HARD-WON PROGRESS AND A LONG ROAD AHEAD: WOMEN'S RIGHTS IN THE MIDDLE EAST AND NORTH AFRICA

by Sanja Kelly

As the governments of the Middle East and North Africa (MENA) undertake the difficult process of enacting social and political change, the unequal status of women presents a particularly formidable challenge. In Iraq, deliberations over women's legal status have been as contentious as negotiations over how to structure the government. In Jordan, measures to increase penalties for so-called honor crimes faced strong resistance by ultraconservative parliamentarians and ordinary citizens who believe that tradition and religion afford them the right to severely punish and even murder female relatives for behavior they deem immoral. These debates are not just legal and philosophical struggles among elites. They are emotionally charged political battles that touch upon fundamental notions of morality and social order.

In order to provide a detailed look at the conditions faced by women in the Middle East and understand the complex environment surrounding efforts to improve their status, Freedom House conducted a comprehensive study of women's rights in the region. The first edition of this project was published in 2005. The present edition offers an updated examination of the issue, with a special focus on changes that have occurred over the last five years. Although the study indicates that a substantial deficit in women's rights persists in every country in the MENA region, the findings also include notable progress, particularly in terms of economic opportunities, educational attainment, and political participation.

The Middle East is not the only region of the world where women experience inequality. In Asia, Africa, Latin America, Europe, and North America, women continue to face gender-based obstacles to the full realization of their rights. In the United States, women have come a long way since the Equal Pay Act of 1963 and the Civil Rights Act of 1964, but

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even today they earn roughly 23 percent less than men and make up only 3 percent of the Fortune 500 chief executives. It is, however, in the MENA region that the gap between the rights of men and those of women has been the most visible and severe.

The country reports presented in this edition detail how women throughout the Middle East continue to face systematic discrimination in both laws and social customs. Deeply entrenched societal norms, combined with conservative interpretations of Shari'a (Islamic law), continue to relegate women to a subordinate status. Women in the region are significantly underrepresented in senior positions in politics and the private sector, and in some countries they are completely absent from the judiciary. Perhaps most visibly, women face gender-based discrimination in personal-status laws, which regulate marriage, divorce, child guardianship, inheritance, and other aspects of family life. Laws in most of the region declare that the husband is the head of the family, give the husband power over his wife's right to work, and in some instances specifically require the wife to obey her husband. Gender-based violence also remains a significant problem.

Nevertheless, important steps have been made to improve the status of women over the last five years, and 14 out of 17 countries have recorded some gains.* The member states of the Gulf Cooperation Council (GCC or Gulf)—which scored the worst among 17 countries in the 2005 edition—have demonstrated the greatest degree of improvement, shrinking the gap between them and the rest of the region on some issues. The most significant achievement occurred in Kuwait, where women received the same political rights as men in 2005, enabling them to vote and run for office, and paving the way for the election of the country's first female members of parliament in 2009. In Bahrain and the United Arab Emirates (UAE), the first women judges were appointed in 2006 and 2008, respectively. Women have also become more visible participants in public life, education, and business throughout the region, including Saudi Arabia. They have gained more freedom to travel independently, as laws requiring a guardian's permission for a woman to obtain a passport have been rescinded in Bahrain, Kuwait, and Qatar during this report's coverage period.

Outside the Gulf, the most notable reforms occurred in Algeria and Jordan. Following the Moroccan example from the year before, Algeria made sweeping amendments to its personal status code in 2005, vastly

* The 2010 edition covers 18 countries. Iran was not evaluated in 2005.

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improving women's power and autonomy within the family. The new law prohibits proxy marriages, limits the role of a woman's guardian during marriage proceedings, recognizes the parental authority of custodial mothers, and removes the requirement that a wife obey her husband. In Jordan, after years of lobbying by women's organizations for protections against gender-based violence, the government enacted the Family Protection Law (FPL) in 2008 and established a specialized court in 2009 that handles cases involving honor crimes. The FPL specifies the procedures that police, the courts, and medical authorities must follow when dealing with victims of domestic abuse, and prescribes penalties for the perpetrators. Jordan is only the second country in the region—after Tunisia—to pass such legislation, although parts of the law are not yet enforced.

In nearly all of the countries examined, however, progress is stymied by the lack of democratic institutions, an independent judiciary, and freedoms of association and assembly. Excessively restrictive rules on the formation of civil society organizations make it more difficult for women's advocates to effectively organize and lobby the government for expanded rights. The scarcity of research and data on women's status further impedes the advocacy efforts of nongovernmental organizations (NGOs) and activists. And ultimately, the passage of new laws that guarantee equal rights for women means little if those guarantees are not fully enforced by state authorities. Throughout the region, persistent patriarchal attitudes, prejudices, and the traditionalist inclinations of male judges threaten to undermine new legal protections.

