

ISARMUN 2019



Study Guide



Elimination of violence against women and deprivation of rights with special emphasis on Female Genital Mutilation and abortion rights

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Welcome Letter

Dear Delegates,

We would love to express our utmost happiness about your decision to deepen yourself into the world of MUN. We are very excited to have you at IsarMUN 2019 and we are looking forward to seeing you. The aim of the chair is to guide you into the universe of MUN and we will try to be at your hand to the greatest extent possible.

As you will find out further, the UN Women is a young entity entitled with a great task of achieving gender equality worldwide. In the history of women's rights, there has been known many victories and has been already achieved a lot. Yet, a lot is to be accomplished in the future, among other, eradication of violence against women, which will be the topic for your discussion in the committee.

This Study Guide is aimed at facilitating your preparation, so please do make sure you study it carefully enough. To develop your country's position, however, you will have to use additional sources. Provided you do both, you will assure your full preparedness to participate in the debate. We expect you all to be able to represent your country's policies and illustrate the real-life international relations of this group of countries.

Lastly, we would like to emphasize that the most important thing is for you to learn and enjoy both the committee sessions and social events.

Kind regards,

Anna, Asutosh, Nika

Chairpersons of the UN Women

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United Nations Entity for Gender equality and the Empowerment of Women (further UN Women) was established in 2010 as a response to the resolution 63/311 of the General Assembly that was adopted in 2009. General Assembly established UN Women with the resolution 64/289.

Secretary General Ban-Ki-Moon supported the establishment of the entity that would work solely with one purpose – to promote equality, women rights and would help to achieve gender equality globally through the empowerment of women. Before the UN Women did not exist an organization, agency or entity that would focus solely on women rights. With the rise of feminism, globalization and reflection on the fight that women were fighting alone, through the past decades, the United Nations decided that is finally time to help speed up the process of meeting the needs of women worldwide. The progress was the most visible when gender equality was included in the Sustainable Development Goals.

How the UN Women works? The UN Women is closely working together with the member states of the UN in order to achieve globally accepted standards about gender equality and respect for women rights; they help to set goals that the states have to achieve in order to improve the status of women. The UN Women also works closely with other organizations, civil society and governments to create wholesome environment in which women can exercise their rights. In addition to that, the UN w omen can also help financially.

Work of the UN Women is important because as a first entity about gender equality and empowerment of the women, it sheds light to how many different dimensions a certain problem can have and that women dimension is most of the times, (un)intentionally overlooked. Because of that, the UN Women is present and working on different topics such as political participation of the women, economic empowerment, peace and security of women, education of youth, especially girls, health initiatives (with special focus on HIV/AIDS), humanitarian work, development and creation of state policies with special attention brought to the women rights. The UN Women initiates programs, offers support to the governments, works with UN bodies in order to create standards of gender equality and women empowerment within the organization, they research and gather data about women rights around the globe.

UN Women is led by the Executive board comprised of the 41 members that are elected in the United Nations Economic and Social Council for the mandate of 3 years and represent all continents.

Elimination of violence against women and deprivation of rights with special emphasis on Female Genital Mutilation and abortion rights

Violence against women is a much more complex issue than it may seem. It goes way beyond most-known forms of violence like abuse, rape and femicide. The institutional, indirect, and state-sanctioned violence is also widely experienced by women all around the globe.

Even though violence is a crime in most States, women find it hard to obtain legal protection against their abusers in many countries, especially when it comes to domestic and sexual violence (The World Bank, 2018).

Sexual violence

Statistics estimate that 35 percent of women worldwide have experienced either physical and/or sexual intimate partner violence or sexual violence by a non-partner (not including sexual harassment) at some point in their lives (WHO, 2013). However, studies will never show precise state of the matter, as due to shame, stigma and social consequences sexual violence is severely under reported. In Nepal, for example, 61 percent of Nepali women who have experienced violence never tell anyone (UN Women, 2016).

Current situation can be in part explained by the fact that many laws around the world are not effective in preventing violence against women. And in some cases, even encourage it. At least in nine countries the perpetrator can escape punishment and walk free by marrying the victim. These are Bahrain, Iraq, Jordan, Kuwait, Lebanon, Palestine, Philippines, Tajikistan and Tunisia (Equality Now, 2016).

Violence against women can have various manifestations. In this committee we will focus mainly on one of them – female genital mutilation (FGM).

