in working to advance equality and eliminate discrimination at home and abroad. CEDAW is a comprehensive international agreement that affirms principles of fundamental human rights and equality for women around the world. CEDAW offers countries a practical blueprint to achieve progress for women and girls by calling on each ratifying country to overcome barriers to discrimination. Around the world, CEDAW has been used to reduce sex trafficking and domestic abuse; provide access to education and vocational training; ensure the right to vote; ensure the ability to work and own a business without discrimination; ensure inheritance rights; improve maternal health; and end forced marriage and child marriage.

Here in the United States, women enjoy opportunities and status not available to most of the world's women. However, few would dispute that more progress is needed, particularly to close the pay gap, reduce domestic violence, and stop traf-



ficking. CEDAW would provide an opportunity for national dialogue on how to address persistent gaps in women's full equality. It would be a catalyst for the United States to engage in a systematic analysis of discrimination against women and develop strategies for solutions.

CEDAW is the "gold standard" or international norm that countries around the world consult in shaping their laws and constitutions on equality and women's rights, and that women's advocates use around the globe to urge recognition and protection of these rights. One of CEDAW's primary goals is to ensure that women are able to exercise the full rights of citizenship and emerge as leaders in their own societies. For example, last year in a hearing convened by the Senate Judiciary Subcommittee on Human Rights and the Law, Wazhma Frogh, who works with the Afghan Women's Network, testified about how women's rights activists looked to CEDAW in their successful effort to include a gender equality clause in the new Afghan Constitution. Similarly, in Tunisia and other countries in the Middle East and North Africa, women are seeking to incorporate the comprehensive approach of CEDAW into their own new laws and constitutions. These women activists also report that some of their opponents question the seriousness of the United States' commitment to women's rights pointing to the fact that the U.S. has not ratified CEDAW.

CEDAW has been ratified by Egypt, Tunisia, Libya and almost all of the other countries in the Middle East. When many of these countries ratified CEDAW, however, they attached reservations to the articles dealing with issues such as a woman's right to retain her own nationality and pass it on to her child, and the right to freely contract and own property. Women activists in the region, in collaboration with the Women's Learning Partnership, have undertaken a systematic regional campaign to promote the full implementation of CEDAW. As a result of this campaign, Morocco, for example, has lifted its reservations, and in its new constitution recognizes men and women's equal status as citizens and bans discrimination on the basis of sex. Jordan has lifted its reservations relating to women's right to travel freely and choose their place of residence. One of the first acts of the new Tunisian government this year was to remove its reservations to CEDAW and other human rights treaties. Discussions of CEDAW and efforts toward implementation, including changes in laws and policies, are taking place throughout the Middle East and North Africa.<sup>1</sup>

As you know, CEDAW has been ratified by 187 countries. Only the United States and five other countries (Iran, Somalia, Sudan and two small Pacific Islands—Palau and Tonga) have not yet ratified this comprehensive women's human rights treaty. As we noted above, advancing women's human rights is also fundamental to America's national security and economic interests. Moreover, ratification of CEDAW would continue America's proud bipartisan tradition of promoting and protecting human rights.

Women in the Middle East and North Africa, like women in many countries around the world, have found CEDAW to be a valuable tool for protecting and advancing women's rights. The question they always ask us is why the United States, a trailblazer in guaranteeing these rights, has failed to ratify CEDAW, this landmark treaty for women and girls.<sup>2</sup>

The United States is rightfully known as a global leader in standing up for women and girls. Yet our failure to ratify CEDAW enables opponents of women's rights in the Middle East and elsewhere to decide that U.S. arguments on behalf of women's rights need not be taken seriously. This September, Secretary Clinton, along with women heads of state and foreign ministers from countries around the world, endorsed a "Joint Statement on Advancing Women's Political Participation," which reads in part:

We reaffirm our commitment to the equal rights and inherent dignity of women . . . We call upon all States to ratify and fulfill their obligations under the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). . . .

We applaud the bipartisan consensus in the Senate supporting women's participation in the transition to democracies in the region and the recognition of the centrality of advancing women's human rights as an essential ingredient of success. We believe the hearing today will deepen our understanding and appreciation of the need for U.S. policy and funding that strongly support the acceptance of and imple-

<sup>1</sup> Women's Learning Partnership, [www.learningpartnership.org](http://www.learningpartnership.org).

<sup>2</sup> Report by the International Center for Research of Women, "Recognizing Rights Promoting Progress: The Global Impact of CEDAW."

mentation of women's human rights in countries in the Middle East and North Africa.

U.S. ratification of CEDAW would put the muscle of action behind words of America's global commitment to women's rights as human rights. Action now would come just when America needs such leverage and credibility to enhance its global leadership in standing up for women and girls who are pushing for equality in the Middle East. We urge the Senate Foreign Relations Committee to build on this consensus on women's human rights and take up U.S. ratification of CEDAW next year.

Submitted on behalf of: American Civil Liberties Union; Citizens for Global Solutions; National Women's Law Center; Advocates for Youth; American Association of University Women; American Jewish Committee; Center for Women Policy Studies; Center for Women's Global Leadership; Church Women United; Coalition of Labor Union Women; Communications Workers of America; Democratic Women's Forum; Demos; Department on the Status of Women, City and County of San Francisco; Feminist Majority; Hadassah, The Women's Zionist Organization of America, Inc.; Human Rights Advocates; Institute for Science and Human Values, Inc.; League of Women Voters of the United States; National Association of Social Workers; National Committee on the U.N. Convention on the Elimination of Discrimination against Women (CEDAW); National Council of Churches of Christ in the USA; National Council of Jewish Women; National Spiritual Assembly of the Baha'is of the United States; Refugees International; The Abortion Care Network; U.S. National Committee for UN Women; U.S. Women Connect; United Church of Christ; Women Graduates/USA Inc.; Women's Environment and Development Organization; Women's Missionary Society of the African Methodist Episcopal Church; Women Enabled; WomenNC; Women's Business Development Center; and Zonta International.