Overall conditions for women have worsened in only three places: Iraq, Yemen, and Palestine (West Bank and Gaza Strip). In all of these cases the negative trend is partly related to an uncertain security situation. For example, while the lives of citizens of both genders are affected by the war in Iraq, the conflict's effect on women has been particularly severe. The instances of gender-based violence in Iraq—including honor killings, rapes, and kidnappings—increased significantly during the last five years. This forced women to stay home, thereby hindering most aspects of their lives, including employment and education. Despite these conditions, progress has been achieved on some issues. Women currently hold 25 percent of the seats in the parliament thanks to a new quota system, a new nationality law allows women to transfer citizenship to their children and foreign-born husbands, and women's rights NGOs have grown stronger and more effective.

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Similarly, in Palestine (West Bank and the Israeli Occupied Territories), internal political tensions between Fatah and Hamas—coupled with Israeli restrictions on the movement of civilians and military incursions—have seriously affected the health, employment opportunities, access to education, and political and civil liberties of Palestinian women. In particular, due to the increased number of checkpoints and the construction of the West Bank separation wall, women now experience further separation from their families, farmlands, water resources, schools, and hospitals. Moreover, the new, more conservative social order imposed by Hamas has led to greater restrictions on women's rights in Gaza, and women's labor force participation remains the lowest in the region as the local economy has all but collapsed.

While it is possible to identify net gains or losses for women's rights in a given country, the situation is rarely as simple as that, and the course of events often reflects a great deal of contestation. In many states where significant progress has been achieved, elements of the society have tried, sometimes successfully, to introduce measures that are detrimental to women's rights. For example, in Syria, where women have made notable improvements in terms of educational and employment opportunities, the government considered amendments to the family law that would have increased the discretionary power of religious judges in family matters, until the public outcry and activism of women's rights organizations prompted lawmakers to cancel the proposed legislation. In Libya, after it was leaked that the government had imposed a regulation prohibiting women under the age of 40 from leaving the country without a male relative, even the state-owned newspaper was critical, leading the authorities to deny that such a rule had been instituted. In Kuwait, just three years after women got the right to vote and a year before the election of first female lawmakers, the parliamentary committee on education issued a directive instructing the government to start enforcing a law on gender segregation at private universities by 2013.

Among other important findings and developments are the following:

- As measured by this study, Tunisian women enjoy the greatest degree of freedom in the MENA region, followed by women in Morocco, Algeria, Lebanon, Egypt, Jordan, Palestine, Kuwait, Bahrain, Syria, Libya, the UAE, Iraq, Qatar, Oman, and Iran. Yemen and Saudi Arabia lag significantly behind.

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- The greatest gains were achieved in the areas of employment, education, and political representation. More women today hold jobs, are literate, and enroll in areas of study previously deemed inappropriate for them. Women's rights organizations are becoming more vocal and better organized, and women are increasing their representation in elected government bodies, albeit with the help of quota systems.
- Gender-based violence remains one of the most serious obstacles in women's lives. Laws that would protect women from spousal abuse are absent in most countries, spousal rape is not criminalized, and honor killings still occur and are on the rise in Iraq and Palestine.
- Women's access to justice remains poor due to their low degree of legal literacy, cultural requirements that women first seek mediation through the family before turning to courts, the patriarchal leanings of many male judges, and the fact that in most countries a woman's testimony is worth only half that of a man in certain areas of the law.

MAIN FINDINGS

The 2010 edition of *Women's Rights in the Middle East and North Africa* identifies a complex set of obstacles that prevent women from enjoying the full range of political, civil, economic, and legal rights. However, the study and the accompanying data also indicate that certain gains have been made in recent years, providing grounds for cautious optimism.

Economic Opportunities Grow Despite Persistent Challenges

On average, only 28 percent of the adult female population in the Middle East is economically active, the lowest rate in the world. In nearly all MENA countries, however, women today are better represented in the labor force and play a more prominent role in the workplace than was the case earlier this decade. In Qatar, for example, the proportion of adult women with jobs has increased from roughly 36 percent in 2000 to 42 percent in 2007. Similarly, the proportion of working women has grown by 6 percent in Algeria (to 38 percent) and nearly 4 percent in Libya (to 27 percent). Compared with male employment, these figures remain glaringly low; depending on the country, the share of adult men with jobs ranges from 60 to 90 percent. But male employment has remained static and in some instances decreased since 2000.