Female Genital Mutilation

Term definition

Female genital mutilation (FGM) or female circumcision are all acts and procedures done to women, that partly or completely mutilate their sexual genitalia with no medical indication for these procedures. FGM causes not only physically, but also sexual and psychological harm, that leads to other problems for women that already are an unprivileged part of the society. FGM is usually done to the girls younger than 15 years old and can cause death, because of the unsafe environment in which it is done. Mostly, FGM is done by traditional circumciser or shamans.

There are different stages of the FGM, based on the severity of mutilation. First stage is clitoridectomy. This is the procedure where clitoris is partially or totally removed. The second stage is when the circumciser removes clitoris (partial or total removal) and labia majora. The third stage of FGM is infibulation – procedure that narrows the vaginal opening with the use of the labia. And the fourth category includes all other practices that mutilate women's genitalia for no medical reason.

One of the problems with the FGM in the last few years is medicalization of the FGM. Meaning, that practice is exercised by the medical personnel and medical care providers in the hospitals, private practices and at home. Problem is that medicalization is causing, that people still believe that the practice is good and necessary. In addition to that, we have to understand that FGM is mostly happening in the medical institutions, because of the financial interests of medical personnel – procedure has to be paid. Even though, medicalization eliminates the threat of complications and death, we have to take into account the consequences that FGM has on the women in a long run.

Short-run consequences of FGM are pain, bleeding, urinating infections, which can in a long-run develop into bigger issues. Women that were liable to the FGM cannot enjoy in the sexual activities; infections and complications with the procedure cause issues with urinating and defecation, many of them also die during childbirth; get HIV because of the unsanitary conditions; have problems with periods and infertility. FGM has dire consequences on the body of women, but also on the psychological state of the women. FGM can lead to depression, anxiety, PTSD, memory loss, suppression etc.

FGM it is the epitome of the disrespect towards human rights – it violates security of women's body, body integrity, it is not humane and very degrading for women that were subjugated to it.

Reasons behind FGM and where it is found

At this point you are probably asking yourselves, why FGM is still happening? FGM has its roots in social and religious belief of certain societies, but it has no foundation in science or medicine. It is deeply rooted in the tradition and culture and that is one of the reasons, that this practice is so hard to eliminate. There are many reasons why this practice is still going on and first is the support of the elders, especially elder women and families. Because of that FGM became a social norm for all young girls – social pressure is another reason why the practice still exists nowadays. It is hard to break a pattern of the societies.

The procedure is also seen as the necessary part of every girl's upbringing. Circumcision allegedly should keep girls modest, feminine and clean. Some also believe that FGM eliminates inappropriate sexual behaviour, such as infidelity. Girls that underwent the practice are also easily married, since society believes that FGM keeps girls untouched (importance of virginity). All procedures of FGM are also seen as the rite of passage – women have to overcome it as a preparation for the adult life.

The practice is still alive in more than 30 countries in Africa, such as Benin, Mali, Liberia, Sudan etc.; Middle East, namely Yemen, Oman, Palestine, Israel etc.; Asia, such as India, Malaysia etc., Eastern Europe, namely Georgia and Russia and South America, such as Colombia, Ecuador, Panama, Peru etc. It also occurs in Western countries, such as United States and United Kingdom, within the immigration groups. More than 3 million girls are subjected to FGM each year.

Previous responses

UN Documents:

- *Universal Declaration of Human.* (1948). Proclaimed with the Resolution of the General Assembly of the United Nations no. 217 A (III), 10th December. Available at <https://www.un.org/en/universal-declaration-human-rights/>.

- *Convention on the Elimination of All Forms of Discrimination against Women*. (1979). Proclaimed with the resolution of the General Assembly of the United Nations, 18th December. Available at <http://undocs.org/en/A/RES/34/180>.
- *Vienna Declaration and Programme of Action*. (1993). Proclaimed at the World Conference of the United Nations on Human rights., 25th July. Available at <https://www.ohchr.org/Documents/ProfessionalInterest/vienna.pdf>.
- *Beijing Declaration and Platform for Action*. (1995). Proclaimed at Fourth World Conference on Women, 15th September. Available at <http://www.un.org/womenwatch/daw/beijing/pdf/BDPfA%20E.pdf>.
- *Intensifying global efforts for the elimination of female genital mutilation* (2016). Adopted by the General Assembly of the United Nations, 19th December. Available at <https://digitallibrary.un.org/record/858574>.

