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Women in the Middle East and North Africa: Issues for Congress

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SUMMARY

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Women in the Middle East and North Africa: Issues for Congress

Many experts have found that women in the Middle East and North Africa (MENA) fare worse than those in other parts of the world on a range of social, economic, legal and political measures. Some attribute this underperformance to prevailing gender roles and perspectives (including discriminatory laws and beliefs), as well as challenges facing the region overall (such as a preponderance of undemocratic governments, poor economic growth, wars, and mass displacement, which often disproportionately affect women). Key issues facing many women in the region include, but are not limited to, the following:

- **Unequal Legal Rights**. Women in the MENA region face greater legal discrimination than women elsewhere on issues such as marriage, freedom of movement, and inheritance, as well as limited to no legal protection from domestic violence.
- **Constraints on Economic Participation and Opportunity**. Challenges facing the region overall, in addition to gender-based discrimination, contribute to a significant difference between men's and women's participation in MENA economies. For example, women do not participate in the labor force to the same degree as women in other regions, and those who do participate face on average nearly twice the levels of unemployment than men.
- **Underrepresentation in Political Processes**. Women are poorly represented in legislative bodies compared to the global average, and several countries have witnessed reductions in women's representation in recent elections.
- **Conflict and Displacement**. The MENA region has experienced a disproportionate share of conflict and population displacement over the last decade. Women and children are at a higher risk of exploitation and abuse in conflict and displacement settings.
- **Lack of Representation in Conflict Resolution and Peace Negotiations**. Women have been underrepresented in most formal efforts to resolve the MENA region's three largest ongoing wars in Libya, Syria, and Yemen, despite attempts by some international actors to involve women in these processes.
- **Roles in Radicalization, Terrorism, and Violent Extremism**. Women, like men, may find radicalization by extremist groups like the Islamic State attractive. Some extremists target women for support and recruitment, though experts have noted that women also may be uniquely positioned to counter violent extremist ideology.

Members of Congress have supported U.S. efforts to bolster gender equality in the MENA region in the context of advocating for women's rights and well-being globally. Some also have argued that supporting women's rights may advance broader U.S. national security interests in the region. To bolster these positions, some proponents cite research suggesting that the relative status of women in society may be linked to greater political stability, security, and economic prosperity, as well as to better governance.

Congress has addressed issues related to women through foreign assistance appropriations and authorizations, resolutions, statements and letters, and oversight activities. Some of these measures have been global in scope, while others have been specific to the MENA region. Going forward, Members may consider and debate the appropriate level and types of U.S. engagement on the particular challenges facing women in different MENA countries.

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Introduction

U.S. efforts to improve conditions for women in the Middle East and North Africa (MENA) have garnered widespread support since at least the early 2000s. The broad appeal may reflect a convergence of goals for those advocating positive change for women as an end-goal in itself, and those supporting such change primarily as a potential means to advance broader U.S. interests in the region, such as peace and stability, countering terrorism, increasing prosperity, and fostering good governance and human rights. A growing body of research suggests that improving opportunities and conditions for women in a society may promote such outcomes both globally and in the region.

This report provides background and data on key issues regarding women in the MENA region and describes selected ways in which Congress has engaged on issues such as women's legal rights, economic participation, and political representation; the humanitarian impact of conflict and displacement on women; women's inclusion in conflict resolution and peace processes; violence against women; and women's roles in perpetuating and combatting violent extremism. Members of Congress have demonstrated an interest in women's issues, both within the MENA region and globally, through legislation, statements and letters, direct engagement with regional leaders and civil society, and oversight.

For the purposes of this report, the MENA region comprises the areas defined as "Near East" by the State Department: Algeria, Bahrain, Egypt, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Qatar, Saudi Arabia, Syria, Tunisia, United Arab Emirates (UAE), and Yemen.[1]

Status of Women in the MENA Region

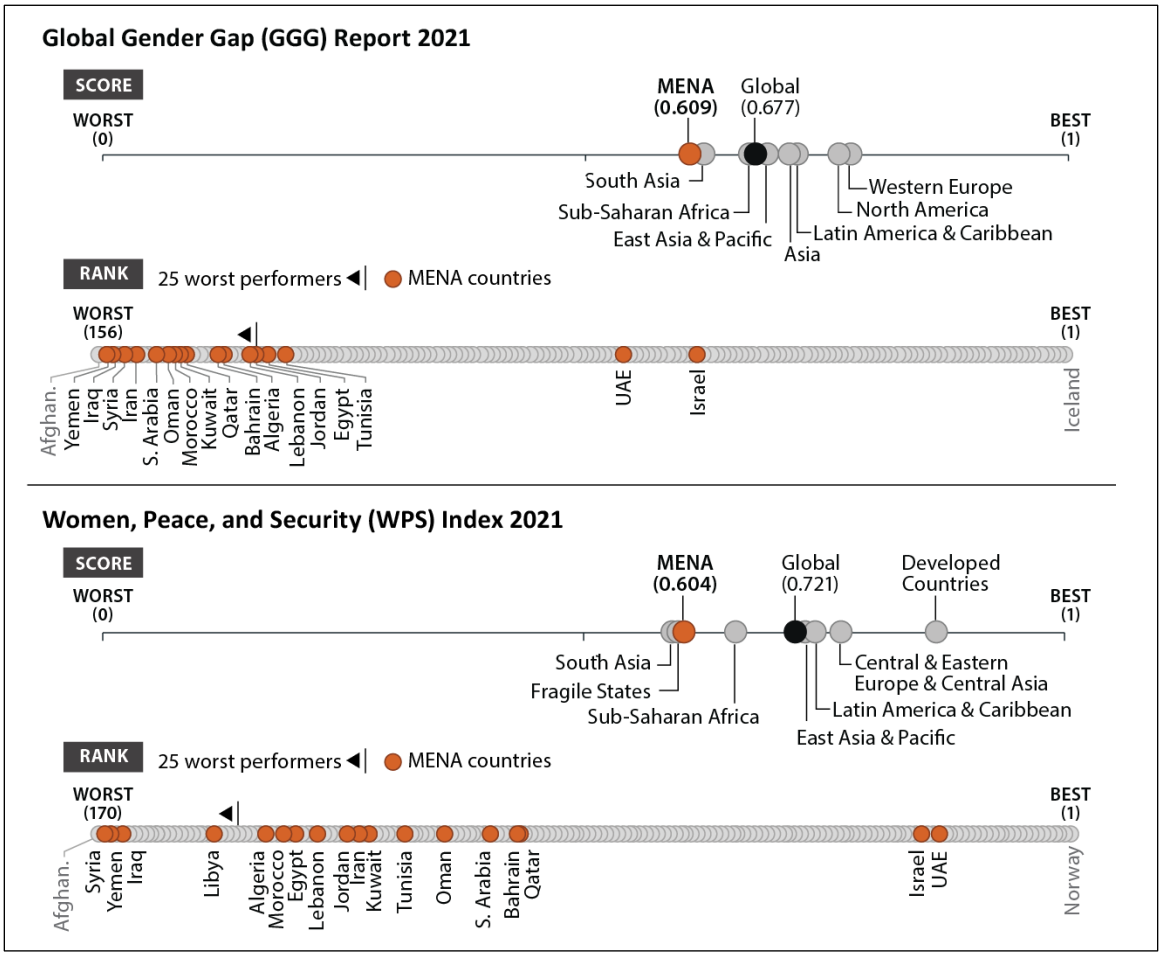
Women in MENA fare worse than men and worse than women in most other regions in several measurable areas. The World Economic Forum's (WEF's) 2021 Global Gender Gap Report ranked the MENA region the lowest in the world for achieving gender equality, with MENA states comprising 12 of the 25 worst-performing countries globally.[2] The region also performed poorly in the 2021 Women Peace and Security (WPS) Index, and Iraq, Syria, and Yemen—all countries sustaining levels of violent conflict at the time of survey—were among the 10 worst performers on the WPS Index.[3] At the same time, not all MENA countries perform equally, as **Figure 1** below illustrates. For example, Israel and the United Arab Emirates score higher than other MENA states on both indices.

[1] This report does not include data on the West Bank or the Gaza Strip. Some of the key sources on which this report relies do not provide data for the West Bank and Gaza. For information on the status of women in the West Bank and Gaza, see for example: U.N. Economic and Social Commission for Western Asia, "Social and Economic Situation of Palestinian Women and Girls (July 2018 – June 2020)," at E/ESCWA/CL2.GPID/2020/TP.29, September 8, 2021. The Women, Peace and Security Index includes data on the Palestinians for the first time in the 2021 edition.

[2] The WEF index "benchmarks national gender gaps on economic, education, health and political criteria, and provides country rankings that allow for effective comparisons across regions and income groups." The index includes two countries in the MENA average that are not under the purview of this report: Mauritania and Turkey. The 12 worst-performing countries in the region are: Yemen, Iraq, Syria, Iran, Saudi Arabia, Oman, Morocco, Kuwait, Qatar, Bahrain, Algeria, and Lebanon. WEF, *Global Gender Gap Report 2021*, March 2021.

[3] The WPS Index measures performance across three dimensions of a woman's wellbeing: inclusion (economic, social, and political); justice (formal laws and informal discrimination); and security (at the family, community, and societal levels). Countries in the bottom quintile are: Syria, Yemen, Iraq, Libya, Algeria, and Morocco. Georgetown Institute for Women, Peace and Security (GIWPS) and Peace Research Institute Oslo (PRIO), *Women, Peace and Security Index 2021: Tracking sustainable peace through inclusion, justice, and security for women*, October 2021.

Figure 1. MENA Performance on Global Measures of Women's Equality



Sources: Created by CRS with data from World Economic Forum, *Global Gender Gap Report 2021, March 2021*; Georgetown Institute for Women, Peace and Security and Peace Research Institute Oslo, *Women, Peace and Security Index 2021*, October 2021.