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The growing number of working women appears to be the result of increased literacy and educational opportunities, slowly changing cultural attitudes, and in some countries, government policies aimed at reducing dependence on foreign labor. Although society as a whole tends to view formal employment and business as male activities, parents and husbands alike are starting to rely more on the financial support provided by their daughters and wives. In Egypt and Bahrain, several women interviewed for this study said that their marriage prospects improve if they hold a solid job, as "young men nowadays look for a wife that can help with family expenses."

Employment also gives women a degree of financial independence from families and husbands, something they lacked in the past. Divorced or widowed women increasingly seek employment to support themselves, instead of relying on their extended families. And with divorce rates on the rise—approximately 46 percent in the UAE, 40 percent in Egypt, 38 percent in Qatar, and 30 percent in Tunisia—married women increasingly see a separate income as vital insurance against future trouble in their relationships. Whether married or not, working women say that they have started to earn greater respect and have a greater voice within their families.

Women in the Gulf generally have higher labor-force participation rates than their counterparts elsewhere in the MENA region. This can be explained by lower unemployment rates overall, meaning women do not have to compete with men for jobs, and by comparatively higher levels of literacy and education. In addition, Gulf women have benefited from government policies designed to reduce dependence on foreign labor, as companies have aggressively recruited female workers to fill newly established quotas for citizen employees. In the UAE, for example, the Ministry of Labor no longer allows foreigners to work as secretaries, public-relations officers, or human resources personnel; consequently, most of the new hires for those positions are Emirati women. In Oman, a policy of "Omanization" has had a particularly positive effect on poor, less-educated women, allowing them to obtain jobs as cleaners, hospital orderlies, and kitchen help, and thus to support themselves in the face of economic hardship and secure a new role in the community.

Although such policies have increased the overall number of working women, they have also highlighted the cultural limits placed on female professionals. Many women complain of difficulty in advancing beyond entry-level positions despite their qualifications and job performance,

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leading to a popular perception that they were hired only to satisfy the government quotas. In other words, as noted in the UAE report, these policies have resulted in a "sticky floor" for young and ambitious women. Indeed, across the Middle East, very few women are found in upper management and executive positions, arguably due to cultural perceptions that women are less capable, more irrational, and better suited for domestic responsibilities than men.

Women throughout the region earn less than men despite labor laws that mandate equal pay for the same type of work and equal opportunities for training and promotion. While such laws are essential, they are frequently violated in terms of salary and employment perks like housing allowances or loans for senior officials. Women in most countries can file discrimination complaints with government agencies, but these bodies often lack the capacity to investigate discrimination cases or impose penalties for violations by employers, rendering their work largely ineffective. Sexual harassment is also a problem due to the lack of laws that clearly prohibit the practice and punish the perpetrators. Jordan's new 2008 labor law prohibits "sexual assault," but its protections for victims are extremely weak, and it lacks clear definitions and strong punishments for offenders.

In addition, women face significant discrimination in laws regulating pension and similar benefits. In many countries, gender plays an important role in determining the length of employment necessary to qualify, the eligible beneficiaries, and the conditions under which benefits are provided. Upon death, a female employee generally cannot pass her pension to her surviving spouse or children, whereas a male employee can, although female workers give up the same share of their salaries for such benefits as men. Moreover, men employed in the public sector are often eligible for special family and cost-of-living allowances, which are only available to a woman if her husband is dead or disabled.

Several long-standing cultural mores regarding proper professions for women remain cemented into the law. In virtually every country in the region, labor laws prohibit women from undertaking dangerous or arduous work, or work that could be deemed detrimental to their health or morals. In 12 of the 18 countries, women are prohibited from working late at night, with the exception of those employed in medicine and certain other fields. While these provisions are seen locally as a means of protecting women, in effect they treat women as minors who are unable to make decisions regarding their own safety, and they hold women's guardians

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responsible if the rules are violated. Since most women opt to work in the public sector due to its shorter workdays and better pay, these restrictions generally affect only a limited number of female employees.

Academic Achievement Expands Women's Prospects as New Threats Emerge

Education has been a prime area of progress for women in the region, and it is an important avenue for their advancement toward broader equality. Since the 1990s, women in all 18 MENA countries have made gains in access to education, literacy, university enrollment, and the variety of academic fields available to them. That trend has continued, for the most part, over the past five years. The female literacy rate has grown by 5.3 percent in Algeria, 6.8 percent in Iran, 3.6 percent in Morocco, and 5.8 percent in Yemen. In most countries, women outnumber men at the tertiary education level, and Qatar and the UAE have the highest female-to-male university enrollment ratio worldwide.