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#### PREPARED STATEMENT OF AMNESTY INTERNATIONAL USA

Amnesty International USA ("AIUSA") welcomes this opportunity to address the Senate Foreign Relations Subcommittee on International Operations and Organizations, Human Rights, Democracy and Global Women's Issues and the Senate Foreign Relations Subcommittee on Near Eastern and South and Central Asian Affairs. This hearing comes at an important time for many countries in the Middle East and North Africa. We believe that the Senate has a crucial role to play in supporting the U.S. Administration in its efforts to realize fully its human rights commitments to women and gender equality in this region.

Amnesty International's vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other internationally recognized human rights standards. For more than 50 years, Amnesty International has been helping to build a world where human rights are respected, protected, and fulfilled. This effort has involved partnerships with activists and civil society organizations around the world all committed to ensuring that governments live up to their human rights obligations.

We commend recent actions led by the U.S. women Senators to support women's human rights in the Middle East and North Africa. These efforts—including Senate Resolution 109, sponsored by Senator Snowe, supporting women's rights and political participation in the Middle East and North Africa; Senate Resolution 216, sponsored by Senator Boxer, encouraging women's political participation in Saudi Arabia; and the letter cosponsored by Senators Mikulski and Hutchison, co-signed by all the women senators and others, to the Supreme Council of the Armed Forces of Egypt urging the inclusion of women in shaping the government—bolster the voices and honor the courage of women fighting for their human rights.

The uprisings in the region offer an unprecedented opportunity to address gender inequity in the Middle East and North Africa. Amnesty International encourages the U.S. Senate to take action to protect, respect and fulfill the human rights of women both in the United States and around the world, including women in the Middle East and North Africa.

#### WOMEN AT THE FOREFRONT OF CHANGE IN THE MIDDLE EAST UPRISINGS

The historic events of the past year have seen thousands of women and men take to the streets in the Middle East and North Africa to claim their human rights, including their right to political participation. Many of the women in the region, who, as elsewhere, often shoulder a disproportionate share of the impact of armed conflict, tyranny, and stagnant economies, initiated, organized, and participated in the protests. Some of these women human rights defenders are long-time activists and

the backbone of the movement for human rights and equality in their countries; others joined when the uprisings began.

We must stand with these women. Women human rights defenders often face marginalization, prejudice, violence and threats to their safety and well-being as women and as individuals who challenge societal norms and gender stereotypes. Not only their calls for reform, but their faith, sexuality, motherhood, mothering, and family life are questioned, demeaned, and undermined in ways their male counterparts never experience.

The uprisings in Tunisia, Egypt, and Libya are generating historical transformations. As these countries now work to rebuild their governments and societies, the international community must help ensure that these new societal frameworks include a commitment to gender equality. Women's human rights, including the right to political participation, must not be seen as separate issue or an "add on" but rather as an integral and indivisible part of creating a new, more just society. It is the responsibility of these new governments to guarantee that women's human rights are protected, respected and fulfilled at all levels of society and government.

Amnesty International has documented the ongoing human rights situation in the Middle East and North Africa in the years leading up to, during, and since the uprisings. We remain concerned that, despite the role of women in the protests, women are being left out of transition arrangements and plans for new governance. In Egypt, for example, women stood shoulder to shoulder with men to topple a regime notorious for its human rights abuses yet, now that those leaders have been forced to step down, women are too often finding their calls for an equal seat at the table rejected.

Although protests are occurring throughout the region, Amnesty International highlights Tunisia, Egypt, Libya and Bahrain in our testimony today to shine a spotlight on the hearing focus countries and provide additional information regarding a country where crackdowns against protestors continue.

#### TUNISIA

On December 17, 2010, Tunisians revolted against President Zine El Abidine Ben Ali and his 23 year rule. Less than a month later, Ben Ali stepped down and Tunisia's interim government took over. Scheduled parliamentary elections were held on October 23, 2011. This election allowed voters, both women and men, to choose their representatives for a Constituent Assembly that will create a new constitution and political framework for Tunisia.

The An-Nanda party, an Islamist, pro-democracy party, won 40% of the parliamentary votes, granting it 90 seats in the new assembly. The leader of the party, Rachid Ghannouchi, has pledged not to reverse the rights and freedoms Tunisian women have gained in the past. Tunisia's first "fair and free" elections saw an unprecedented registered voter turnout of over 90%, with many women voting for the first time.

Tunisia also recently lifted several key reservations to the Convention on the Elimination of All Forms of Discrimination Against Women ("CEDAW"). This critical human rights treaty is the most comprehensive treaty addressing the rights of women. Tunisia's actions will help set the stage for women to use CEDAW to claim their rights, such as the right to pass their nationality onto their children, the ability obtain equal rights and responsibilities in matters relating to marriage and divorce, the right to make decisions regarding children and guardianship, and the right to own property.

Although Amnesty International notes these positive steps, much still needs to be done to fulfill women's human rights and meaningful political participation. Amnesty International urges the U.S. Government to work with Tunisia's new Constitutional Assembly to ensure gender equality in the new Tunisian legal framework and constitution, including women's full participation in the creation of that framework.

#### EGYPT

Egyptian women played an integral role in the "January 25 Revolution" and in the toppling of President Mubarak's oppressive regime. After days of angry protests, President Mubarak resigned on February 11, 2011, ending 30 years of autocracy. The military of Egypt, operating as the "Supreme Council of the Armed Forces" ("Council"), is in control but has been slow to deliver on its promises of change. It is still operating under emergency law, which was often used by Mubarak to silence his protestors, and using military courts, which have a history of severe punishment, to try citizens of the country. Freedoms of expression, association and assembly have been promised, but criticism of the authorities has been suppressed, activ-

ists targeted, NGOs threatened with criminal investigation, and demonstrators arbitrarily arrested and forcibly dispersed. New trade unions have been permitted, but striking banned. Millions of people in slums are still waiting for their voices to be heard.