Key Challenges

Challenges to expanding the rights and improving conditions for MENA women arguably include a combination of *prevailing gender roles and perspectives* and *challenges facing the MENA region overall.* The 2019 WPS Index stated that the region's poor performance is "traceable largely to high levels of organized violence and discriminatory laws that disempower women, often coupled with low rates of inclusion, especially in paid employment."[4] Since the early 2000s, some experts and policymakers have increasingly related these issues to research examining possible links between the well-being of women and the overall stability of societies.[5]

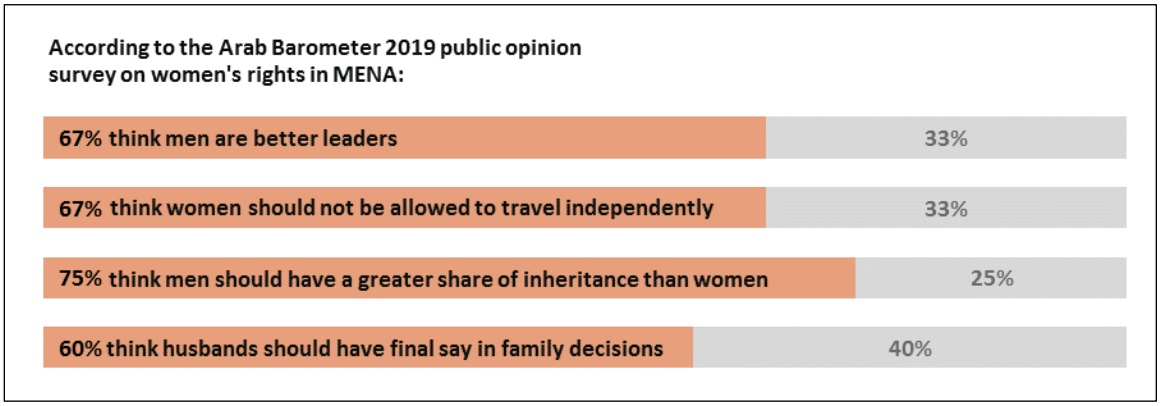
[4] GIWPS and PRIO, *Women, Peace and Security Index 2019/20*, p. 1. The region scores higher on the 2021 index than in 2019 (0.604 compared to 0.580), but still holds the lowest scores of any region on financial inclusion, employment, parliamentary representation, legal discrimination, discriminatory norms, and organized violence.

[5] Increased international awareness on these issues led to the adoption of U.N. Security Council Resolution 1325 on women, peace, and security in October 2000 and nine subsequent resolutions, the most recent being Resolution 2493 (2019).

Discriminatory Laws and Beliefs

Many experts postulate that some combination of institutionalized legal discrimination, cultural practices, and religious beliefs about women contribute to gender inequality in the MENA region. Legal discrimination (discussed in "Legal Rights") and cultural views relegating women to a lower standing in many regional countries appear to be pervasive, despite some signs of change. Public opinion surveys in predominantly Arab countries, which make up most but not all of the MENA region, suggest that certain cultural beliefs against women's equality are prevalent. For example, Arab Barometer's 2019 survey on women's rights in 12 Arab countries found that the majority of survey respondents believed that men are better leaders and should have greater say in family decision making, and that women should not be allowed to travel independently or have an equal share in inheritance (see **Figure 2**).

Figure 2. Public Opinion on Women's Rights in Select MENA Countries



Source: Created by CRS with data from Kathrin Thomas, "Women's Rights in the Middle East and North Africa," Arab Barometer, August 2019. The Arab Barometer survey included 10 countries within the scope of this report—Algeria, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Tunisia, and Yemen—as well as Sudan and the Palestinian territories.

Regional Dynamics

Experts also point to challenges facing the region as a whole to explain why women in the MENA region fare worse than women in most other regions in terms of a broad range of political, legal, and socioeconomic indicators. Decades of civil and inter-state wars, a lack of effective governing institutions, and a lag in developing robust, diversified economies arguably have inhibited progress on these indicators in some countries. Much of the region is experiencing some combination of war, political instability, terrorism, economic challenges, and/or poor governance. The COVID-19 pandemic has layered on additional challenges to those preexisting conditions. These phenomena have had negative impacts on societies as a whole, including some effects that are unique to, or worse for, women (see **textbox** below).

Implications of the COVID-19 Pandemic for Women in MENA[6]

Women in MENA appear to be experiencing poor outcomes related to COVID-19 across a variety of health, socioeconomic, and development indicators.[7] Some research has found that women in the region are less likely to

[6] Sara Tharakan, Analyst, Global Health and International Development, authored this section.

[7] Sana Afouaiz, *How serious is COVID-19 for women in the Arab World?*, OECD, April 13, 2021. OECD, *COVID-19 crisis in the MENA region: impact on gender equality and policy responses*, OECD Policy Responses to COVID-19,

have access to quality health care, and those who contract COVID-19 may face greater long-term consequences to their health, due in part to existing gender disparities in access to health care throughout the region.[8] Ongoing humanitarian crises have also weakened health systems and affected the COVID-19 response. As COVID-19 vaccination campaigns ramp up, women in some MENA countries reportedly have lacked early access to vaccines and may be susceptible to vaccine-related misinformation due to lower literacy levels than men, compounding global vaccine access equity issues.[9]

Since early 2020, countries in the MENA region have experienced economic downturns partly arising from the pandemic—including its impact on global trade and travel, along with the physical lockdown measures imposed to reduce the spread of COVID-19 in the region. In October 2021, the IMF estimated the region's GDP contracted by 3.2% in 2020, with disproportionate impacts felt by the most vulnerable workers, including women.[10] While the full impact of the pandemic has yet to be reflected in some of the labor market data presented in this report,[11] the IMF notes that in the MENA region, "The crisis generally affected women more than men because of their sectoral distribution of employment and their overrepresentation in unpaid care work. [...] Overall, the pandemic compounded the gender gap in labor market outcomes."[12] The prevalence of women in the informal sector, where basic protections such as unemployment insurance and health benefits are generally lacking, add to their economic vulnerability. The long-term implications of the pandemic for women in MENA remain to be seen, including how women's health and other issues are prioritized in country-level vaccination campaigns and COVID-19 recovery plans.

Overview of U.S. Policy

Successive U.S. Administrations at least since the George W. Bush presidency have expressed an interest in improving women's conditions in the MENA region, and have established or supported programs aimed at pursuing that goal. Members of Congress have also authorized initiatives and appropriated funds to enable these efforts. At the same time, activities that specifically address the well-being of women often compete with other regional policy priorities.

Recent administrations have sought to include women's rights within broader national security and gender frameworks. The Obama Administration's National Security Strategy (2015) identifies "advancing equality" as one of its core values: "Recognizing that no society will succeed if it does not draw on the potential of all its people, we are pressing for the political and economic participation of women and girls."[13] The Trump Administration's National Security Strategy listed the empowerment of women and youth as a priority action, stating "governments that fail to treat women equally do not allow their societies to reach their potential [while] societies that empower women to participate fully in civic and economic life are more prosperous and peaceful."[14] The Biden Administration's National Strategy on Gender Equity and Equality

June 10, 2020. For example, the COVID-19 pandemic has reportedly exacerbated domestic violence in many countries, in part due to the effects of physical lockdown measures and restrictions on movement.

[8] Global Health 5050, International Center for Research on Women, African Population and Health Research Center, "The COVID-19 Sex-Disaggregated Data Tracker," October 27, 2021. N.M. Kronfol, "Access and barriers to health care delivery in Arab countries: a review," *Eastern Mediterranean Health Journal*, 18 (12), 1239-1246, 2012.

[9] Maria Cheng, "'Marginalized': Women trail men in some vaccine efforts," October 14, 2021.

[10] International Monetary Fund, *World Economic Outlook*, October 2021.

[11] ILO, "Keeping Labour Data Flowing During the COVID-19 Pandemic," September 30, 2021.

[12] International Monetary Fund, *Regional Economic Outlook: Middle East and Central Asia*, October 2021, p. 21.

[13] The White House, *National Security Strategy*, February 2015, pp. 20. The Obama Administration separately promulgated a Strategy to Prevent and Respond to Gender-based Violence Globally (2012), launched the U.S. National Action plan on Women, Peace, and Security (2011), and established the office of Global Women's Issues (2009) in the State Department led by the first Ambassador for Global Women's issues.

[14] The White House, *National Security Strategy of the United States of America*, November 2017. President Trump also signed into law the 2017 Women, Peace and Security Act, and promulgated the first U.S. WPS Strategy as well as the

states that advancing gender equity and equality is "both a moral imperative and a strategic one; its pursuit drives the growth, development, and security of communities, nations, and the global economy."[15]

The primary U.S. government agencies that address women's issues in the region are the State Department and the U.S. Agency for International Development (USAID). Bilateral aid funded by the State Department and democracy and governance activities funded by USAID routinely incorporate the promotion of women's equality. The Trump Administration requested approximately $70 million annually from FY2019 to FY2021 for State Department and USAID gender-focused programs in the region. The Biden Administration requested approximately $85 million for the region in FY2022, which constitutes approximately 1% of the total assistance request for the region.[16] The MENA region accounted for 7-9% of the FY2019-FY2022 total funding requests for gender programs. Broader U.S. foreign affairs and security assistance programs addressing cross-cutting issues such as global health, humanitarian activities, defense, and legal and political rights may also address women's issues in the region.

It is unclear how much money the United States spends annually on programs that address the status of women in the MENA region: the executive branch does not consistently or comprehensively track the number or cost of relevant programs, and Congress has not mandated such accounting. Capturing this information is complicated by the varying degree to which programs focus on women, and the extent to which they focus on the region or are part of broader global initiatives.

Selected MENA-Specific Congressional Action

In recent Congresses, Members aiming to address issues of women's rights and well-being in the MENA region have used various legislative mechanisms. In addition to appropriating sums for gender programming in the region, Congress has used conditions on foreign aid and explored sanctions options to highlight and prevent abuses of women's rights. Congress has also exerted its oversight prerogative to require reports and strategies from the executive branch, and has expressed concern through resolutions. Some examples from the 117th Congress are described below.

Conditioning Foreign Assistance. For years, the foreign policy community and Members of Congress have debated the efficacy of using foreign aid as leverage to promote greater respect for human rights in the Middle East and elsewhere. In Egypt's case, since FY2012, Congress has passed appropriations legislation that withholds the obligation of Foreign Military Financing (FMF) to Egypt until the Secretary of State certifies that Egypt is taking various steps toward supporting democracy and human rights, including protecting religious minorities and the rights of women. While this provision has not been framed exclusively through the prism of promoting gender equality, the reference to women's rights has been regularly incorporated into appropriations language since FY2015 (H.R. 83).

U.S. Strategy to Support Women and Girls at Risk From Violent Extremism and Conflict.

[15] The White House, *National Strategy on Gender Equity and Equality*, October 2021. President Biden has also established a Gender Policy Council (GPC) within the Executive Office of the President to advance gender equity and equality in both domestic and foreign policy development and implementation.