Although women are generally encouraged to study in traditionally female disciplines such as teaching and health care, they have started entering new fields, including engineering and science. For example, in Qatar, women were accepted for the first time in 2008 in the fields of architecture and electrical and chemical engineering. In Saudi Arabia, three educational institutions began to permit women to study law in 2007, although the graduates are only allowed to act as legal consultants to other women and remain prohibited from serving as judges and advocates in court. In countries such as Tunisia, Algeria, and Egypt, where women have long been able to enroll in any course of study, educators report increasing numbers of female students in their traditionally male classes, such as math and science.

Despite these improvements, many barriers to true gender equality in education persist, while new measures intended to cap surging female enrollment threaten to undermine the progress to date. In Kuwait and Oman, women are required to achieve higher grade-point averages (GPAs) than men to enroll in certain disciplines at the university level. For example, female students in Kuwait must obtain a 3.3 GPA to be admitted to the engineering department, while male students need a GPA of just 2.8. As women make up almost two-thirds of the student body at Kuwait University, the disparity in admission requirements is explained by university officials as "reverse discrimination," intended to increase the

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percentage of male students in certain fields. Similarly, Iran has recently implemented a rule requiring an equal number of male and female students in select fields like medicine.

In a handful of countries, universities largely remain segregated by gender. It is unclear to what extent the segregation affects the quality of education, but in at least some countries, including Saudi Arabia, the number and diversity of classes offered to men are much greater than those available to women. As noted above, Kuwaiti legislators in 2008 called for an existing law mandating segregation at private universities to be implemented within five years, despite concerns at the Ministry of Education that it would be extremely difficult to create adequate facilities before that deadline.

Protection from Domestic Abuse Remains Minimal

While no part of the world is free from the stain of domestic abuse, the countries of the Middle East are exceptional in their array of laws, practices, and customs that pose major obstacles to the protection of women and the punishment of abusers. Physical abuse is generally prohibited, but among the 18 countries examined, only Tunisia and Jordan offer specific protections against domestic violence, and none prohibit spousal rape. Other contributing factors include a lack of government accountability, a lack of official protection of individual rights inside the home, and social stigmas that pertain to female victims rather than the perpetrators.

Very few comprehensive studies on the nature and extent of domestic violence have been conducted in the Middle East. Nonetheless, domestic abuse is thought to be widespread in every country in the region, with its existence typically covered up by and kept within the family. Many women feel that they cannot discuss their personal situation without damaging their family honor and their own reputation. Consequently, abused women rarely attempt to file complaints with the police. When they do choose to seek police protection, they frequently encounter officers who are reluctant to get involved in what is perceived as a family matter, and who encourage reconciliation rather than legal action. In Saudi Arabia in particular, guardianship laws make it very difficult for battered women to find a safe haven. For example, this study cites the case of a girl who sought police protection after being sexually molested by her father, only to be turned away and told to bring her father in to file the complaint.

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Honor killing, in which a woman is murdered by a relative for suspected extramarital sex or some other behavior that is considered a slight to the family's honor, represents the most extreme form of domestic violence. Such murders have been reported in Jordan, Syria, Palestine, Egypt, Iraq, Iran, and Yemen, but are not exclusive to the Middle East; they also occur in South and Central Asia, and to a lesser extent elsewhere. Generally, the perpetrators of honor killings serve minimal time in prison due to judicial discretion and laws that prescribe leniency for murders committed in the heat of passion. While Jordan and Syria have recently instituted stiffer penalties to deal with these crimes, honor killings are reportedly on the rise in other countries, such as Palestine and Iraq.

Over the last five years, nearly all countries in the region have taken some steps to combat spousal abuse. In Jordan, the parliament enacted the Family Protection Law in January 2008 after years of lobbying by governmental and civil society actors. As noted above, the law prescribes prison time and financial penalties for abusers, and specifies procedures that the police, the courts, and medical authorities must follow when handling cases of domestic violence, although several important provisions of the law have not yet been implemented. In Tunisia and Algeria, the authorities have joined women's groups in campaigns against domestic violence, holding workshops and engaging police, judges, and social workers. Draft legislation that would prohibit domestic violence was considered by the Lebanese government in June 2009, but it was referred to a ministerial committee for further review.

In Bahrain, Lebanon, Morocco, and Jordan, the network of NGOs that support victims of domestic violence is steadily growing, and an increasing number of women seem to be aware of such organizations and the services they provide. Several new shelters have opened over the last five years, and civil society has become more active in its advocacy efforts. The issue of domestic violence has also garnered more attention in Qatar and Saudi Arabia, although it is unclear what practical steps those governments intend to take to combat the problem. In Iran, Kuwait, and Yemen, there is not one shelter or support center for victims of domestic abuse.

Political Rights Improve Amid Low Regional Standards

Throughout the MENA region, both male and female citizens lack the power to change their governments democratically and have only limited rights to peaceful assembly and freedom of speech. According to *Freedom*

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in the World, the global assessment of political rights and civil liberties issued annually by Freedom House, none of the countries examined here earn the rating of Free, and none qualify as electoral democracies.