The expectations of gender equality created by the uprising have yet to be realized. Greater political participation has been promised, but women have been marginalized. No women were allowed to be a part of the constitutional reform committee and, with only one female cabinet member, they have received little representation in the new government. To successfully complete Egypt's political transformation and build a free society, women must be equal partners in the establishment of a new, stable government with their issues and ideas given equal consideration.

Amnesty International is aware of severe violations of women's human rights post-uprising that have contributed to their exclusion from full political participation. For example, on March 9, 2011, 18 women protestors in Tahrir Square were detained, beaten, given electric shocks, strip searched, forced to submit to "virginity tests," and threatened with prostitution charges.<sup>1</sup> Virginity tests are a violation of women's human rights and are considered torture when forced or coerced. Amnesty International called for an immediate repudiation of these and any future tests. Although Major General Abdel Fattah al-Sisi of the Supreme Council of the Armed Forces pledged to halt this practice after a meeting with Amnesty International Secretary General Salil Shetty, Amnesty International fears that discriminatory and patriarchal attitudes towards women in Egypt are standing in the way of women's full participation in the reform process.

The military regime in Egypt has set the date for parliamentary elections on November 28, 2011. As of yet, no date has been set for presidential elections even though the interim military regime promised to transfer power to civilian rule within six months of President Mubarak's resignation. The upcoming parliamentary elections must set the stage for elections in which women are fully able to participate to be a part of Egypt's political future.

To ensure that women's human rights, including the right of political participation, are fulfilled in Egypt, Amnesty International recommends that the U.S. Government work with Egypt to end discrimination and to accord equal legal status to men and women. Currently, the World Economic Forum's Gender Gap report ranks Egypt 125 of 134 at the lowest end of gender equality. Legal provisions discriminating against individuals on the basis of race, color, religion, ethnicity, birth, sex, sexual orientation, gender identity, political or other opinion, national or social origin, property, or other status, must be brought in line with international law and standards and therefore abolished.

Further, women must be full partners in the process of political and human rights reform. Women and men must be accorded equal rights in law to marriage, divorce, child custody and inheritance. Women must have legal protection from domestic violence, including marital rape and sexual harassment. Penal Code articles 260–263 must be amended to allow abortion for women and girl survivors of rape and incest, or when a pregnancy poses a grave risk to health. Law No. 126 of 2008 must be amended to prohibit female genital mutilation in all cases.

#### LIBYA

In the spirit of recent uprisings in Egypt and Tunisia, Libyans called for a "Day of Rage" on February 17, 2011, against Colonel Gaddafi's regime. These demonstrations quickly evolved into armed conflict between pro-Gaddafi forces and the opposition, working under the National Transitional Council (NTC). Now that the NTC has succeeded in ousting Gaddafi and his supporters, they have appointed Abdel-Rahim al-Keeb as the new interim Prime Minister of Libya. Al-Keeb is expected to appoint a cabinet and pave the way to general elections.

Throughout the Gaddafi regime and the conflict that resulted in his ouster, women have come forward with claims of rape and other abuses. One such case is that of Libyan law student, Iman al-Obeidi, who announced to international journalists that she had been raped by Libyan soldiers loyal to Gaddafi. Iman al-Obeidi was dragged out of a Tripoli hotel on March 26, 2011, by security forces and detained after this public accusation.

Amnesty International urges the U.S. Government to work with the NTC to ensure that women play a central role in Libya's new government, and that women's

<sup>1</sup> <http://www.amnesty.org/en/news-and-updates/egyptian-women-protesters-forced-take%E2%80%98virginity-tests%E2%80%99-2011-03-23>.

human rights are respected, including by fully investigating all claims of sexual violence against women during the armed conflict and ensuring full accountability.

#### BAHRAIN

Political protests in the Middle East and North Africa have not been limited to Egypt, Libya and Tunisia. The call for freedom has spread throughout the region. In Bahrain, political protests, which started in February, have included the voices of many Bahraini women. Thousands of Bahraini women participated in demonstrations in February and March. Demonstrations held in more recent weeks have also included many women.

As a result, Bahraini women have also experienced a significant share of human rights violations by Bahrain's security forces and government. Of the 20 health professionals given prison sentences by military courts following the treatment of injured protesters, six are women.

Female detainees have also alleged torture and ill-treatment. Rula al-Saffar, the head of the Bahrain Nursing Society, was sentenced to 15 years imprisonment, and Ayat al-Qormozi, a student, was sentenced to one year in prison and released on bail. Dozens of women have been dismissed or suspended from their jobs because of their role in the protests.

Several examples of Bahraini women who have been involved in protests against the Bahraini government and have been subjected to human rights violations are detailed below:

- Former Vice President of the Bahraini Teachers Association, Jalila al-Salman, 46-year-old mother of three; Ms. Al-Salman was arrested by Bahraini government security officers in March of 2011 in connection with the BTA's calls for strikes amid political protests. She was reportedly beaten in the early days of her confinement. Following a deeply flawed military court trial, Ms. Al-Salman was sentenced to three years in prison. She was later released, pending a civilian court appeal on December 11. Following her release, Ms. Al-Salman continued to speak out about her own experiences in detention and the plight of others. On October 11, she was taken from her home in Bahrain by a force of more than 30 security officials, including riot police, who arrived in seven vehicles. The officials reportedly said that they were enforcing a court order for her arrest though they refused to produce a formal arrest warrant. Ms. Al-Salman was again released on November 1, but at this moment of writing Amnesty International cannot confirm her legal status. A review of statements issued by the BTA during the spring in relation to strikes and other protest activity revealed only appeals for peaceful activity, and no mention of, or advocacy for, violence. Amnesty International believes that Ms. Al-Salman may be a prisoner of conscience, arrested merely because of her past leadership position in the BTA and for exercising her rights to freedom of expression, association and assembly.
- Bahraini poet and university student, Ayat al-Qarmez, age 20; Ms. Al-Qarmez was arrested in March for reading a poem out loud at a pro-reform rally in the Bahraini capital of Manama. She alleges that she was beaten and tortured with electric shocks while she was imprisoned and held in solitary confinement for the first 15 days of her detention. She was charged with taking part in illegal protests, disrupting public security and publicly inciting hatred toward the regime. Following a military court trial that did not meet basic standards of fairness, she was sentenced to one year in prison. Ms. Al-Qarmez was subsequently released on bail on July 13, and her appeal is on November 21. Amnesty International considered Ms. Al-Qarmez a prisoner of conscience and called for her immediate and unconditional release and for charges against her to be dropped. Amnesty International members wrote countless letters calling for her release. Even though she has now been released, there are reportedly conditions attached to her release and Amnesty International is calling on the authorities to remove any that have been imposed, to annul her conviction and to clarify her current legal status.
- Bahraini medical health professionals Roula Jassim Mohammed al-Saffar, Nada Sa'eed 'Abdelnabi Dhaif, Fatima Salman Hassan Haji, Dhia Ibrahim Ja'far, Najah Khalil Ibrahim Hassan, and Zahra Mandi al-Sammak: These Bahraini women are part of a group of 20 Bahraini health professionals who were previously sentenced by a military court to between five and 15 years in prison in connection with the popular protests in February and March. Following an international outcry, the Bahraini government announced that they would have an appeal hearing before the High Criminal Court of Appeal, a civilian court, on October 23. During that hearing, some charges were dropped. In addition, "confessions" the defendants say they were forced to sign under torture or other

duress while in pre-trial detention will no longer be used as evidence at the trial. The next court hearing is scheduled for November 28. The women could still be at risk of an unfair trial.

#### THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

The challenges that women in the Middle East and North Africa face are not unique. Across the world, women continue to experience gender-based discrimination and inequality. Among the main obstacles to achieving equality are barriers to women's participation in public and political life. When women cannot participate in public life, or when their ability to participate is curtailed by law, policy, or practice, women are denied the opportunity to help shape their government and its policies. Too often, when they are included it is solely to discuss the issue of women's equality, which ironically precludes achieving that equality.

CEDAW underscores the importance of realizing equality between women and men through ensuring women's equal access to, and equal opportunities in, political and public life—including the right to vote and to stand for election. In the political and public sphere women and men working together can be a powerful force for addressing inequality and discrimination.

Under the U.N. Charter, Member States of the U.N. pledged themselves to promote "universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion." These aims are strengthened by Member States' adherence to the international instruments, such as CEDAW, which translate the principles embodied in the Universal Declaration of Human Rights into a more detailed legal form. Indeed, discrimination against women undermines the principle of equal rights for men and women set out in the U.N. Charter, and respect for all human rights.

Bahrain, Egypt, Libya and Tunisia have all ratified this critical human rights treaty. Women in the region have used CEDAW to help claim their rights. As the recent example of Tunisia shows, CEDAW provides a roadmap for equality that women can use to ensure that their human rights are fulfilled.

In Morocco, where protests have also occurred, women used CEDAW in 2007 to establish the right to pass their nationality onto their children when their father is not Moroccan. This form of discrimination against women and girls excludes them from their right to their own nationality and violates women's right to equal treatment before the law.

In 2004, a push by Kuwaiti CEDAW activists resulted in the Kuwaiti Parliament granting the right to vote to all women—a major and long overdue victory for the women of Kuwait and for women's rights advocates around the world. Following this progress, in 2009 just four years after women gained suffrage, four women were elected to the Kuwaiti parliament. They are the first women to be elected to the 50-seat parliament since 1962.

By ratifying CEDAW, the U.S. will have an opportunity to participate in constructive dialogue, strengthening its ability to advance the rights of women and girls around the world. In some countries where human rights are repressed, CEDAW training is often the only entry point for dialog regarding rule of law and good governance. By ratifying CEDAW, the U.S. will continue its tradition of leadership on women's human rights.

#### CONCLUSION

Post-conflict and politically transitioning societies provide a unique opportunity for women to engage in the political process and create lasting change. But too often, women are left out of the process.<sup>2</sup> Women human rights defenders are sidelined, killed, abducted, and made to "disappear" as a consequence of their work. They face gender-specific repercussions, such as sexual harassment and rape. The

<sup>2</sup>A study of 585 peace agreements since 1990 found that only 16 percent contain any references to women and only 7 percent include mention of gender equality or women's human rights. <http://progress.unwomen.org/pdfs/EN-Report-Progress.pdf>. However, the passing of U.N. Security Council Resolution 1325, a binding resolution to all U.N. Members, in 2011, has been a step towards women's participation in the peace process. It stresses the importance of women's equal and full participation as active agents in establishing peace and security. Since this resolution has been in force, the percentage of agreements that contain references to women has risen significantly, from 11 to 27 percent. <http://progress.unwomen.org/pdfs/EN-Report-Progress.pdf>.

U.S. government must ensure both women human rights defenders and women's rights are not traded away in the transitions.<sup>3</sup>

The uprisings in the Middle East and North Africa present an unparalleled opportunity to ensure gender equality for millions of women across the region. We urge the United States Senate to seize this opportunity and ensure that the fundamental value and dignity of every human being is respected and protected.

Thank you.