UN Women Documents:

- **Female genital mutilation/cutting and violence against women and girls:
Strengthening the policy linkages between different forms of violence**

Violence towards women and girl varies depending on the society and setting in which they live in – it can manifest and take form as partner violence, sexual abuse, mental trauma, trafficking and even FGM.

The main purpose of this document is to unite all programmes on how to eliminate gender-based violence with programmes about banning the practice, such as FGM, that are, as same as the violence, deeply rooted in the gender inequality.

This policy paper is designed to look over the connections between those two fields and have some influence on the national and prevention strategies, gathering of evidence and treatment of survivors.

- **An update on WHO's work on female genital mutilation (FGM): Progress report**

This document is a report about cooperation with WHO about joint efforts to eliminate the FGM. It states that use of this practice is declining.

- **Breaking the Silence on Violence against Indigenous Girls, Adolescents and Young Women**

This document is a cross-agency study, that is the overview of violence, that girls and women from different groups face. It sheds light on the importance of factors, such as age, ethnicity, geographical position of the country, in relation to the violence that these women suffer every day.

This study is using the data and methods of the already existing studies in the region of Africa, Asia and Latin America. The researchers chose one country per region to illustrate the findings of the studies. The topics, that were covered vary from femicide, FGM, involvement of women in the armed conflict, rights of indigenous women etc.

Questions to be Addressed

- How to effectively fight medicalization of the FGM?
- What can international community do in order to prevent further FGM practices all around the world?
- As seen, FGM is also happening in the developed world – how to integrate immigrant communities into the society, that they do not turn back into traditional patterns?

Abortion rights

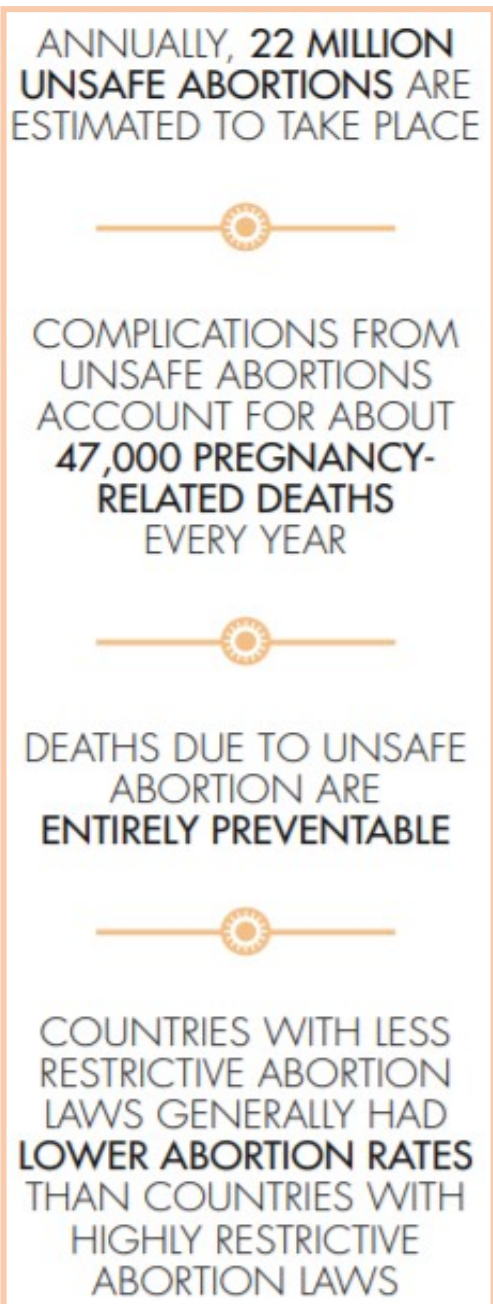
Term definition

Abortion is termination of pregnancy before the foetus can survive outside the uterus. From medical perspective this term is used to indicate both a spontaneous loss of the foetus and deliberate interruption of pregnancy. The term abortion is more commonly used by the average layperson to describe an induced abortion, undertaking of deliberate steps to end a pregnancy, while miscarriage is mostly used to describe natural loss of the foetus (Miller-Keane, O'Toole M., 2003). In this study guide we will operate with this term in its more commonly known meaning – induced abortion.

Unsafe abortion is defined by the WHO as a procedure for terminating an unwanted pregnancy either by persons lacking the necessary skill or in an environment lacking the minimum medical standards, or both (WHO, 2012).