In all 18 countries, gender-based obstacles to women's participation in public life remain deeply rooted. Politics is viewed as the domain of men, and female leaders must contend with cultural attitudes that resist the idea of being politically represented by a woman. In Yemen, for example, a group of Salafist clerics recently issued a handbook that argues against gender-based quotas in political life, claiming that "opening the door for women to leave their houses and mix with men will lead to sexual chaos." Even in Egypt, one of the more liberal countries in terms of women's rights, a former grand mufti issued a fatwa (religious opinion) in 2005 that prohibited women from assuming the position of president. Although the sitting grand mufti later clarified that a woman could lead a modern Muslim state, the disagreement among religious scholars, and their influence on such an overtly political and constitutional issue, are indicative of the challenges faced by women in their struggle to assume leadership positions.

Despite these obstacles, women in 11 of the 18 countries have made gains over the last five years in their ability to vote and run for elected office, hold high-level government positions, and lobby the government for expanded rights. Reforms have been particularly visible in the GCC countries, where women's participation in politics has traditionally lagged behind the rest of the region. In Kuwait, women received the same political rights as men in 2005 and four women were elected to the parliament in May 2009, for the first time in the country's history. In the UAE, eight women were appointed and one secured election to the 40-member Federal National Council (FNC), an advisory body to the hereditary rulers of the seven emirates. Previously, no women had served on the FNC, which until 2006 was fully appointed by the seven rulers. In other countries, such as Oman and Bahrain, the government has appointed an increasing number of women to unelected positions, including cabinet and diplomatic posts. Saudi Arabia remains the only country in which women are not permitted to vote or run for elected office.

Outside of the Gulf, the positive change has been more subtle. In Iraq, women's rights activists mounted a successful campaign of rallies and lobbying to secure a 25 percent quota in the parliament and incorporate that rule into the constitution. Still, electoral laws have been formulated in

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a way that allows female representation to fall below 25 percent in provincial councils. The implementation of quota systems, either on state or local levels, has increased women's participation in electoral politics in other countries as well. Jordan's government, responding to an initiative by women's organizations, introduced a 20 percent quota for the July 2007 municipal elections, leading to significantly more women on local councils. Nonetheless, very few women are able to achieve electoral success in their own right. The typical female lawmaker is a close relative of a prominent male leader or a member of a traditional political family.

Working from outside the government, women's advocates in several countries have been able to lobby more effectively for expanded rights in recent years, despite persistent restrictions on freedom of association. In Morocco, Algeria, and Egypt, women's rights activists have been particularly successful in lobbying their governments to reform family laws and implement new protections for women. However, throughout the region, restrictions on civic organizations and human rights advocacy represent one of the main impediments to the expansion of women's rights, since activists are unable to organize and voice their demands without fear of persecution.

Women Are Still Denied Equality Before the Law

Apart from Saudi Arabia, all countries in the MENA region have clauses in their constitutions that guarantee the equality of all citizens. Specific provisions calling for equality between the sexes have been adopted in Algeria, Bahrain, Iraq, Libya, Oman, Palestine, Qatar, Syria, and Tunisia. While the constitutions of Egypt, Jordan, Lebanon, Kuwait, Morocco, the UAE, and Yemen do not include gender-based nondiscrimination clauses, they do declare that "all citizens are equal under the law."

Regardless of constitutional guarantees, women throughout the region face legal forms of discrimination that are systematic and pervade every aspect of life. For example, in most of the 18 countries, women do not enjoy the same citizenship and nationality rights as men, which can carry serious repercussions for the choice of a marriage partner. Under these laws, a man is able to marry a foreign woman with the understanding that his spouse can become a citizen and receive the associated benefits. By contrast, a woman who marries a foreigner cannot pass her citizenship to her spouse or their children. Children from such marriages must acquire special residency permits, renewed annually, to attend public school, qualify for university scholarships, or find employment.

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Over the last five years, several countries have made it possible for foreign husbands or children of female citizens to obtain citizenship. In Algeria, Iraq, and Tunisia, a woman can now pass her citizenship to her husband and children, pending approval from the relevant ministries (male citizens need no such approval). In Egypt, the parliament amended the nationality law in 2004, allowing the children of Egyptian mothers and foreign fathers to obtain Egyptian citizenship, but the law still prohibits such children from joining the army, the police, and some government posts. Similarly, the new Moroccan nationality law, which came into force in April 2008, enables women married to noncitizen men to pass their nationality to their children, provided that the marriage took place in accordance with Moroccan personal status law. These reforms, although incomplete, are seen as significant steps forward.