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THE MAHNAZ AFKHAMI ADDITIONAL APPENDED ARTICLE TO HER PREPARED  
STATEMENT—FACTSHEET ON WOMEN'S RIGHTS AND THE ARAB SPRING

WOMEN'S RIGHTS AND THE ARAB SPRING—MIDDLE EAST/NORTH AFRICA  
OVERVIEW AND FACT SHEET

Successful uprisings in Tunisia and Egypt in the last year have sparked movements against dictatorships across the Middle East, North Africa, and the Gulf region. These movements call for democratization, new constitutions that protect equality, free speech and assembly, and fair elections. Women have been an integral part of these revolutions, organizing and marching alongside men. Now, as countries in the region are in the process of building new governments, women's activists know they must fight to play a substantial role.

Today, just as before the Arab Spring, women's rights groups in the Arab world are fighting for rights set forth in the United Nations' Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the most comprehensive women's rights treaty, and are using it to demand government action. Written in 1979 and entered into force in 1981, CEDAW has been ratified by 187 nation-states, including every Arab country except Somalia and Sudan.<sup>1</sup> However, each Arab state has ratified the treaty with substantial reservations that undermine the treaty's spirit.<sup>2</sup>

CEDAW is a critical tool in the fight to advance women's rights in a democratizing Arab world. Across the region, women have been using CEDAW to pressure governments to take meaningful steps to advance women's rights, and to push new governments to live up to their countries' commitments under the treaty and withdraw all reservations. Many governments in the region need to take further steps to align national laws with existing international commitments under CEDAW. However, while many area governments have yet to live up to CEDAW's principles, women's rights activists continue to leverage governments' desire to appear to be in compliance with CEDAW as a way to advance their cause.

A coalition of women's rights organizations based in the Middle East and North Africa has been working to achieve full implementation of CEDAW in the region, which would result in a leap forward for women's empowerment. As part of this effort, feminists from across the region met in Rabat, Morocco, in May 2011 to review regional changes and strategize for the future in the wake of the Arab Spring transitions. Together, they are closely monitoring changes in the region and working to ensure that constitutional reforms clearly protect equality between women and men in both the private and the public sphere, legitimize women's role in politics and public affairs, and include implementation mechanisms to achieve these effects.<sup>3</sup>

Leading women's rights activists from across the region have made clear the critical importance of CEDAW to these efforts. Furthermore, these activists have stressed that the failure of the United States to ratify the treaty undermines their ability to use this vital tool when advocating for change. The United States has made clear that as successful democratic systems and economic development in the Middle East and North Africa are vital to U.S. strategic interests, women's empowerment in the region is vital and inextricably tied to democratic and economic development. U.S. ratification of CEDAW is therefore a key component to America's long-term strategic interests.

EGYPT

For decades, women in Egypt as elsewhere in the region have been intimately involved with the reform movement—from organizing labor union strikes and asserting their right to free speech, to participating in the protests that led to the ouster

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<sup>3</sup>International human rights documents specifically address the protection of women human rights defenders. The U.N. Declaration on Human Rights Defenders, adopted by the U.N. General Assembly in 1998, affirms the right to defend human rights and urges states to protect human rights work and those who carry it out.

of the Mubarak regime. But after playing a vital role in the revolution, women are being actively excluded from the reform process.

The ten-person constitutional amendment committee responsible for revising the constitution prior to the upcoming elections was all men. No women were appointed to be governors, and only one woman of a possible 34 was appointed to the new cabinet, and she was a holdover from the Mubarak regime. A committee on women overseen by the cabinet was established, but it is likely to have little power. One activist called the committee's creation condescending: "It's like saying, 'You women can have your little committee while we men do the serious business.'" <sup>4</sup> According to The Egyptian Center for Women's Rights (ECWR), "The exclusion of women in Egypt turned into a systematic policy."

Activists such as the founder of Egypt's New Woman Foundation, Amal Abdel Hadi, are making demands rooted in CEDAW principles. She calls for women to be added to the constitutional committee, for "equal and fair representation of women and young people in all representative bodies," and for freedom of expression. The latter, she says, "should allow women to participate more effectively in all areas of public life and will provide them with the opportunity to give their perspectives on health, the economy, the environment, working conditions, etc." <sup>5</sup>

Activists have achieved some major successes, using CEDAW as a foundation of their demands. After a long fight by Egyptian women's rights activists, the government issued a decree on May 2 allowing Egyptian women married to Palestinian men to pass their nationality to their children. <sup>6</sup> Enas El Shaffie, Executive Director of the Forum for Women in Development, a Cairo-based women's rights organization, said CEDAW was key to leveraging government action on the nationality law. Three years earlier, the government had withdrawn its reservation to CEDAW Article 9(2), which affirms a woman's right to pass her nationality on to her children. <sup>7</sup> The 2011 decree brings Egypt one step closer to compliance with its treaty obligations. According to El Shaffie, CEDAW is widely used by Egyptian women's rights and democracy activists to pressure the government to live up to its obligations and take action on domestic reforms. <sup>8</sup>

#### TUNISIA

After overthrowing the dictatorship of Ben Ali in January 2011, inspiring the Arab Spring across the region, Tunisia initially seemed to be on the path to ensuring women's inclusion in the new regime and was considered by some to be a model for women's empowerment. On April 11, 2011, the Tunisian transitional government passed a revolutionary law that established full parity and compulsory alternation of male and female candidates on all lists for the October 23 election of the Constituent Assembly that will draft the new constitution. <sup>9</sup> Still, men were listed first in 94 percent of the electoral lists. <sup>10</sup>

On August 16, after Minister of Women Lilia Laabidi submitted a draft decree, Tunisia withdrew all specific reservations to CEDAW. <sup>11</sup> This was a significant milestone for Tunisia, which signed the Convention in 1985 and is the only country in the region other than Morocco to eliminate all specific reservations.