Introduction

The right of abortion belongs to wider set of human rights known as reproductive rights. Those rights embrace “basic right of all couples and individuals to decide freely and responsibly the number, spacing and timing of their children and to have the information and



Source: OHCHR, 2015.

means to do so, and the right to attain the highest standard of sexual and reproductive health. It also includes their right to make decisions concerning reproduction free of discrimination, coercion and violence” (UN FPA, 2014).

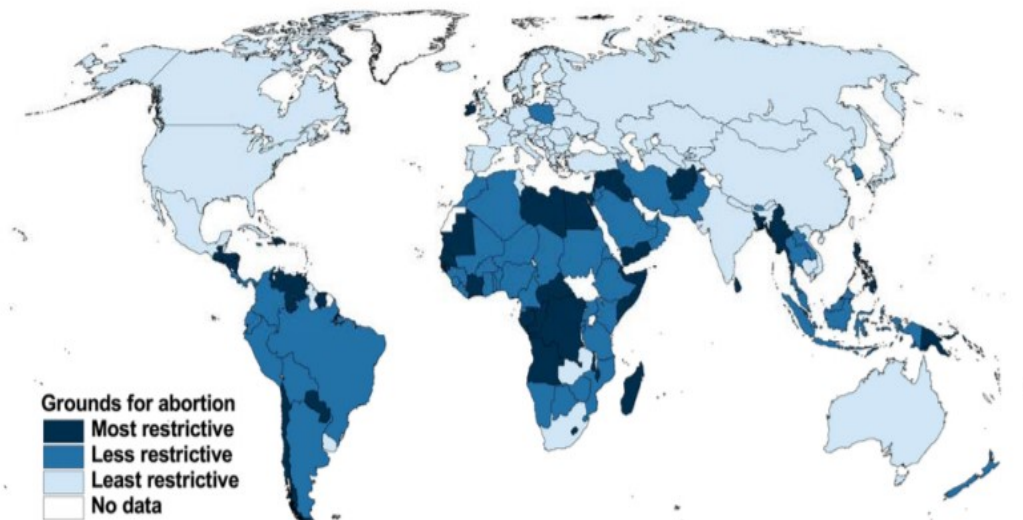
Those decisions include above all the right for abortion, which is the subject of intense controversy. While in some countries it is considered to be a normal practice, in others it is outlawed, and women find themselves under great social pressure. Last decades have shown some shifts in the liberalization of abortion, however the world community remains divided on this issue.

In countries with more restrictive laws for abortion “safe abortion has become a privilege of the rich, while poor women have little choice but to resort to unsafe providers” (WHO, 2012). The WHO recognizes that a lack of legal access to abortion services is likely to increase the number of women seeking illegal and unsafe abortions, leading to increased morbidity and mortality. It is true that every year, twenty million women undergo an abortion in illegal and mostly unsafe circumstances, resulting in as many as 47,000 deaths, all of which could have been prevented (OHCHR, 2015).

Current situation

Almost all countries allow abortion to be performed to save the life of the pregnant woman. The situation changes, when it comes to other reasons for abortion. Still, high percentage of countries (67%) allow women to seek abortion to preserve their physical health. However, only one third of countries allow abortion upon request of the pregnant woman without requiring a specific reason (WHO, 2015). This truly shows that women in the 21st century continue to have hinders to their full control over their bodies and minds across the world.

Types of legal grounds on which abortion is:



Source: UN, 2014.

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Key challenges

Some of the most significant and common issues treated in the abortion debate are described below.

- *Ethical question of beginning of personhood*

An abortion may only be carried out up to the 24th week of the pregnancy. After that period of time the foetus is viable outside the mother's body and performance of abortion is illegal. Even though most countries agree on that time span, the point of "viability" is still a gray area in many communities. Also, the question when the embryo or foetus should be considered a person belongs to long-lasting debates. Some may argue, that the termination of pregnancy violates the right to live. Other defend women's rights to make a decision.

- *Religious views*

Almost all religions have negative stance on abortion perceiving it as an interference with God's will. The Roman Catholic church views abortion as 'gravely contrary to the moral law'.

¹ **Most restrictive:** Abortion not permitted or permitted only to save a woman's life;

Less restrictive: To preserve a woman's physical or mental health, in case of rape or incest, or because of foetal impairment;

Least restrictive or liberal: For economic or social reasons or on request.