As described above, women also face gender-based restrictions in labor laws, can legally be denied employment in certain occupations, and are discriminated against in labor benefits and pension laws. However, gender inequality is most evident in personal status codes, which relegate women to an inferior position within marriage and the family, designate the husband as the head of household, and in many cases explicitly require the wife to obey her husband. Under the family codes of most Middle Eastern countries, a husband is allowed to divorce his wife at any time without a stated reason, but a wife seeking divorce must either meet very specific and onerous conditions or return her dowry through a practice known as *khula*. Furthermore, with the exceptions of Tunisia and Morocco, women need a guardian's signature or at least his presence to complete marriage proceedings, limiting their free choice of a marriage partner. In Saudi Arabia, there is no codified personal status law, allowing judges to make decisions regarding family matters based on their own interpretations of Shari'a. In Bahrain, the 2009 personal status code is applicable only to Sunni Muslims.

Following years of lobbying by women's rights organizations, Algeria's personal status code was amended in 2005 to prohibit proxy marriages, set the minimum legal age for marriage at 19 for both sexes, impose several conditions on the practice of polygamy, and remove the provision that required a wife's obedience to her husband. Several other countries, including Tunisia and Bahrain, made lesser amendments, mainly to prevent the marriage of underage girls. In the UAE and Qatar, personal status laws were codified for the first time in 2005 and 2006, respectively. Although the new laws contain

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provisions granting women additional rights and are viewed as a positive development, many clauses simply codify preexisting inequalities.

A number of other legal changes over the last five years, if properly implemented, have the potential to improve women's rights. For example, laws requiring women to obtain permission from their guardians in order to travel were rescinded in Bahrain, Kuwait, and Qatar. In Oman, the government introduced a law in 2008 to stipulate that men's and women's court testimony would be considered equal, although it is unclear to what extent this will apply to personal status cases.

Throughout the region, however, the prevailing patriarchal attitudes, prejudices, and traditionalism of male judges, lawyers, and court officials—as well as the lack of an independent judiciary that is capable of upholding basic legal rights despite political or societal pressure—threaten to undermine these new legal protections. Unless effective complaint mechanisms are in place and the appropriate court personnel are trained to apply justice in an impartial manner, the new laws will not achieve the desired effect. Moreover, unless the judicial system of each country becomes more independent, rigorous, and professional, women of high social standing will continue to have better access to justice than poor women and domestic workers.

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APPENDIX

SUMMARY OF FINDINGS BY COUNTRY

Algeria: Legislative changes adopted in recent years have the potential to improve women's rights considerably. The 2005 nationality law allows women to transfer their citizenship to their children and foreign husbands, subject to certain conditions. Sweeping amendments to the personal status code, also enacted in 2005, improve women's autonomy within the family. Most recently, a new law against trafficking in persons was approved in January 2009. However, women generally lack an understanding of their legal rights, which threatens to negate the positive impact of these reforms. The political environment remains restrictive, and freedom of expression is curtailed for all.

Bahrain: The autonomy and personal security of Bahraini women improved over the past decade with the adoption of the National Action Charter, the ratification of the new constitution, and, in May 2009, the adoption of a personal status code for Sunnis. Bahrain appointed its first female judge in 2006 and rescinded a law requiring women to gain a male guardian's approval to obtain a passport. In 2007, the minimum age for marriage—previously unspecified—was set at 15 for girls and 18 for boys. However, women's access to justice remains poor. There is no personal status law for Shiite Muslims, so related judgments are handled by religious courts and based on individual judges' interpretations of Shari'a. Over the last five years, Bahraini women's rights NGOs have become more active, and both they and the government are increasingly taking steps to address domestic violence.

Egypt: Women in Egypt have made small gains in all categories under study, with the exception of political rights. The nationality law was amended in 2004 to permit the children of Egyptian mothers and foreign fathers (except Palestinians) to obtain Egyptian citizenship. Steps have been taken to combat gender-based violence and sexual harassment, and a law banning female genital mutilation was adopted in 2008, although it

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is unclear how effective it will be against what is a widespread and socially accepted tradition. In addition, women are taking on a larger role in society; the first female marriage registrar and the first female mayor were appointed in 2008, and in 2009 the first female university president took office. However, the emergency law remains in effect, curtailing a range of civil liberties, and women's political participation has been on the decline. To increase women's representation in the legislature, a gender-based quota system for the lower house of parliament was passed in 2009 and is scheduled to be implemented in 2010.