[16] Congressional Budget Justification supplementary tables for the Department of State, Foreign Operations, and Related Programs. The Biden Administration requested $7.6 billion for the MENA region in FY2022. See CRS Report R46344, *U.S. Foreign Assistance to the Middle East: Historical Background, Recent Trends, and the FY2022 Request*, by Jeremy M. Sharp, Carla E. Humud, and Sarah R. Collins.

Sanctions. In the 117th Congress, Members have explored sanctions options related to human rights (and women's rights) violations in Saudi Arabia and Libya. The Saudi Arabia Accountability for Gross Violations of Human Rights Act (H.R. 1464, reported as amended) would impose sanctions on foreign persons determined to have played a role in the killing of Jamal Khashoggi, but would allow the President to suspend sanctions if he certifies the Government of Saudi Arabia has addressed human rights issues, including taking "meaningful reforms to protect the rights of freedom of expression, religion, women's rights, and due process in its judicial system." Similar provisions were incorporated as Section 6003 of the House-passed NDAA (H.R. 4350). The Libya Stabilization Act (H.R. 1228, S. 379) passed in the House finds that a large number of migrants and refugees remain in Libya, including women and children who are subjected to arbitrary detention, torture and other human rights violations and abuses, sex and labor trafficking, and are vulnerable to extreme violence by governmental and non-state armed groups. The Act would provide for sanctions and aid related to the conflict in Libya.

Security Assistance and Conditionality. Incorporated as Section 1346 of the House-passed FY2022 NDAA (H.R. 4350), the Trans-Sahara Counterterrorism Partnership (TSCTP) Program Act of 2021 (H.R. 567, S. 615) would provide statutory authority for the TSCTP Program, an interagency program launched in 2005 to partner with countries in the Sahel and Maghreb regions of Africa to counter terrorism and violent extremism. Among other priorities, the program would coordinate all U.S. government efforts to address the factors that make people and communities vulnerable to recruitment by terrorist and violent extremist organizations, through activities such as promoting girls' education and women's political participation. On security assistance conditionality, H.Res. 175 (introduced in the House) calls on the U.S. government to cease all arms transfers until Saudi Arabia "releases prisoners convicted of crimes under the counterterrorism law for activities that constitute political expression," including women's rights advocates.

Reporting and Strategy Development. Section 1262 of the House-passed FY2022 NDAA (H.R. 4350) would require the President, through the Secretary of State and in coordination with the Secretary of Defense, to submit a report to congressional committees concerning the U.S. defense and diplomatic strategy for Syria, including a plan for the resettlement and disposition of the women and children who are connected to the Islamic State (ISIS or IS) and who remain in detention facilities in Syria.

Resolutions. A resolution expressing the sense of the Senate regarding the practice of politically motivated imprisonment of women around the world and calling on governments for the immediate release of women who are political prisoners (S.Res. 342) makes references to situations in several MENA countries, including Iran, Egypt, and Saudi Arabia. A resolution condemning the murder of Alireza Fazeli Monfared and the practice of so-called "honor killings" in Iran, and for other purposes (H.Res. 497) finds that the practice of "honor killings" in Iran "has claimed the lives of women, girls, gay men, persons that identify as transgender, and members of other vulnerable populations, is a violation of internationally recognized human rights," and states that Iran should be publicly rebuked and condemned for other human rights abuses based on sex, sexual orientation, and gender expression.

Selected Global Congressional Actions

In recent years, Members have introduced or enacted legislation to address women's issues worldwide, including on women, peace, and security; economic empowerment; and gender-based violence.[17] Although these pieces of legislation are global in scope, they have the potential to apply to the MENA region given the political, economic and security conditions in the region. These include:

- **The Women Peace and Security Act of 2017** (P.L. 115-68) states it is the policy of the United States "to promote the meaningful participation of women in overseas conflict prevention, management and resolution, and post-conflict relief and recovery efforts" and calls for the creation of a new Women, Peace and Security (WPS) strategy to detail the operationalization of the WPS Act, as well as a report to Congress two years after enactment.[18]
- **The Women's Entrepreneurship and Economic Empowerment Act of 2018** (P.L. 115-428) modifies USAID programs to provide targeted assistance for women and authorizes the President to provide programs in developing countries for micro, small, and medium-sized businesses, particularly those owned, managed, and controlled by women.

Congress has enacted legislation on a range of global women's issues in annual appropriations bills. Section 7059 of the Consolidated Appropriations Act, 2021 (Division K, P.L. 116-260) provides up to $560 million to promote gender equality and women's empowerment globally, a $230 million increase from FY2020 appropriations. Under this heading, the Act makes available up to $200 million for women's economic empowerment, not less than $50 million for women's leadership, not less than $165 million for gender-based violence, not less than $130 million for Women, Peace, and Security (FY2021 is the first fiscal year in which an amount has been specified for WPS), and not less than $15 million for women and girls at risk from extremism and conflict. It is unclear to what extent, if any, such funding might be allocated for programs involving women in the MENA region.

Policy Issues

The following sections describe several issues that policymakers and lawmakers may take into account when considering whether and how to address the status of women in the MENA region, including women's legal rights and protections, economic participation, political representation, and the impact of conflict and displacement on women and girls.

Legal Rights

The MENA region exhibits high levels of gender-based legal discrimination (see **Figure 3**): 14 MENA countries fall below the global average and 6 countries are among the world's bottom 10 performers on the World Bank's Women, Business and the Law Index.[19] Four countries improved their legal discrimination scores from 2019: Bahrain, Jordan, Saudi Arabia, and the UAE.[20]

[17] See CRS In Focus IF11804, *Global Women's Issues: Background and Selected U.S. Efforts*, coordinated by Luisa Blanchfield.

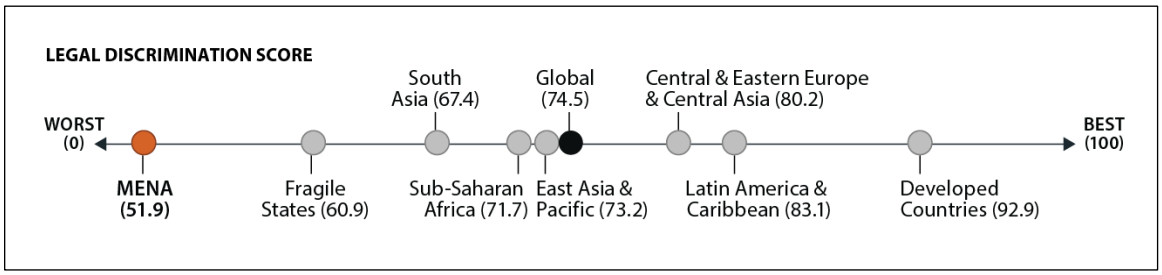
[18] The Trump Administration delivered its WPS strategy on June 11, 2019. State, USAID, Department of Defense, and the Department of Homeland Security each developed implementation plans in 2020 to execute the strategy. The Biden Administration delivered its report to Congress on WPS in July 2021.

[19] World Bank, *Women, Business and the Law 2021*, data as of October 1, 2020.

[20] Saudi Arabia and the UAE now rank above the global average on the 2021 Women, Business and the Law index.

Figure 3. Legal Discrimination Score by World Region

2021 WPS Index



Sources: Created by CRS with data from GIWPS and PRIO, *Women, Peace and Security Index 2021*. The Index calculates the legal discrimination score by aggregating and weighting scores of 78 laws and regulations that limit women's ability to participate in society or the economy or that differentiate between men and women, as measured by World Bank, *Women, Business and the Law 2021*, data as of October 1, 2020.

Note: The WPS index "Fragile States" classification is based on The World Bank's FY20 List of Fragile and Conflict-affected Situations.

The constitutions of some MENA countries nominally guarantee legal equality between men and women (see **Figure 4**).[21] However, in practice, rules governing matters of family law apply differently to women in nearly all MENA countries, as they are often based on religious jurisprudence that treats women differently. On issues related to family matters, all of the Arab countries and Iran apply Islamic law, which is not gender-neutral on marriage, divorce, child custody and guardianship, and inheritance. Israel's legal system places status issues of marriage and divorce under the jurisdiction of religious courts, which include Jewish Rabbinical Religious Courts, as well as Muslim, Druze, and Christian courts, none of which are gender-neutral.[22] In general, constitutional provisions and laws mandating gender equality cannot be effective if judicial institutions are not independent and if executive institutions are unwilling or unable to implement the laws, or hold law-breakers accountable.[23]

As illustrated in **Figure 4**, no MENA countries grant women equal rights under the law. Specifically, women are treated differently under:

- **Gender equality and discrimination laws**. Half of MENA countries (9 of 18) include a constitutional provision enshrining the principle of gender equality. The other half either have an equality provision that does not specifically mention the term "gender," or they provide for equality based on Islamic legal criteria, which treat women and men differently.
- **Domestic violence laws**. More than half (10 of 18) of MENA countries have laws addressing domestic violence. In three of these countries, legal provisions address

[21] Additionally, every MENA country, with the exception of Iran, has ratified the Convention to Eliminate All Forms of Discrimination Against Women (CEDAW), though almost every country ratified with conditions. (The United States has not ratified CEDAW.)

[22] In Israel, laws regulating inheritance, transmission of citizenship, and age of marriage do not differentiate between persons based on their gender. The Law Library of Congress, "Legal Provisions on Gender Equality: Arab Countries, Israel, Iran," LL File No. 2020-018615, February 2020. See also Ruth Levush, "Israel: Spousal Agreements for Couples Not Belonging to Any Religion—A Civil Marriage Option?" Law Library of Congress, September 2015.

[23] For example, the State Department noted that in Morocco, "the judiciary lacked willingness to enforce [family law reforms enacted in 2004], as many judges did not agree with their provisions," and that "corruption among working-level court clerks and lack of knowledge about its provisions among lawyers were also obstacles to enforcing the law." U.S. Department of State, "Morocco 2020 Human Rights Report," March 30, 2021.

some acts of domestic violence but do not address marital rape. Kuwait passed its first law combating domestic violence in August 2020.[24]

- **Age of marriage laws**. More than half of MENA countries (11 of 18) have set a minimum age for marriage of 18 or older for both girls and boys. Nevertheless, 13 countries (including Israel) have a provision in their family law allowing a religious court to marry women younger than the legal age of marriage. Iran has the lowest legal age of marriage for girls at 13 years old (the age for boys is 15), and children may marry earlier with the consent of the father. Yemen has no minimum age for marriage.