Muslims regard abortion as wrong and haram (forbidden), but many accept that it may be permitted in certain cases. Traditional Buddhism rejects abortion because it involves the deliberate destroying of a life. Judaism does not forbid abortion, but it does not permit abortion on demand (BBC, n.d.).

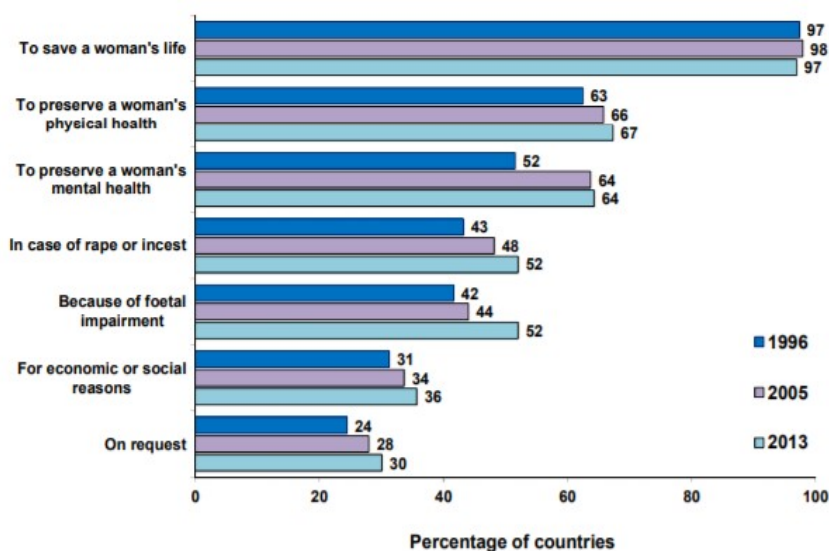
- Legal systems

Even though, abortion is a medical procedure, it has been addressed in penal codes and even characterized as a crime. In some countries, where abortion is not outlawed and the procedure is seemingly accessible, there may be present some other legal barriers. Those barriers can be for example mandatory waiting periods, biased counseling requirements, and the unregulated practice of conscientious objection, all of which greatly impede access to legal abortion services (Finer, L. and Fine, J.B., 2013).

Previous actions

The right to abortion is protected under numerous international and regional human rights treaties as well as national-level constitutions across the world. In 1994, 179 governments signed the International Conference on Population and Development (ICPD)² Programme of Action (25 years since ICPD, only 50 countries worldwide have liberalized their abortion

Changes in legal grounds for abortion, 1996-2013



Source: UN, 2014.

laws) (Center for Reproductive Rights, n.d.). Since that time the situation has not progressed a lot and many grounds for abortion have not been decriminalized.

After ICPD there were some other regionally adopted document calling for safe abortion to be

² The ICPD was the largest intergovernmental conference on population and development ever held, with 179 governments participating and some 11,000 registered participants -- from governments, UN specialized agencies and organizations, intergovernmental organizations, non-governmental organizations and the media (UNFPA, n.d.).

authorized by states. In 2008 the Parliamentary Assembly of the Council of Europe (CoE), adopted a resolution³ calling for the decriminalization of abortion within reasonable gestational limits and guaranteed access to safe abortion procedures. In Africa, the Maputo Protocol⁴ demands total abortion legalization and is legally binding for the 41 states that have ratified it. Practice, however, shows that implementation of all above-mentioned documents is sometimes far from the great ideas on paper.

Questions to be Addressed

Improving the legal status of abortion is by far more than just a right of women and girls to freely decide whether to carry pregnancy to term. It also reflects the probability of a woman or girl to fall victim of unsafe abortion. What is more, women who have made a decision to have an abortion need to be provided with a safe, non-judgmental environment for faster recovery from the procedure.

Taking into consideration all the information above, it is crucial that the committee takes a unified stand on the topic of abortion, considering the legal, cultural and religious differences of all states to effectively address the health issues and life-threatening situations connected to practicing unsafe abortions.

In the final outcome document as throughout the debate we would like the delegates to address the following questions:

- What can be done for safe abortion to become universally accessible?
- What are ways of creating global comprehensive legal grounds for abortion?
- How to eliminate regulatory policy and access barriers to safe abortion care?
- How to ensure states take actions to prevent unsafe abortion?

³ Resolution 1607. Access to safe and legal abortion in Europe. Available at: <https://assembly.coe.int/nw/xml/XRef/Xref-DocDetails-en.asp?FileID=17638&lang=en>.

⁴ Official name "Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa".

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