However, women's rights groups such as Association Tunisienne des Femmes Démocrates (ATFD) oppose the government declaration that it will not enforce CEDAW provisions deemed contrary to Article One of the Constitution, which stipulates Islam as the state religion. Women's rights activists assert that this caveat undermines the legal significance of the removal of reservations and is particularly worrisome in regard to statutes on family law, such as inheritance. Tunisian women are now seeking withdrawal of this declaration and removal of all discriminatory provisions from Tunisian law.

The October 23 elections resulted in a majority vote for An-Nahda, considered by some to be a moderate Islamic party. While party leaders have said they will uphold women's rights achieved under Ben Ali, women's rights and democracy activists are seriously concerned that the party will act differently once in power.

Tunisia ranked highest in all four categories of a 2010 Freedom House report on women's rights in the region. <sup>12</sup> As in Egypt, however, some people associate women's rights with the old regime, so this transitional period is critical to ensuring that the gains of the past several decades are maintained.

#### JORDAN

In response to demonstrations and protests since January 2011, King Abdullah initiated a process of reform in the political, economic, and constitutional areas. He established a Royal Commission to review the constitution and recommend amendments. This gave women's activists an opportunity to present their demands, including increased protections from violence, guaranteed economic and political participa-



tion, and other social justice and democracy provisions, including social security, separation of powers and environmental conservation.<sup>13</sup>

The women's movement advocated adding "gender" to the phrase, "There shall be no discrimination between Jordanians as regards to their rights and duties on grounds of race, language or religion" in Article 6 of the constitution. This would ensure application of the principle of equality and prevent discrimination against women. Though many Arab and Muslim-majority countries include such a stipulation in their constitutions, the commission sent its final wording of proposed changes to Parliament without amending Article 6, despite the women's demands and international commitments.<sup>14</sup>

In July 2011 Jordan passed a Municipalities Law that raised the quota for women's seats in municipal councils from 20 percent to 25 percent. (In May 2010, a new elections law had raised the number of parliamentary seats reserved for women from 6 of 110 to 12 of 120). Women's activists are now working to prepare women for participation in upcoming elections.<sup>15</sup>

Jordanian women's rights advocates continue to protest delays in implementing women's full human rights according to international standards, drawing special attention to CEDAW, which Jordan ratified in 1992. Following national activism on the issue, Jordan in 2009 removed its reservation to Article 15 of CEDAW, which grants women the right to travel freely and choose their place of residence.<sup>16</sup>

The current challenge for women's rights activists in Jordan is the one facing activists worldwide: they must not let so-called "bigger" issues overshadow women's issues or create a climate allowing their neglect.<sup>17</sup> Today, the country's failure to fully implement CEDAW and its reservations related to women's nationality rights remain critical barriers to the realization of women's rights in Jordan.

#### MOROCCO

As the impact of the Arab Spring was felt across the region, activists in Morocco launched protests calling for democratic reform and an end to corruption in the country. In response, King Mohammed called for a Consultative Commission to review the constitution and deliver recommendations for democratic reform. Women were five of the 18 commission members. Women's rights organizations, including the Association Démocratique des Femmes du Maroc (ADFM), played an active role in advocating reforms to establish women's rights.<sup>18</sup>

On April 18, 2011, after years of advocacy by women's rights organizations—including ADFM—Morocco formally withdrew its reservations to CEDAW. In a related development, Moroccans voted July 1 to accept the proposed constitutional reforms.

These were major changes. They included: recognition in the preamble of women and men's equal status as citizens; a ban on discrimination, including sex discrimination, and a commitment to fight it; a commitment to government action to advance the "freedom and equality of all citizens and their participation in the political, economic, cultural and social spheres"; the creation of an Authority for Equality and the Fight Against all Forms of Discrimination for the purpose of achieving equality between men and women; recognition of the need for a legal provision promoting equal access for women and men to elected positions and to improve the participation of women on local authorities; and, most importantly, the need to bring national law into agreement with the country's international commitments.<sup>19</sup>

That means that while in practice women in Morocco still experience significant discrimination, those fighting for women's rights and empowerment now have authority under the national constitution to cite all of CEDAW's provisions as leverage to hold the government to its commitment to move toward women's full equality.

#### End Notes

1. Iran has also not ratified CEDAW.

2. Articles typically reserved by countries in the Middle East and North Africa: (2) Affirmative obligations to prevent discrimination; (9) The right of a woman to retain her own nationality despite marriage, and to pass nationality on to her child despite the father's nationality; (15) The right of a woman to equality of men under the law, the right to freely contract, property rights, and the right to choose residence and domicile; and (16) The right to equality in marriage and family.

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7. United Nations Treaty Collection, [http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtsg\\_no=IV-8&chapter=4&lang=en#20](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtsg_no=IV-8&chapter=4&lang=en#20) (last visited Sept. 29, 2011).
8. WLP interview with Enas El Shafie, October 5, 2011.
9. Kristine Goulding, "Tunisia: Arab Spring, Islamist Summer," Open Democracy, (October 25, 2011) <http://www.opendemocracy.net/5050/kristine-goulding/tunisia-arab-spring-islamist-summer>.
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## APPENDIX A—THE EGYPTIAN BILL OF RIGHTS AND FREEDOMS

**The proposed consensual theory concerning the first type of proposals, designed to be issued in the forthcoming constitution, and to protect them against cancelation, alteration, or constraint, are as follows:**

We, the free people of Egypt—on this good land since the dawn of history, being proud of our struggle for freedom, justice, equality, and the peace of humanity throughout our majestic history, and inspired by what we have offered to human civilization—realize the challenges we face as we build and fortify a state of law, with its new civil and democratic characteristics, as an assurance to achieving the goals of the Egyptian revolution of January 25<sup>th</sup>, 2011, and motivated by its spirit, and out of respect and loyalty to the spirits of its martyrs, and the sacrifices and struggles of our great people in their successive revolutions—declare a document for the basic governing principles which are irrevocable, unamendable and unrestricted, after they ought to be placed in the coming constitution through the founding committee, which will be formed by the new bicameral parliament: the People's Assembly and the Shura Council, as follows:

1 – The Arabic Republic of Egypt is a civil, democratic, and united state based on political and cultural diversity, and the Egyptian people are a part of the Arab nation that seek its comprehensive unity, and are proud of their African affiliation, their Pharaonic, Coptic, and Islamic history, and of their distinguished role in human civilization.