[24] "Kuwait's National Assembly passes domestic violence bill," The National, August 20, 2020.

Figure 4. Selected Measures of Legal Discrimination Against MENA Women

	Legal Discrimination Aggregate score; lower=more	Constitutional provision ensuring gender equality	Legal provisions addressing domestic violence	Legal age of marriage		
				Female	Male	Earlier w/ approval? [d]
Yemen	27	NO	NO	No minimum		
Kuwait	29	NO	YES	15	17	NO
Qatar	29	YES	NO	16	18	YES
Iran	31	NO [a]	NO	13	15	YES
Oman	36	NO	NO	18	18	YES
Syria	37	YES [b]	NO	18	18	YES
Egypt	45	YES	NO	16	18	NO
Iraq	45	YES	NO	18	18	YES
Jordan	47	NO	YES [c]	18	18	YES
Libya	50	NO	NO	20	20	NO
Lebanon	53	NO	YES [c]	Varies by religion [e]		
Bahrain	56	YES	YES	16	18	YES
Algeria	58	YES	YES	19	19	YES
Tunisia	68	YES [b]	YES	18	18	YES
Morocco	76	YES	YES [c]	18	18	YES
Saudi Arabia	80	NO	YES	17	17	YES
Israel	81	YES [b]	YES	18	18	YES
UAE	83	NO	YES	18	18	YES

More discrimination ▲ / Less discrimination ▼

a. The Constitution of Iran references "equal rights and protection under the law" for men and women, but the rights it affords are circumscribed by the requirement that they "conform to Islamic criteria" that themselves do not give women equal status with men.
b. Israel does not have a one-document constitution but its Proclamation of Independence guarantees "complete equality... irrespective of religion, race, or sex." Tunisia's constitution refers to equality between "all citizens, male and female" and Syria's constitution does not discriminate "on grounds of sex."
c. Addresses some acts of domestic violence but does not address marital rape.
d. A male guardian's permission to marry is required in some circumstances.
e. Lebanon recognizes different ages—from puberty (9 to 13) to 17 for girls and 15 to 18 for boys—according to a person's religious sect (Catholic Christian, Orthodox Christian, Protestant Christian, Sunni Muslim, Shi'a Muslim, or Druze).

Source: Created by CRS with data from the GIWPS and PRIO, *Women, Peace and Security Index 2021* (legal discrimination score derived from WBL Index 2021) and The Law Library of Congress, "Legal Provisions on Gender Equality: Arab Countries, Israel, Iran," LL File No. 2020-018615, February 2020.

Economic Participation and Opportunity

Studies have demonstrated a correlation between the extent to which women are involved and empowered in a country's economy and politics, and better outcomes for the overall society in

terms of economic growth and stability.[25] The World Bank has argued that "gender equality is smart economics," asserting that gender equality enhances productivity and improves other development outcomes, including prospects for the next generation and for the quality of societal policies and institutions.[26] Some experts have argued that the limits in women's economic participation may be among many factors that have contributed to regional shortfalls in economic development: in 2016, the OECD estimated that gender-based discrimination in laws and social norms costs the MENA region $575 billion a year.[27]

The MENA region has long lagged on economic development indicators when compared with other regions, with the partial exception of major oil- and gas-producing countries. Development indicators have declined further in some countries as a result of violent unrest since 2011, and in 2020 the "dual shocks" of the COVID-19 pandemic and the oil price fluctuations presented daunting economic challenges.[28] Within the region, states have significant differences with regard to income level. To some extent, women in states that have achieved more economic success overall have had higher participation in the labor force and lower unemployment rates than women in the lower-income, less developed countries (see **Figure 5**). This pattern is not uniformly true, however; in Saudi Arabia, where the legal system and culture traditionally have discouraged women's participation in the economy, many fewer women work despite relative national wealth. Saudi authorities have begun encouraging women's participation in the workforce in recent years as a component of broader national economic development and transformation initiatives: data suggests women's participation is now increasing in the kingdom.[29]

The MENA region has historically had the lowest rates of female labor force participation (i.e., the percentage of women who are employed or are actively seeking employment) in the world, a phenomenon that has been exacerbated by the COVID-19 pandemic (see **textbox** on "Implications of the COVID-19 Pandemic for Women in MENA" above). In 2019, the regional average female labor force participation rate (29.2%) was 18 percentage points below the global average for women (47.3%), ranging from 6.0% in Yemen to 59.6% in Israel.[30] On average, women participated in the labor force at less than half the rate of men in the region (75.8%). Women's unpaid domestic and agricultural labor, as well as paid work in the informal economy, is seldom quantified through official statistics. The greatest gaps between male and female participation are seen in three countries that face severe instability and conflict in addition to economic woes: the labor forces in Yemen, Iraq, and Syria have a gender difference of nearly 60 percentage points (see **Figure 5**).

[25] See, for example, Esther Duflo, "Women Empowerment and Economic Development," *Journal of Economic Literature*, vol. 50, no. 4 (2012), pp. 1051-79.

[26] The World Bank, *World Development Report 2012: Gender Equality and Development*, 2012; The World Bank, *Opening Doors: Gender Equality and Development in the Middle East and North Africa*, 2013.

[27] Gaëlle Ferrant and Alexandre Kolev, "The economic cost of gender-based discrimination in social institutions," OECD Development Centre, *Issues Paper*, June 2016.

[28] Rabah Arezki and Ha Nguyen, "Coping with a Dual Shock: COVID-19 and Oil Prices," The World Bank, April 14, 2020. See also, Larry Luxnor, "COVID-19 could set back Mideast Economies for Years," New Atlanticist, July 14, 2020.

[29] The World Bank, "Saudi women rising up in business in line with Vision 2030," March 11, 2020; Raya Jalabi, "Saudi women barrel into workforce in changing kingdom," Reuters, November 4, 2021.

[30] ILO modeled estimates for 2019 (latest available), retrieved November 2021.

The "MENA Paradox"

In what has been referred to as the "MENA paradox," female labor force participation remains low across the region despite rising female education attainment (see **Figure 5**).[31] The World Bank argues that the region's conservative gender norms, legal and institutional barriers, and a lack of incentives and opportunities generated by local economic structures (e.g. social safety nets, parental leave, reliance on oil production) drive low rates of women's participation in the public sphere.[32] Some observers have posited that the mismatch is demand-side driven, as young women have increasingly entered the workforce at a time when job opportunities happen to have stagnated for both men and women.[33] Others argue that the paradox can be explained by a trifecta of constraints on supply-side factors, namely discriminatory gender norms, attitudes, and regulations; a lack of financial and business services for women; and limited access to skills, knowledge, markets, and networks.[34] Surveys done by Arab Barometer in 2020/2021 found that publics across the region attribute women's low participation in the labor force to structural rather than cultural barriers, citing a lack of childcare options, a lack of transportation, and low wages as the main barriers to women working.[35]

Prior to the pandemic, the World Bank had noted that a failure to address the high unemployment rates among youth and women could "deter economic recovery and hamper long-term growth prospects in the region."[36] High rates of unemployment and under-employment (reflecting those who are actively seeking work), particularly among young people, continue to challenge MENA governments (see **Figure 5**). The average unemployment rate for women in the region (15.5%) was more than twice the regional average for men (6.7%). Youth unemployment, while a challenge for men as well as women, was worse for young women in all the MENA countries: on average, female youth unemployment was nearly 18 percentage points higher than male youth unemployment (36.1% compared to 18.4%).[37] Economic frustration was one of the driving forces behind the Arab Spring uprisings in 2011, and renewed protests in Algeria, Egypt, Iraq, and Lebanon in 2019 and 2020 again brought the issue to the fore.[38]

The picture has not been uniformly negative: between 2000 and 2018, over nine million women entered the region's labor force.[39] Some observers also point to increased female entrepreneurship in some Gulf countries as positive economic developments for women. In 2021, Saudi Arabia and Oman were found to have more women entrepreneurs than men.[40]

[31] ILO, "High female education and low labour participation rates: IFAD and ILO tackle the 'MENA gender paradox,'" ILO News, July 19, 2017.

[32] The World Bank, *Opening Doors: Gender Equality and Development in the Middle East and North Africa*, 2013.

[33] Ragui Assaad et al., "Explaining the MENA Paradox: Rising Educational Attainment, Yet Stagnant Female Labor Force Participation," IZA Institute of Labor Economics, *Discussion Paper* No. 11385, March 2018.

[34] Drew Gardiner, "Attitudes and Norms on Women's Employment in the MENA region," ILO, March 2018.

[35] Arab Barometer, *Wave VI Regional Report: July 2020 - April 2021*, November 2021.

[36] Rabah Arezki et al., "A New Economy for the Middle East and North Africa," The World Bank, *Middle East and North Africa Economic Monitor*, October 2018.

[37] CRS calculations using ILO-modeled estimates from 2019, last updated October 28, 2021.

[38] See for example Jeremy Bowen, "Is a new Arab Spring unfolding in the Middle East?" BBC News, October 29, 2019; "Ten Years of Pan-Arab Protests: Understanding the New Dynamics of Change," Wilson Center Event, October 7, 2020.

[39] Saadia Zahidi, *Fifty Million Rising: The New Generation of Working Women Transforming the Muslim World*, (New York, NY: Nation Books, 2018), p. 7.

[40] Niels Bosma et al., "Global Entrepreneurship Monitor 2020/2021 Global Report," Global Entrepreneurship Research Association, London Business School, 2021.