Iran: Iran has undergone political and social upheaval in recent years, most recently following the disputed 2009 presidential election. Women were visible participants in the postelection demonstrations, marching alongside men to protest voting irregularities and human rights violations. However, Iranian women are unable to pass their nationality to their children or foreign husbands, must secure their guardians' permission before undergoing serious surgical procedures, and are subject to a discriminatory penal code. For instance, to avoid being punished for adultery, a rape victim must prove that she was under duress and did not do anything to invite an attack. Since the election of President Mahmoud Ahmadinejad in 2005, restrictions regarding modest attire and gender segregation in public places have been more strictly enforced. Restrictions on free speech have led to the closure of prominent women's rights publications, and participants in peaceful women's rights demonstrations have been routinely jailed. Indeed, while resourceful women's rights defenders have launched significant campaigns, such as those that aim to eliminate discriminatory legal provisions and ban executions by stoning, they also face severe persecution and are regularly threatened with heavy fines and long jail sentences.

Iraq: The status of women in Iraq has fluctuated over the past five years, in large part due to changing security conditions. Violence against women—particularly honor killings, rapes, and abductions—significantly escalated during the coverage period. This forced women to stay at home, and has negatively affected their opportunities for employment and education. Nevertheless, some progress toward gender equity has been achieved. For instance, women currently hold 25.5 percent of the seats in the parliament, and a new nationality law allows women to transfer citizenship to their children and foreign-born husbands. It remains unclear whether women

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will be adequately protected by laws that are currently under consideration. It is also uncertain whether existing discriminatory provisions, such as a rule that permits lenient sentences for perpetrators of honor crimes, will be amended. Consistent vigilance by state and nongovernmental actors both within Iraq and abroad will help to ensure that the rights women have gained to date survive on paper as well as in practice.

Jordan: Jordanian civil society actors remain outspoken proponents of women's rights, even as the government has enacted a restrictive law that limits the freedom of NGOs. Lobbying efforts by women's rights activists helped to secure the Family Protection Law in 2008, providing key safeguards against domestic abuse, although some of the law's most important provisions remain unenforced. The government also established a specialized court in July 2009 to hear cases involving honor crimes, and the court issued several convictions by year's end. There are only seven female members of parliament out of 110, and men continue to dominate the national political scene. But at the subnational level, women have made political headway: the first female governor was appointed in January 2007, and a 20 percent quota was introduced for the municipal elections the same year.

Kuwait: Women voted and ran for office for the first time in municipal and national elections in 2006. In 2009, they reached another milestone when four women were elected to the parliament. Women in Kuwait enjoy higher levels of economic participation than most of their counterparts in the region, but they remain barred from serving as judges or in the military. And as is the case elsewhere in the Gulf, they face unequal rights within the family and cannot transfer their nationality to children or foreign-born husbands. Domestic violence, although a problem, remains largely unaddressed by the government and women's rights organizations.

Lebanon: Women continue to face gender-based injustices, such as the inability to pass citizenship to their children and a penal code provision that offers reduced sentences for perpetrators of honor crimes. However, women's rights organizations have been increasing their efforts to combat these inequities. The issue of violence against women has gained prominence in recent years. A well-known religious cleric issue a fatwa against honor killings in 2008, the government is reviewing legislation that would ban domestic violence, and the number of hotlines available to victims of abuse

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has increased. Although more women now head economic enterprises than before, few are participating in national or local politics.

Libya: Some positive changes for women's rights have occurred in the last five years, including a growing female role in the labor force and the state's attempts to promote a greater awareness of domestic violence. However, women's rights have also been threatened, as when the government briefly barred women from leaving the country without a male guardian, a decision that was withdrawn only a week later after a public outcry. Restrictions placed on civil society organizations are extreme, meaning there are few entities that can help bridge the gap between the regime's favorable rhetoric on women's rights and the reality on the ground, and there has been no fundamental shift in societal attitudes or behavior toward women.

Morocco: The sweeping changes engrained in the 2004 family law have been unevenly enforced, and many women—particularly those who live in rural areas or are uneducated—continue to face discrimination in practice. However, access to justice has improved in recent years. Women may now travel without a guardian's approval, are leading business ventures and advancing to higher levels of education in greater numbers, and are better able to negotiate their marriage rights. In addition, the new nationality law enables Moroccan women married to noncitizen men to pass their nationality to their children if certain conditions are met. Some progress has also been made in protecting women from domestic violence, and support networks for victims are getting stronger. Women continue to make gains politically, and a 12 percent quota was implemented for the June 2009 local elections, substantially increasing female political representation on this level. While women's rights groups and individual activists have collaborated with the government to improve the rights of all women, true equality remains a distant goal.