2 – Islam is the state's religion and Arabic is its official language, and the principles of the Islamic Sharia are the main source of legislation for Muslims and the principles of the laws of Non-Muslims are the main source of laws related to their civil status and religious matters. [The principles and not the rulings.]

3 – The political system is republican and democratic, and is based on the principles of patriotism and equality between citizens, male and female,

without any kind of discrimination based on religion, gender, ethnicity, language or belief.

4 – Sovereignty is for the people alone, and they are the source of all authority.

5 – The rule of law is the basis of all government, and all of the authorities of the state, the citizens, and people in the public or private sector must submit to it.

6 – The State system is based on the principle of separation of powers, to allow the mutual supervision of checks and balances, and to set up the mechanisms of accountability, transparency and devolution of power in a peaceful way, and insure the democracy of the regime.

7 - Independence of the judiciary is essential to guarantee the principle of the rule of the state by the law, and to guarantee justice for the citizens in all its forms.

8 – The assurance of the continuation and preservation of public ownership of strategic facilities and other natural wealth and resources of the Egyptian state, particularly the protection and management of the Nile River, because it is a vital geographical and historical entity in Egypt, and the assets of the national heritage, of both material and moral significance.

9 - The national economy is based on comprehensive and sustainable development, and its aims are social welfare, and ensuring an equitable distribution of national wealth and growth revenue to all citizens.

10 - Human dignity is a natural right of each human being. The State must respect it and protect it.

All citizens have the following specific rights and freedoms:

- a- Freedom of religion and belief. The state is charged with ensuring the free exercise of religion, including worship and religious rites and with the protection of places of worship.
  - b- Social justice in all areas.
  - c- The right to hold public office, on the basis of merit.
  - d- Freedom of opinion, expression, creativity and innovation.
  - e- Freedom of private life.
  - f- The right to property and inheritance.
- 11- Constitutional guarantees of the principles, rights and basic freedoms:

- a- The principles, rights and basic freedoms stipulated in this document bind The Establishing Committee of the Constitution to develop a text that dictates that these principles may not be cancelled, waived, modified, or restricted.
- b- Committing a violation against any of the principles, rights, or basic freedoms stipulated in this document, or attempting to change it, or calling for the changing of it, is a violation against the constitution. Any of the political parties, the National Council for Human Rights, civil society organizations, legal professional associations, or unions, can resort to the Constitutional Supreme Court, with a request to stop this violation and to annul its impact.
- c- The Constitutional Supreme Court has the specific jurisdiction over the unity of the Constitution in the event of an amendment of the principles of the Constitution or its philosophy and foundations, and also interprets the Constitution.
- d- It is prohibited to change or interpret any text in this document in a manner that conflicts with the Universal Declaration of Human Rights, along with any of the charters, covenants, and international agreements on human rights of which Egypt is a member, or to allow any of the authorities, state institutions, or any groups or individuals, to act in any way that attempts to make futile what is contained in this document of principles, rights and freedoms, or cause them to be diminished or disrupted.

And to consider the principles and provisions that are contained in the conventions and human rights treaties which were ratified by Egypt superseding its national legislation.

## APPENDIX B—THE CANNES PEACE ACCORD AND PLAN OF ACTION

WHEREAS, the House of the Family drafted, negotiated, finalized and agreed on A Bill of Rights and Freedoms for Egypt; and

WHEREAS, some Members of the House of the Family have gathered in France, along with renowned scholars and human rights activists;

BE IT HEREBY Resolved that the undersigned have committed themselves to peace and unity for all Egyptian people, regardless of race, gender, religion, national origin or ethnicity; and

FURTHERMORE, the undersigned have agreed to the following PLAN OF ACTION:

- 1) Empowering local leaders to do inter-faith projects;
- 2) Empowering local NGOs to assess training needs regarding human rights and democracy;
- 3) Utilizing media to publicize the Bill of Rights and Freedoms;
- 4) Letting Egyptians speak for Egyptians;
- 5) Providing lawyers to Egyptians whose human rights have been violated;
- 6) Speaking of Unity, life together as Christians and Muslims; Speaking of Values, not persons;
- 7) Reinforcing the values of human dignity, human value, and freedom as universal human rights;
- 8) Utilizing Social media to connect young people and support human rights;
- 9) Media Monitoring Groups to assimilate all media and to suggest a plan of action with daily executive summaries;
- 10) Statements of international support for the Egyptian people;
- 11) Encouraging private government-to-government communication that encourages human rights for all;
- 12) Organizing a Conference following a 3-month Research Project on Social Political Change on different continents, and how examples in such diverse countries as China, India, Russia, etc. can provide a model of what works and what does not work;
- 13) Training of Religious Leaders;
- 14) Finding the best way to defend human rights in the context of Egypt; and
- 15) Freedom3 members should go to Egypt and speak to members of the House of the Family to better assess their needs and future partnership.

**Be it hereby notified that on 12 October 2011 the undersigned have committed themselves to this Cannes Peace Accord and Plan of Action:**

THINK. KNOW. BELIEVE.