Figure 5. Selected Economic Indicators for Women in the MENA region

	GDP per capita, '000 (current U.S. $)	Labor Force Participation Rate (%)		Unemployment Rate (%)		Mean Years of Schooling	
		Women	Men	Women	Men	Women	Men
Global	**$10.9**	**47.2**	**74.3**	**5.5**	**5.3**	**8.1**	**9.2**
	If < Global	If Rate < Global		If Rate > Global		If Years < Global	
MENA Average	**$14.7**	**29.2**	**75.8**	**15.5**	**6.7**	**8.3**	**8.8**
Qatar	$50.8	56.6	94.8	0.4	0.1	11.3	9.4
Israel	$43.6	59.6	68.0	3.9	3.7	13.1	13.0
UAE	$43.1	52.1	93.4	6.3	1.4	11.7	12.4
Kuwait	$32.4	49.8	87.6	6.1	1.2	8.0	6.8
Bahrain	$23.4	45.3	87.3	4.8	0.8	9.1	9.7
Saudi Arabia	$20.1	22.1	78.4	23.0	3.0	9.8	10.5
Oman	$15.3	36.0	83.6	7.4	0.8	10.6	9.4
Lebanon	$4.9	23.1	72.2	9.8	4.8	8.5	8.9
Jordan	$4.3	14.6	63.9	23.8	15.3	10.3	10.7
Iraq	$4.2	11.5	74.3	30.6	10.0	6.0	8.6
Libya	$3.7	34.0	65.3	24.1	15.4	8.5	7.2
Egypt	$3.5	18.5	71.2	21.3	6.7	6.8	8.1
Tunisia	$3.3	24.9	68.9	22.4	12.4	6.5	8.0
Algeria	$3.3	17.0	67.8	20.4	9.7	7.7	8.3
Morocco	$3.0	21.6	70.1	10.5	8.5	4.7	6.6
Iran	$2.3	17.6	72.4	18.1	9.5	10.3	10.4
Syria	$2.0	14.7	74.4	20.4	5.7	4.6	5.6
Yemen	$0.8	6.0	70.6	25.3	11.9	2.9	5.1

Source: Labor force participation rate and unemployment rate are International Labor Organization (ILO)-modeled estimates for 2019, downloaded from the World Bank data portal October 2021. GDP data are also available from the World Bank for 2018. Mean years of schooling data are from the U.N. Development Program (UNDP), *Human Development Report 2019*, Gender Development Index, July 15, 2019.

Notes: UNDP defines mean years of schooling as "the average number of years of education received by people ages 25 and older, converted from educational attainment levels using official durations of each level." The most recent GDP per capita data for Syria is from 2010 and from 2017 for Iran.

Political Representation

Various studies have found that women's empowerment as political leaders is correlated with greater government responsiveness to citizen needs, increased cooperation across party and ethnic lines, decreased levels of corruption, lower levels of civil conflict, and a reduced risk of civil war relapse.[41] Women are underrepresented in political positions and institutions in the MENA region to a greater extent when compared to other regions globally.[42] For example, MENA countries perform below the world average when it comes to the percentage of seats held by women in

[41] See, for example, David Dollar et al., "Are Women Really the 'Fairer' Sex? Corruption and Women in Government," *Journal of Economic Behavior & Organization*, vol. 49 (2001), pp. 423-9; Georgina Waylen, "Gender and Transitions: What do We Know?" *Democratization*, vol. 10, no. 1 (2003), pp. 157-78; Erik Melander, "Gender Equality and Intrastate Armed Conflict," *International Studies International Studies Quarterly*, vol. 49, no. 4 (2005), pp. 695–714; Jacqueline Demeritt et al., "Female Participation and Civil War Relapse," *Civil Wars*, vol. 16, no. 3 (2014).

[42] See CRS Report R45483, *Women in National Governments Around the Globe: Fact Sheet*, by Susan G. Chesser.

legislative bodies: 10.4% of seats are held by women compared to 24.3% globally and 23.6% in the United States (see **Figure 6**). Moreover, the region performs poorly on measures of political rights and civil liberties.[43]

Monarchies and authoritarian or hybrid political systems may create some opportunities for women to participate in legislative bodies, but ultimately may not be responsive to elected representatives. Some observers argue that authoritarian leaders rhetorically uphold initiatives on women's rights to appear more inclusive and divert attention away from repressive behavior or to bolster their legitimacy abroad.[44] For example, the Saudi monarchy recognized women's right to vote in 2011 and expanded women's participation in the advisory, appointed Shura Council. Saudi Arabia has recognized some additional women's rights (such as the right to drive) since 2017, but the government has detained and tried women activists and maintains some "guardianship" limits on women's behavior.[45] In Tunisia, President Kaïs Saïed's appointment in 2021 of Najla Bouden Ramadhane—the first woman to hold the post of prime minister in Tunisia or elsewhere in the Arab world—came after Saïed suspended much of the constitution, asserted the authority to govern by decree, and curtailed the independence and powers of the position.[46]

Some governments and political parties have attempted to improve women's representation in legislative bodies by implementing gender quotas. Eight countries in the region have some form of quota to ensure women's representation, and those countries have more women seated in lower houses of the legislature than the MENA average (see **Figure 6**). Arab Barometer findings indicate that more than two-thirds of those surveyed support women's quotas.[47] In 2020, Egypt became the most recent country in the region to implement gender quotas for parliamentary seats: 25% of the lower chamber seats and 10% of the upper chamber seats are now reserved for women.[48]

Recent elections in some parts of the region have seen women winning fewer seats than in previous elections. In Tunisia, women lost 25 seats in the 2019 parliamentary elections compared to 2014.[49] In Israel, where some political parties have voluntarily instituted gender quotas, women held 35 seats in the 120-seat 20th Knesset (elected in 2015), compared to 29 elected in April 2019, 28 in the September 2019 re-run of elections, and 30 in the third and fourth electoral re-runs, in March 2020 and March 2021.[50] Parliamentary elections in Algeria (2021), Jordan (2020), and Kuwait (2020) resulted in women holding fewer seats, while elections in Morocco (2021) and Egypt (2020) resulted in slight increases in the number of women representatives.

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[43] As of January 2021, Freedom House ranked Israel and Tunisia as "free"; Lebanon, Kuwait, and Morocco as "partly free"; and Jordan, Algeria, Iraq, Qatar, Oman, Egypt, UAE, Iran, Bahrain, Yemen, Libya, Saudi Arabia, and Syria as "not free." Freedom House, *Freedom in the World 2021*.

[44] See for example: Gabrielle Bardall, "Autocrats use feminism to undermine democracy," Policy Options, October 30, 2019; Hind Ahmed Zaki, "El-Sissi's Women? Shifting gender discourses and the limits of state feminism," *Égypte/Monde Arabe*, vol. 13 (2015), pp. 39-53.

[45] See "Women's Rights" in CRS Report RL33533, *Saudi Arabia: Background and U.S. Relations*, by Christopher M. Blanchard.

[46] CRS Report RS21666, *Tunisia: In Brief*, by Alexis Arieff.

[47] Kathrin Thomas, "Women's Rights in the Middle East and North Africa," Arab Barometer, August 2019.

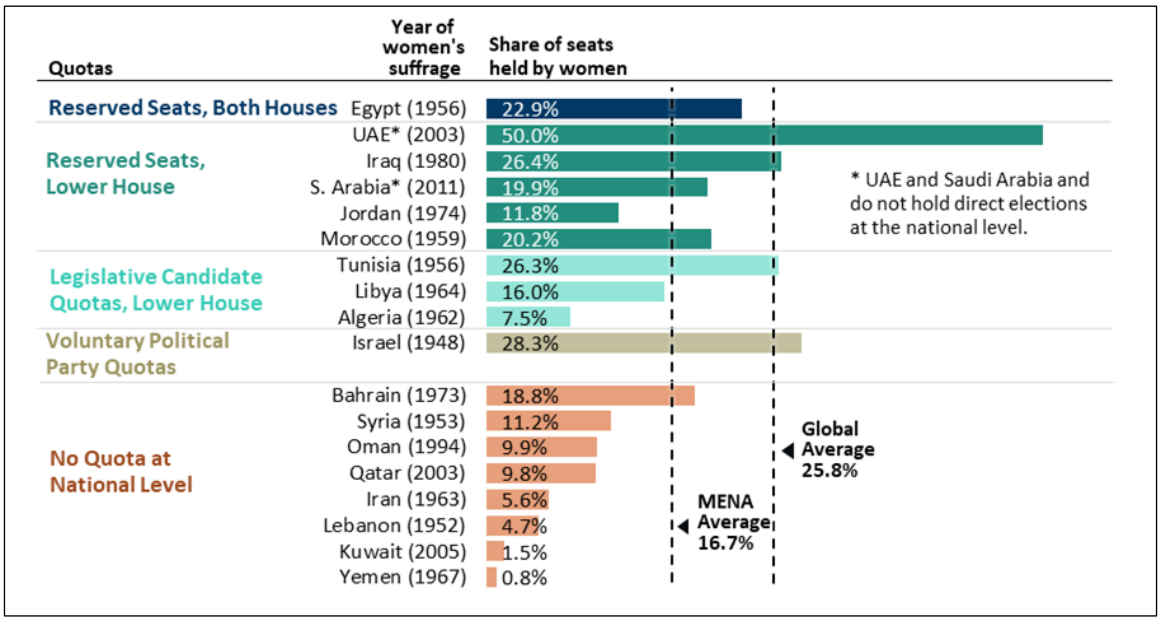
[48] Institute for Democracy and Electoral Assistance, "Egypt," Gender Quotas Database, updated October 21, 2021.

[49] The electoral law in recent cycles has required that parliamentary candidate lists alternate between men and women (meaning that any party that wins more than one seat in a given district will send at least one woman to parliament). The loss in seats for women may be attributed, in part, to the election of a more fractious parliament in 2019, in which relatively few parties won more than one seat. Composition of the 2019 parliament available at https://majles.marsad.tn/2019/fr/assemblee/.

[50] Ruth Eglash, "Four Israeli women who've broken new political ground," *Washington Post*, August 7, 2020.

Figure 6. Political Representation of Women

Percentage of seats held by women in parliament/consultative body and date of women's suffrage



Source: Compiled by CRS using data from the Monthly Ranking of Women in National parliaments published by the Inter-Parliamentary Union, and the Gender Quotas Database published by the International Institute for Democracy and Electoral Assistance, as of November 15, 2021.

Notes: In UAE, half of the members of the Federal National Council are appointed, half are elected by electoral colleges consisting of voters selected by emirs of each emirate. In Saudi Arabia, the Shura Council is chosen by the King, with 20% of seats reserved for women since 2013.