Oman: Women in Oman are being appointed to more senior government positions, registering to vote in larger numbers, and increasingly running as parliamentary candidates. However, no women were elected in 2007, and in any case the parliament serves only in an advisory capacity. The overall level of political and civic participation remains patently low. The testimony of men and women in Omani courts is now equal in most situations under a new law on evidence. If properly implemented, this

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law would set an important precedent in the Gulf region. In 2008, the country's first major law against human trafficking was enacted, and the land entitlement system was amended to ensure equality between male and female applicants. Despite these advances, women continue to face significant legal and social obstacles, and are required to obtain the written consent of a male relative before undergoing any kind of surgery.

Palestine: Internal political tensions between Fatah and Hamas—coupled with Israeli military incursions and restrictions on the movement of civilians—have seriously affected the health, employment opportunities, access to education, and political and civil liberties of Palestinian women. The conservative social order imposed by Hamas in Gaza has led to greater restrictions on women's rights there, and women's labor-force participation rate remains one of the lowest in the region, as the local economy has all but collapsed. Electoral laws were amended in 2005 to ensure greater political participation for women, and women are extremely active in their communities and in civil society. But while they continue to push for gender equality, political and economic issues, as well as the Israeli occupation, consistently draw attention away from such campaigns.

Qatar: In recent years, the government has taken several steps to promote equality and address discrimination, including adopting the country's first codified family law and enacting a new constitution in 2004 that specifically prohibits gender-based discrimination. Since 2007, women have been allowed to apply for their own passports, and in late 2008 they were accepted into the electrical and chemical engineering program at Qatar University for the first time. Nevertheless, women continue to be treated unequally in most aspects of life and face cultural and social norms that prevent them from making a full contribution to society.

Saudi Arabia: This country performs well below its neighbors in all categories, and Saudi women are segregated, disenfranchised, and unable to travel or obtain certain types of medical care without male approval. Gender inequality is built into Saudi Arabia's governmental and social structures, and it is integral to the state-supported interpretation of Islam. Still, women's status improved slightly over the last five years, as they are now allowed to study law, obtain their own identification cards, check into hotels alone, and register businesses without first proving that they have

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hired a male manager. In addition, two new universities provide a limited form of coeducational experience.

Syria: The Syrian government strictly limits civil society activity, meaning much-needed legal reforms to ensure gender equality must generally originate in and be supported by the regime. Activists are not free to lobby the government or generate grassroots support, without which long-term change is difficult, and existing legal protections are weakened by the lack of mechanisms for women to challenge enforcement and implementation. Women enjoy reasonably high levels of literacy and labor-force participation, and their presence in the parliament is larger than in most neighboring countries. However, the parliament has little power in practice, and women's lack of representation in the executive and judiciary prevents them from developing, implementing, and enforcing policy decisions. Honor killings remain a problem in Syria, with an estimated 200 women murdered each year, although the government instituted stiffer penalties in 2009.

Tunisia: Tunisian women have long enjoyed rights for which other women in the region continue to struggle. The practices of polygamy and divorce by repudiation were banned years ago, girls have had access to free education on par with boys since 1958, and women earned the right to vote in 1957. After the most recent parliamentary elections, women made up 15.2 percent of the upper house and 27.6 percent of the lower house, and both houses have a female vice president, although the country's president holds nearly all political power in practice. Yet even as women continue to pursue a positive trajectory, particularly in terms of academic and economic achievement, inequity persists. Women in rural areas are often unaware of their rights, and women remain underrepresented in community and political life. Restrictions on free speech affect both men and women, although the authorities do not consider the issue of women's rights to be a particularly sensitive subject.

United Arab Emirates: The status of women is improving as the UAE seeks to transform itself into a modern state. Emirati women are entering new professional fields, serving as judges and prosecutors, and being appointed to high-profile positions within the government and private sector. More

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women are joining the workforce, and the UAE's female labor-force participation and female literacy rates are among the highest in the MENA region. The codification of the family law in 2005 is also seen as a step forward, although the law contains many discriminatory provisions based on conservative interpretations of Shari'a. Women's limited ability to access justice through the courts and combat discrimination remains a significant concern.

Yemen: In Yemen, where the tribal structure plays an influential role and the government is increasingly controlled by a single leader and political party, women are subjected to various forms of violence and discrimination. These include domestic abuse, deprivation of education, early or forced marriage, restrictions on freedom of movement, exclusion from decision-making roles and processes, denial of inheritance, deprivation of health services, and female genital mutilation. In recent years, security forces have implemented heavy-handed policies toward opposition groups and critical journalists, hampering the ability of women's rights activists to advocate for greater equality. In a positive development, some educational and executive institutions have allowed women to join their ranks for the first time, and the Islamist opposition party Islah undertook internal changes that led to the election of the first women to its higher decision-making bodies. However, Yemeni laws still discriminate against women, treating them as inferiors or minors who need perpetual guardianship, and women's representation in the executive and legislative bodies remains very poor.

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