## APPENDIX C—TESTIMONIES FROM EGYPTIAN WOMEN

**Name: Faiza Salah; Age: 53; City of Residence: Harem, Cairo and Incident:**

About a month ago, I was walking in the street during mid-day headed from my house to my church. I was wearing a cross on my neck as I always do. All of a sudden, this man ran towards me, he tore the cross necklace off my neck, screaming "you infidel, you and your cross need to leave Egypt," then he shoved me to the ground, and began to grab my purse. As I tried to hold on to my purse, he kicked me, took my purse and ran away. I have been walking on this same street all my life. For the first time ever, I am in fear to walk down my own street. I am afraid for myself, for my family and for my children and their future in this country. As a Christian woman, I am the minority of minorities. I no longer feel like an accepted equal citizen of my community. We need help. We need protection. We are afraid for our lives because we are Christian. There are groups of people that are against us and wanting us to leave our own country. Egypt is our home and we will never leave.

**Name: Anonymous Age: 52 Sex: Male; City of Residence and Incident: El Minia, Upper Egypt**

During the violent eruption of the revolutions, numerous police stations were burnt down by rioters. In front of one of these police stations, a beautiful young Muslim twenty-two year old woman was walking on the street during mid-day. All of a sudden, a group of six armed-thugs hold rifles and knives grabbed her, started to undress her and began raping her in public. She was raped by several of the six thugs. To my shock, people who witnessed rape did not try to help her for fear of their own lives. One of the thugs claimed that if any person tried to get near the girl or interfere he would kill him and go after his whole family and kill them too. The poor girl was then abducted and was never seen again. There is so much fear. For the first time, the Egyptians who always protected and helped women on the streets, were afraid to interfere to save a girl's life. There is no police and no one feels protected any more. We are not protected and therefore we are afraid to protect. Everyone is just trying to survive. Now, I don't let my own daughter leave the house alone.

**Name: Suma Age: 50 Sex: Female; City of Incident: Alexandria, Downtown**

I now live in the United States but I have an Egyptian citizenship and lived in Egypt most of my life. I went back to Egypt a couple weeks ago with my husband. I went everywhere with him because I was afraid to walk alone as a woman. One day, we went out to go shopping and, I was wearing a cross. As we were walking in a very narrow and crowded alley, we saw two men look at me and say take her now. The two men started running towards me and were about to grab me as if they were ready to kidnap me. Luckily, my husband quickly grabbed me and we ran out of the crowded alley and the two men lost visibility of us. Egypt does not feel safe for a woman anymore. It is not the same Egypt I had lived in.

**Name: Orpha Yacoub Age: 72; Sex: Female; City of Incident: Mohandessen, Cairo**

I no longer take my purse out with me when I leave the house because I no longer feel safe. A couple months ago I saw a horrific incident. An elderly woman was walking on the street and carrying her purse. Out of nowhere, a thug on a motorcycle drove by her and grabbed her purse.

She was holding on to the purse for her dear life. When the thug realized she not going to let go of the purse, he started driving the motorcycle and dragged her down the street. To save herself, she let go of the purse. However, she had been badly injured, bruised and cut from being dragged from the back of the motorcycle.

**Name: Cathy Age: 50 Location: Cairo**

1. History will tell us that women should not expect their involvement in the calls for change and revolutions to actually bring them any long term change in terms of their rights. The history of Algeria for example shows this really clearly. Whether our present era has any impact on this with greater news coverage of promised etc will be something only time will tell I would guess. Participation in a revolution has never resulted in women winning more rights in the post revolution world.
2. My personal view is that the reality of any changes post revolutions (the crisis times of revolutions) are yet to take effect, so it is still early to predict what the future looks like for women. There are many promises that the women's rights will be protected, that values of equality will be protected – we see this in Tunisia now past the election, but there remains a lot of concern.
3. Study of the policies for the parties like the Brotherhood party in Egypt and the party that has gained the most seats needs to look through their history and not just their presently stated policies – then we will understand the fears that women feel. It is hard to imagine that a sudden rise to power will change decades of thinking and shaping of the organisation.
4. Egypt has certainly experienced more harassment and random street violence against women since the revolution – including violence by women against women – particularly I know of instances of Christian women being harassed by fully covered women on the metro – because of course the Christian woman is visible by not covering her head.



## APPENDIX D—TESTIMONIES OF TUNISIAN WOMEN

**Name: Dr. "Fatima"; Age: 50's; Location of Incident: Medina (city center) of Tunis, Tunisia in Zaytouna Mosque University.**

I am a Professor at Zaytouna University which is the sharia (Islamic law) school of the University of Tunis and I teach Islamic studies. I am an unveiled woman and I believe that it has to be a free choice of a woman to decide whether or not she wants to be veiled. It should never be forced upon her. In Tunis, it has always been the free choice of a woman and, in fact, the teaching on the veil is left open to much interpretation and discussion. I taught this to many of my students and I believed that free will is crucial in the Muslim faith. Yet, to my shock, after the revolution, I came to campus to give my class lectures and was confronted by students and professors who demanded that I veil myself on campus. I refused to submit to their requests. As a result, they banned me from teaching unless I wore the veil. It was a battle everyday as I walk on campus.

Unfortunately, due to the ridicule and discrimination I have suffered on this issue, I have now began to wear the veil as I teach my classes so I can keep my job and continue to educate my students.

**Name: "Safeya," Age: 21; Location of Incident: Manouba, Tunis**

I am a student at a two year technology academy. Students on campus were always given the choice to be veiled or unveiled. I have chosen to be unveiled. Yet, after the revolution, I have received ridicule and judgment by the students and teachers who make comments in class about my appearance. It has been very frustrating. I noticed this change after the revolution. Many of my friends who were never veiled are all of a sudden veiled due to the force and pressure presented by the community. There is a stigma that if you are unveiled you can not be Muslim. This misconception is being spread among young people in town.