Where women are elected to political bodies, they may encounter additional barriers to political participation. For example, a 2015 study found that even though women held 16% of seats in the Libyan parliament (due in part to gender quotas), female members of parliament were challenged by practices such as holding meetings late at night when it is not socially acceptable for women to be out or in places considered unsafe for women to attend. They have also been subject to verbal intimidation by their male counterparts.[51]

Obstacles to women's representation may also include cultural beliefs about a woman's place in politics, though there appears to be a range of views within the region, and those may be changing over time. A 2016 public opinion poll in Arab countries indicated that men, and to a lesser extent women, view men as superior political leaders. At the same time, the poll also found that a majority of men and a larger majority of women in each country except Algeria agreed that an Arab woman could become the head of state of a Muslim-majority country.[52]

As women gain greater representation in political bodies, however, they may still hold less power than men, a distinction that is sometimes lost in quantitative measures of participation. An index developed by the congressionally chartered Wilson Center to measure women's leadership in the MENA region found in 2020 that when women led top government departments there, they were four times more likely to be found in what are considered traditionally "feminized" sectors

[51] U.N. Development Program Libya, "Women, Peace and Security in Libya: Comparative Summary of the WPS Baseline Study, Phase I and Phase II," 2015.

[52] Arab Barometer, "Views of Arab Women as Political Leaders," February 11, 2019.

focused on various forms of caretaking, such as socio-cultural ministries, rather than sectors with larger budgets and greater influence over policy areas such as defense, finance, energy, or justice.[53]

Selected Milestones for Women's Political Representation

- **In 1969,** Israelis elected Golda Meir as Prime Minister. From 2006-2009, Dalia Itzik served as the first female speaker of the Israeli Knesset.
- **In 2011,** Bothaina Kamel became the first woman to run for president in Egypt.
- **In 2011,** Saudi Arabia became the last country in the world (besides the Vatican) to recognize women's right to vote following Oman (2003), Qatar (2003), Kuwait (2005), and the UAE (2006).[56]
- **In 2014,** Iraq adopted the region's first National Action Plan in support of U.N. Security Council Resolution 1325 on women, peace, and security, followed by Jordan (2017), Tunisia (2018), Lebanon (2019), and Yemen (2019).
- **In 2015,** the UAE elected Dr. Amal Al Qubaisi Speaker of the Federal National Council, the first woman to serve as speaker of a legislative body in the Arab world.
- **In 2018,** Sarwa Abdul Wahid became the first woman to run for president in Iraq.
- **In 2019,** Lebanon's Raya Al Hassan was appointed the first female interior minister in the Arab world.
- **In 2019,** Princess Reema bint Bandar Al Saud became the first female ambassador to represent Saudi Arabia.
- **In 2019,** two women, Selma Elloumi Rekik and Abir Moussi, ran in Tunisia's presidential elections.
- **In 2020,** Lebanon's Zeina Akar Adra became the first female Minister of Defense in the Arab world.
- **In 2020,** Israelis elected 33 women to the Knesset, including "the first Ethiopian-born Knesset member to become a government minister, the first female ultra-Orthodox Jewish lawmaker and minister, the first female Knesset member from the Druze religious community, and the first to wear a Muslim hijab."[57]
- **In 2021,** Najla Bouden was named the first female Prime Minister in Tunisia and in the Arab world.

Conflict and Displacement[58]

Compared with most of the rest of the world, the MENA region experienced a disproportionate share of conflict and population displacement from 2011 to 2020.[59] Prolonged situations of conflict and displacement have specific implications for sexual and gender-based violence

[53] Merissa Khurma et al., "Ready to Lead: Understanding Women's Public Leadership in the Middle East and North Africa," The Wilson Center, March 2020, p. 20.

[54] Arab Barometer, "Views of Arab Women as Political Leaders," February 11, 2019.

[55] Merissa Khurma et al., "Ready to Lead: Understanding Women's Public Leadership in the Middle East and North Africa," The Wilson Center, March 2020, p. 20.

[56] CRS Report R45483, *Women in National Governments Around the Globe: Fact Sheet*, by Susan G. Chesser. Saudi women did not actually vote until the 2015 municipal elections.

[57] Ruth Eglash, "Four Israeli women who've broken new political ground," *The Washington Post*, August 7, 2020.

[58] For background on global humanitarian issues, see CRS In Focus IF10568, *Overview of the Global Humanitarian and Displacement Crisis*, by Rhoda Margesson.

[59] Data from the Uppsala Conflict Data Program suggests that 59% of the world's battle deaths took place in the MENA region from 2011-2020 (available through the World Bank data portal). United Nations High Commissioner for Refugees (UNHCR) estimates that 28% of the world's refugees and internally displaced persons in 2020 originated in the MENA region. The region accounts for about 6% of the total global population. UNHCR, "Global Trends 2020: Excel Annex tables," data as of December 31, 2021; U.N. Population Division, "World Population Prospects 2019," data as of July 1 2019.

(SGBV), girls' access to education, rates of child, early, and forced marriage (CEFM), maternal and child health, and the region's economic growth. [60]

As **Figure 7** illustrates, the countries suffering from conflict and humanitarian crises (Iraq, Syria, Libya, and Yemen) also have some of the highest rates of intimate partner violence in the region. Additionally, in some cases, SGBV has been used as a weapon of war. For example, conflict-related sexual violence has been documented in Iraq, Syria, Libya, and Yemen:

- At the height of its power, the **Islamic State** (which controlled areas of Iraq and Syria between 2014 and 2019) "discriminated against women, girls, and sexual minorities as a matter of policy."[61] The group was notably implicated in genocide, crimes against humanity, and war crimes against the Yazidis, an ethnic group indigenous to Iraq, Syria, and Turkey. Yazidi women and girls as young as nine were sold into sexual slavery by IS fighters.[62] Abuses against women attributed to IS combatants also included stonings, executions, forced marriages, restrictions on movement, and strict dress codes enforced by lashings.
- Parties to the **Syrian conflict** have allegedly used sexual violence as a tool to "instill fear, humiliate and punish or, in the case of terrorist groups, as part of their enforced social order."[63] The United Nations has alleged that rapes and other acts of sexual violence carried out by government forces have "formed part of a widespread and systematic attack directed against a civilian population, and amount to crimes against humanity."[64] Syrian refugee women have also noted that intimate partner violence has intensified as the lack of employment opportunities for men have increased frustration, tension, and violence in the home. Recourse to harmful coping mechanisms, such as child marriage for girls as young as 10 years old, has reportedly increased in light of physical and financial insecurity faced particularly by those internally displaced.[65]
- In **Yemen**, the United Nations recorded increased reporting of sexual violence in 2018, including cases of physical or sexual assault, rape, and sexual slavery, noting that "while a few cases are directly attributable to parties to the conflict, most are the result of increased risks that women and children face, against a backdrop of pre-existing gender inequality, exacerbated by the chronic incapacity of Government institutions to protect civilians."[66] In 2019 and 2020, the U.N. noted further reports of conflict-related sexual violence, particularly in displacement and detention settings.
- The U.N. reports that in **Libya,** a "climate of insecurity has allowed transnational smugglers, traffickers and armed groups to perpetrate rape, sexual harassment of detainees and trafficking of migrants and asylum seekers with impunity. State actors, including corrections officials, have also been implicated."[67] As part of resolution 2542 (2020), the Security Council called for women and child protection advisers to be deployed with the U.N. Support Mission in Libya (UNSMIL) to monitor and report abuses and violations of human rights and violations of international humanitarian law, including sexual violence in conflict.

Child, Early, and Forced Marriages (CEFM)[68]

UNICEF estimates that about 700,000 child marriages annually have taken place in the MENA region in recent years; about 1 in 5 girls in the MENA region were married before their 18th birthdays.[69] Rates of child, early, and forced marriages in MENA had decreased between 1990 and 2010, but progress reportedly has stalled since then. Experts are concerned about the effect the COVID-19 pandemic may have on efforts to reduce child marriage, both in terms of the ability to implement interventions due to social distancing measures, and in terms of increased poverty in vulnerable communities, a key driver of CEFM.[70] In crisis situations, parents may see child

marriage as a way to relieve economic difficulties by transferring the cost of supporting a girl to another family or through dowry payments, and may believe that marriage will protect girls from violence.[71] Studies suggest that CEFM generally rises in conflict-affected countries and protracted displacement conditions. Negative trends for girls in Iraq, Libya, Syria, and Yemen, illustrate this vulnerability.

- **In Iraq,** CEFM increased from 15% in 1997 to 24% by 2016, including 5% of marriages involving children younger than 15;[72]
- **In Syria,** child marriage rates were reportedly four times higher among displaced Syrian refugees in 2019 than among Syrians before the crisis;[73]
- **In Libya,** previously ranked among the region's lowest rates of child marriage (2%), the number of child brides reportedly rose in areas that were controlled or influenced by the Islamic State;[74] and
- **In Yemen,** a September 2016 study found that in governorates with high numbers of internally displaced persons, 44% of marriages reportedly involved girls under the age of 15.[75]

[60] See, for example, Oxfam, "Factsheet: Women, Peace and Security in the Middle East and North Africa Region," February 2016; UNHCR, "Turn the Tide: Refugee Education in Crisis," August 2018; Christelle Cazabat, *Women and Girls in Displacement*, International Displacement Monitoring Center, March 2020.

[61] U.N. Human Rights Council, "'I lost my dignity': Sexual and gender-based violence in the Syrian Arab Republic," A/HRC/37/CRP.3, March 2018.

[62] U.N. Human Rights Council, "'They Came to Destroy': ISIS Crimes Against the Yazidis," A/HRC/32/CRP.2, June 15, 2016.

[63] U.N. Human Rights Council, "'I lost my dignity."

[64] Ibid, p. 1.

[65] U.N. Security Council, *Report of the Secretary General on Conflict-Related Sexual Violence*, S/2021/312, March 30, 2021.

[66] U.N. Security Council, *Conflict Related Sexual Violence: Report of the United Nations Secretary-General*, S/2019/280, March 29, 2019; S/2020/487, June 3, 2020; and S/2021/312, March 30, 2021.

[67] U.N. Security Council, *Conflict Related Sexual Violence: Report of the United Nations Secretary-General*, S/2021/312, March 30, 2021.

[68] There is no universal definition of child or forced marriage. The United Nations offers the following definition of CEFM: "Child marriage, or early marriage, is any marriage where at least one of the parties is under 18 years of age. Forced marriages are marriages in which one and/or both parties have not personally expressed their full and free consent to the union. A child marriage is considered to be a form of forced marriage, given that one and/or both parties have not expressed full, free and informed consent." This naming convention has not been universally adopted, so this report uses the term "child marriage" when reflecting the conventions of the underlying sourcing. U.N. Office of the High Commissioner for Human Rights, "Child, early and forced marriage, including in humanitarian settings," last updated 2020.

[69] UNICEF, "Child Marriage in the context of COVID-19," June 2021.

[70] UNFPA, "Impact of the COVID-19 Pandemic on Family Planning and Ending Gender-based Violence, Female Genital Mutilation and Child Marriage," Interim Technical Note Information, April 27, 2020; Joud Monla-Hassan and Mona Yacoubian, "COVID Will Lead to More Child Marriage—What Can Be Done?" United States Institute of Peace, August 12, 2020.

[71] Girls Not Brides, "Why It Happens?" last updated 2021.

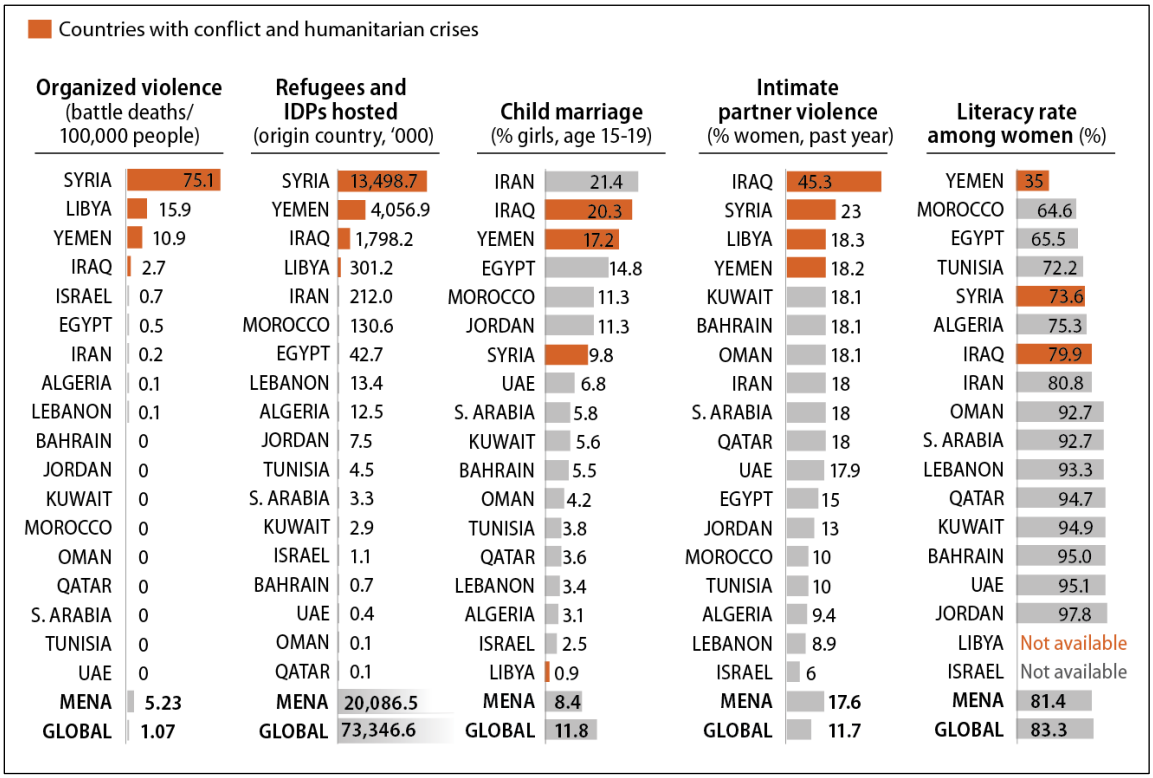
[72] Gilgamesh Nabeel and Jacob Wirtschafter, "Early marriage figures for Iraq are startling. Child advocates worry it could rise even more," Public Radio International, August 13, 2018.

[73] U.N. Human Rights Council, "Report of the Independent International Commission of Inquiry on the Syrian Arab Republic," A/HRC/42/51, August 15, 2019.

[74] Farzaneh Roudi-Fahimi and Shaimaa Ibrahim, "Ending Child Marriage in the Arab Region," policy brief, PRB, May 2013; Umberto Bacchi, "ISIS in Libya: Child Brides Boom in Derna as Record Number of Girls Married Off to Jihadi Fighters," *International Business Times*, May 11, 2015.

[75] UNICEF, "Falling Through the Cracks: The Children of Yemen," March 2017.

Figure 7. Conflict, Displacement, and Gender-based Violence



Source: Created by CRS using battle death and intimate partner violence data from GIWPS and PRIO, *WPS Index 2021*; displacement data from UNHCR, Refugee Population Statistics Database, June 2021; child marriage and literacy rate data from WEF, *Global Gender Gap Report 2021* (child marriage data from 2019; literacy data from 2018).

Notes: The WPS Index measures intimate partner violence by the percentage of women who experienced physical or sexual violence committed by their intimate partner in the previous 12 months. The Global Gender Gap Report approximates the rate of child marriage by using percentage of girls aged 15–19 years who are or have ever been married, divorced, widowed, or in an informal union as reported in U.N. World Marriage Data (2017).

Conflict Resolution and Peace Negotiations

Studies have shown that the inclusion of women in peace processes can help to reduce conflict and improve long-term prospects for peace.[76] A 2015 study estimated that the participation of women and civil society groups in a peace negotiation makes a peace agreement 64% less likely to fail and 35% more likely to last at least 15 years.[77] In the MENA context, women have been underrepresented in most formal efforts to resolve the region's three largest ongoing wars in Libya, Syria, and Yemen, despite attempts by some international actors to involve women in these processes. Women have nevertheless continued peacebuilding efforts through civil society and grassroots organizations. In May 2020, over 90 Arab women's civil society organizations joined

[76] See, for example, Maxwell Adjei, "Women's participation in peace processes: a review of literature," *Journal of Peace Education*, vol. 16, no. 2 (2019), pp. 133-154.

[77] Marie O'Reilly, Andrea Ó Súilleabháin, and Thania Paffenholz, *Re-Imagining Peacemaking: Women's Roles in Peace Processes*, International Peace Institute, June 2015.

the U.N. Secretary-General in calling for a global ceasefire to address the COVID-19 pandemic.[78] Women's peacebuilding organizations also have mobilized to stop the spread of the virus and assist affected communities.

In **Libya**, peace efforts have not been inclusive of Libyan women.[79] Despite the active involvement of nearly one in five women in the 2011 revolution and repeated calls from the U.N. Security Council for the "the full, equal and effective participation of women in all activities relating to the democratic transition, conflict resolution and peacebuilding," formal peace talks have not included Libyan women. [80] Women peacebuilders are active in the country, however. For example, the Libyan Women's Network for Peacebuilding (Network), created with support from UN Women in July 2019, has been convening virtually to press for a ceasefire, advocate for imprisoned activists, and condemn violence against women in politics. After the COVID-19 pandemic emerged, Network members repurposed their networks to spread information, collect personal protective equipment (such as masks) for health care workers, and advocate for the humanitarian needs of vulnerable groups.[81]

In **Syria**, throughout multiple rounds of peace talks between 2012 and 2017 to resolve the Syrian war, Syrian women were significantly underrepresented in the process, despite repeated calls by the international community for more women to be included in government and opposition delegations. Four years into the U.N.-sponsored talks in 2016, the then-U.N. Special Envoy, Staffan de Mistura, created a Syrian Women's Advisory Board to support women's participation in the peace process; the Board sent a delegation of 12 women as third party observers to negotiations in Geneva.[82] In 2017, women comprised 15% of negotiators of the U.N.-sponsored peace talks.[83] That same year, Syrian women opposition politicians and activists formed the Syrian Women Political Movement to develop a shared vision for a peace process inclusive of women and grassroots activists. The group has advocated that all decision-making processes include at least 30% women, among other demands.[84] Women hold about 30% of seats in the 150-member Constitutional Committee, created in late 2019 with 50 participants each nominated from the government, opposition, and civil society, and 30% of the 45-member constitution drafting committee.[85]

In **Yemen**, women had been making progress towards greater representation in decision-making, but since the outbreak of war in 2014, have largely been excluded from formal peace negotiations. Women held 30% of seats and chaired three of the nine committees on the National Dialogue Conference (NDC) called to broker a transition from the longtime rule of President Ali

[78] UN Women, "Women's organizations in the Arab States region join UN Secretary-General António Guterres's call for ceasefire in the face of COVID-19," Press Release, May 29, 2020.

[79] Emily Burchfield, "How the exclusion of women has cost Libya," The Atlantic Council, November 26, 2019.

[80] Rola Abdul-Latif, "Libya Status of Women Survey 2013," International Foundation for Electoral Systems, September 2013; U.N. Security Resolution 2273 (2016); U.N. Security Council Resolution 2376 (2017); U.N. Security Resolution 2434, (2018); U.N. Security Resolution 2486 (2019); U.N. Security Council Resolution 2542, (2020).

[81] UN Women, "Connected by their phones, women peacebuilders lead COVID-19 prevention efforts across Libya," June 19, 2020.

[82] Council on Foreign Relations, "Women's Participation in Peace Processes: Syria," January 30, 2019.

[83] Bela Kapur, "Syrian Women in Political Processes: Literature Review," The Kvinna till Kvinnna Foundation, May 2017.

[84] Sheila Goishabib, "Syrian Women's Political Movement Releases Three Policy Papers," Women's International League for Peace and Freedom, July 1, 2019.

[85] Remarks by Jomana Qaddour at Middle East Institute event, "The Role of Women in Syria's Future," November 21, 2019.

Abdullah Saleh to President Abd Rabbuh Mansur Hadi in 2011. A new draft constitution that built on NDC recommendations would have secured the recognition of women as equal citizens and independent individuals, a 30% quota in decision-making positions, and a legal minimum marriage age of marriage of 18. The constitution was never ratified, however, and rebel Houthi leaders' rejection of the draft constitution was one of the triggers of the current crisis.

Women have been minimally involved in subsequent peace negotiations to resolve the conflict with the Houthis.[86] U.N. Special Envoy Martin Griffiths reportedly invited eight women to join the peace talks in Sweden in 2018, though only one woman was present at the negotiation table.[87] In December 2019, the Prime Minister of the Hadi government approved Yemen's National Action Plan for Women, Peace, and Security. The plan reportedly states that women's participation should be set at no less than 30% in all stages of the peace process, though critics have raised concerns that the plan lacks specifics on "budgets, resource allocation, monitoring and evaluation mechanisms or accountability measures" and ignores the outcomes of the NDC as a national point of reference.[88] In October 2020, a women-led civil society organization, the Abductees' Mothers Association, helped to facilitate the largest prisoner exchange of the Yemen war in October 2020.[89]

Radicalization, Terrorism, and Violent Extremism

Some studies have linked the status of women at the household level to the resilience of a state and community to violence and violent extremism.[90] In some cases, women may be uniquely positioned as "mitigators" of terrorism, both as "predictors" and "preventers."[91] Governments in the region have invested resources in programs that involve women in countering violent extremism. At the same time, women can be actors as well as victims in the commission of acts of terrorism. Terrorist groups have tasked female members with concealing explosive devices, relaying communications, ferrying funds, and the like, assuming that women are less likely to be searched or otherwise draw attention from security forces. Violent extremist groups in MENA have recruited women to support and participate in their operational, intelligence gathering, and administrative activities, even as they have imposed severe restrictions and punishments on women.

From its inception, the Islamic State used women to recruit and fundraise, and to provide support and companionship to male fighters. One estimate suggested that women accounted for up to 13% (4,761) of the total 41,490 foreigners who were recorded to have traveled to territory under the control of the Islamic State from 2014 to 2019.[92] According to a journalist who covered the

[86] Neha Wadekar, "Women Want to Put Yemen Back Together Again," *Foreign Policy*, November 27, 2018.

[87] Valette, *Protection, Participation and Potential*, January 2019.

[88] Maha Awadh, "Unfulfilled Ambition: Yemen's National Action Plan for Women Leaves Much to be Desired," Enheduanna Blog, Wilson Center, April 9, 2020. The plan has not been officially published and CRS has not reviewed a translated draft.

[89] Lauren Mellows, "Abductees' Mothers Association: On the Front Lines of Yemen's Prisoner Swap," International Civil Society Action Network, November 13, 2020.

[90] Krista Couture, "A Gendered Approach to Countering Violent Extremism: Lessons Learned From Women in Peacebuilding and Conflict Prevention Applied Successfully in Bangladesh and Morocco," Brookings Institution, *Policy Paper*, July 2014; Valerie Hudson et. al., *The First Political Order: How Sex Shapes Governance and National Security Worldwide* (New York, NY: Columbia University Press, 2020).

[91] Jamille Bigio and Rachel Vogelstein, "Women and Terrorism: Hidden Threats, Forgotten Partners," Council on Foreign Relations, Discussion Paper, May 2019.

[92] Joana Cook and Gina Vale, "From Daesh to 'Diaspora' II: The Challenges Posed by Women and Minors after the

fighting in Iraq, some women joined the Islamic State in operational roles even as the group experienced territorial losses, driven by "revenge, need, or both" to retaliate against coalition and Iraqi military operations.[93] The group imposed harsh restrictions on women under its control. At a House Foreign Affairs Committee hearing in 2015, numerous witnesses testified about the mistreatment of women alongside the often-successful efforts to lure foreign women to the area and the group. The aspects of brutality included, among other forms of oppression, widespread sexual violence, trafficking, slavery, and murder.[94] The hearing also highlighted the role of women in countering the Islamic State, including all-female battalions of Kurdish women fighting on the front lines, and female first-responders rescuing women from the group.[95]

Despite having lost most of the territory that it previously controlled in Iraq and Syria, the Islamic State continues to pose a threat, including with regard to its radicalization of women. In particular, experts and U.S. government officials repeatedly have expressed concern about the radicalization of women residing in camps for people displaced from territory formerly held by the Islamic State, such as Al Hol.[96] A U.N. assessment in August 2021 estimated that 92% of the more than 60,000 then-inhabitants of Al Hol were women and children.[97] An unknown number of the women remaining in Al Hol and similar camps are family members and/or former supporters of IS combatants, or are former IS combatants themselves.[98]

Experts have argued that in order to be effective, efforts to counter terrorism need to recognize the potential roles women can play in recruitment, messaging, administration, and operations (as the extremist groups do), as well as the roles women can play in countering extremism.[99] Several MENA governments have taken steps in this direction. For example, the State Department's 2019 Country Reports on Terrorism (the most recent available) noted that Algeria recognizes the "crucial role" of women in its efforts to counter extremism, highlighting the female clerics who work with young girls, mothers, and prisoners.[100] The report also noted that in Jordan, "officials regularly engage experts on topics such as the role of women and girls in terrorism prevention." From a U.S. government perspective, the State Department witness at a November, 2021 hearing

Fall of the Caliphate," U.S. Military Academy Combating Terrorism Center, *CTC Sentinel*, vol. 12, no. 6, July 2019.

[93] For example, Iraqi security forces reportedly raped, harassed, and stole from some women after expelling IS fighters. According to reports, some women joined IS to seek revenge against the security forces. Some also felt pressure to join the group due to lack of income and "terrible" living conditions. Vera Mironova, "Is the Future of ISIS Female?" *New York Times*, February 20, 2019.

[94] U.S. Congress, House Foreign Affairs Committee, hearing, *Women Under ISIS Rule: From Brutality to Recruitment*, 114th Congress, July 29, 2015.

[95] See also Gayle Tzemach Lemmon, *Daughters of Kobani*, (New York: Penguin Press, 2021).

[96] See, for example, Senate Foreign Relations Subcommittee on Near East, South Asia, Central Asia and Counterterrorism, *Iraq: A Crossroads of U.S. Policy*, hearing, 116th Cong., 1st sess., July 16, 2020; Julia Hurley, "Coronavirus and ISIS: The Challenge of Repatriation from Al-Hol," United States Institute of Peace, May 28, 2020.

[97] U.N. Human Rights Council, "Report of the Independent International Commission of Inquiry on the Syrian Arab Republic," A/HRC/48/70, August 13, 2021.

[98] The residents are reportedly divided between those who remain supportive of the Islamic State and others who regret their association, with the former group reportedly using repressive and violent means, including killings, to enforce their interpretation of religious rules within the camp. John Saleh, "The Women of ISIS and the Al-Hol Camp," Fikra Forum, August 2, 2021.

[99] See, for example, the report mandated in Section 1047 of the 2020 National Defense Authorization Act (NDAA): CNA, *Understanding Gender and Violent Extremism*, March 2021. See also, USAID, *Policy For Countering Violent Extremism Through Development Assistance*, April 2020; Jamille Bigio and Rachel Vogelstein, *Women and Terrorism: Hidden Threats, Forgotten Partners*, Council on Foreign Relations, May 2019.

[100] U.S. Department of State, *Country Reports on Terrorism 2019*, June 24, 2020.

on the Counterterrorism Bureau told Congress that women play an important role in all aspects of countering violent extremism.[101]

Raising a different perspective on women and the fight against terror, a U.N. Human Rights Council report from March 2021 cautioned that many counter-terrorism policies and postures may harm women: "Counter-terrorism policy and practice in multiple countries deliberately targets women human rights defenders and those claiming sexual, reproductive and equality rights for women and girls and uses the full force of the security state to shut down and choke their claims."[102] This dynamic arguably is an element of the larger, long-standing dilemma in the MENA region of balancing seemingly competing U.S. policy goals of partnering with some autocratic governments on the one hand and promoting democracy and human rights on the other.[103]

Considerations for Congress

Members may take into account the following issues and questions as they conduct oversight of and consider U.S. policy addressing both the status of women in MENA countries and broader security and policy priorities in the region.

- **Resources and priorities**. In a context of competing domestic and foreign policy priorities and finite resources, to what extent, if any, should U.S. foreign policy, foreign assistance, and military cooperation be directed to address gender imbalances in the MENA region? If so, how can this be done most effectively? Are there specific countries or lines of effort that should be prioritized over others, and, if so, for what reasons? How has USCENTCOM implemented the Women, Peace, and Security Act and what resources has it allocated to support the goals of the Act?
- **Foreign aid**. What is the impact of U.S. efforts to advance the WPS Act on the safety and well-being of women in the MENA region and on the promotion of broader security and the resolution of conflict? What is the impact of U.S. efforts to support women's economic and legal empowerment in the MENA region?
- **Unintended consequences**. Do some types of aid or cooperation with MENA governments on security issues inadvertently contribute to harming women's rights or well-being? Are there ways to mitigate against such damage?
- **Conditionality**. What are the pros and cons of conditioning U.S. financial support for and security cooperation with authoritarian states on respect for women's rights and gender equality? What metrics would be appropriate for gauging progress made by these regimes?
- **Effectiveness**. How do the Departments of State and Defense and USAID seek to measure program effectiveness? Which types of policy approaches and foreign

[101] U.S. Congress, House Foreign Affairs Committee, Subcommittee on the Middle East, North Africa and Global Terrorism, hearing, *The FY22 Budget: State Department Counterterrorism Bureau*, 117th Congress, November 17, 2021.

[102] U.N. Human Rights Council, "UN expert calls on States to end counter-terrorism policies and practices that harm women, girls and family," March 4, 2021. The text of the full report, *Human rights impact of counter-terrorism and countering (violent) extremism policies and practices on the rights of women, girls and the family*, January 22, 2021, is available at https://reliefweb.int/sites/reliefweb.int/files/resources/A_HRC_46_36_E.pdf.

[103] For one discussion of this tension see Thomas Carothers and Benjamin Press, "Navigating the Democracy-Security Dilemma in U.S. Foreign Policy: Lessons from Egypt, India, and Turkey," Carnegie Endowment for International Peace, November 4, 2021.

assistance programs appear to have been the most effective in improving conditions for women? What have been the effects of U.S. programs in specific MENA countries?

- **Congressional mandates**. What are the benefits and drawbacks of using legislation to mandate the incorporation of gender elements into broader foreign policy initiatives, foreign assistance programs, and military cooperation activities?
- **Best practices**. To what extent, if any, are U.S. government agencies sharing best practices among themselves and with other international actors? Would congressional efforts to encourage women's participation in peace negotiations in Afghanistan be applicable to MENA conflicts such as those in Syria, Yemen, and Libya?
- **Cultural sensitivities and resistance to change**. How can U.S. and international assistance and programs be structured to maximize local ownership of initiatives for women and girls and minimize the perception of outside interference?
- **Coordination with international efforts**. What programs and initiatives do other governments and regional and multilateral organizations have for addressing gender issues in the MENA region? Are there gender issues in the region that would be most efficiently or effectively addressed through multilateral organizations, as opposed to unilateral U.S. efforts? How well coordinated are global efforts, and what opportunities are there for greater coordination and/or burden-sharing?
- **COVID-19.** Are there ways to target U.S. policy and/or foreign assistance that might help mitigate the negative impact of the COVID-19 pandemic on women?

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